PARLIAMENTARY DEBATES

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HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-FIRST PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1993–94

COMPRISING PERIOD
9 May—20 May 1994

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OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-FIRST PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 27 APRIL 1992]

FORTY-THIRD YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES VOLUME 243

ELEVENTH VOLUME OF SESSION 1993-94

House of Commons

Monday 9 May 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TRANSPORT

Railway Safety

1. **Mr. Gunnell:** To ask the Secretary of State for Transport what changes in operational practice on matters affecting railway safety have taken place since 1 April as a result of the Railways Act 1993.

The Minister for Public Transport (Mr. Roger Freeman): Railtrack has operational responsibility for a new safety regime which will ensure that the already high standard of safety on the railways is maintained and improved.

Mr. Gunnell: Have not there already been changes? Before privatisation, drivers went to a training school and the central fund that provided that training has now been abolished. Before privatisation, when an incident occurred, the focus of the investigation was on finding the cause of the accident and learning from it. Trade union observers were present. Now the focus of the inquiry will be on how to apportion blame and costs among the different companies involved—Railtrack, the station owners and the operating companies. Is not it inevitable that increased bureaucracy will lead to less safety?

Mr. Freeman: Absolutely not. The safety of the railways, which has been the pre-eminent concern of the British Railways Board in recent years, will continue. A privatised railway will be as safe as, if not safer than, a publicly owned railway. As for the investigation of accidents, there will be no change. Her Majesty's inspectorate will continue to focus on the cause of each accident, not initially on seeking to apportion blame.

Mr. Forman: Is my right hon. Friend aware that my rail-travelling constituents will expect nothing less than that the interests of safety will be paramount in the new arrangements of British Rail? Can he assure me and my constituents that sufficient provision will be made for infrastructure investment in British Rail once Railtrack is really operational? It is important that we deal with the problems of signal failure and the like in a manner that enables people to travel to and from work reliably.

Mr. Freeman: As a result of the reforms, Railtrack's investment budget, which will be higher this year than for comparable types of investment last year by British Rail, will be protected by its own depreciation flow. Therefore, it will generate sufficient funds to maintain a high level of investment in the infrastructure. We expect that to be £500 million in the existing railway this year, £600 million next year and £750 million the year after.

Mr. Wilson: Does the Minister accept that Opposition Members welcome hearing his Back Benchers already begging for mercy from the implications of rail privatisation, which, of course, played a significant part in the humilation of the Tory party last Thursday? Does he accept that the biggest threat to rail safety is the wanton breaking up of experienced teams of railway personnel? How does he defend the fact that £303 million of taxpayers' money—almost half the amount needed for the refurbishment of the entire west coast main line—has been spent not on railways but on redundancy and early retirement payments to more than 13,000 railway workers? Instead of breaking up, contractorising and fragmenting the railways, will the Minister put that kind of money into

investment in the railways, which is threatened and undermined by the procedure that he is going through at the moment?

Mr. Freeman: The hon. Gentleman has never understood the difference between the wisdom of investing in infrastructure and improving the productivity of the railways. The reduction of 13,000 in the staff of British Railways, with no effect at all on the operational efficiency of the railways, is a good investment.

Air Agreements

5. **Mr. Matthew Banks:** To ask the Secretary of State for Transport what representations he has received concerning the United States/United Kingdom bilateral air agreements relating to the separation of negotiations for routes into London Heathrow and regional gateways.

The Secretary of State for Transport (Mr. John MacGregor): I have received representations on a number of issues relating to the bilateral negotiations and continue to try to get the talks restarted.

Mr. Banks: While congratulating my right hon. Friend on his patience—never mind his tenacity—in the difficult negotiations between the two countries, may I ask him to assure the House that, given the environmental and other reasons why it will be difficult to find many extra take-off and landing slots at London's Heathrow airport, he will set about trying to agree an open skies policy with the United States Government to allow more flights across the Atlantic to regional airports in the United Kingdom?

Mr. MacGregor: I agree with my hon. Friend. I am keen to get the talks restarted—it was not us who broke them off. I agree that there are real constraints at Heathrow. We are trying to persuade the United States Government —with increasing success, because the arguments are being recognised—that there is not unlimited access to Heathrow. I am also keen to encourage the expansion of regional airports and that is why last December we proposed to the United States Government opening all our regional airports at the first stage.

Mr. Olner: The Secretary of State's record seems to have stuck. I remember that question being asked time and again at Question Time. It is of vital importance to the regional airports, such as Birmingham, that more transatlantic routes to America are provided. Will he please take action quickly and stop stalling on Heathrow and Gatwick, because they are the main reason why the talks, which are very important for regional airports, are being blocked?

Mr. MacGregor: I assure the hon. Gentleman that I am not stuck and I am not just repeating the arguments. I am trying to get the talks restarted and have been seeking a number of ways to do so. I made further proposals to the United States Government in relation to the recent Delta-Virgin code-sharing arrangement, suggesting that we should take advantage of that deal to have some interim agreements to get the talks going again and I included proposals for the regional airports.

Mr. Haselhurst: Even if my right hon. Friend made his offer of unrestricted access to the regional airports and Stansted unconditional, has he any cause for believing that the United States Administration would accept that offer?

Mr. MacGregor: The problem is the United States Government have not accepted our offers in relation to Stansted and the regional airports, as my hon. Friend knows. It is important that all interests—the airlines and the airports—are involved in the negotiations. We would not fulfil our liberal objectives if we agreed to a deal that would allow United States airlines to exploit their unfair competitive advantage, while giving United Kingdom airlines nothing in return and driving them out of the market. That is the problem and that is why I wanted a balanced deal. I assure my hon. Friend that that deal very much includes giving open access to the regional airports and Stansted as quickly as we can get a positive and constructive response from the other side.

Rev. Martin Smyth: I welcome the Minister's commitment to diversification through regional airports and the fact that Belfast international airport was one of those that recently got an add-on licence from America, through to Riga. May we urge the right hon. Gentleman to continue his efforts—we will back him—to ensure that British companies have the same rights as American companies?

Mr. MacGregor: I am grateful to have the hon. Gentleman's support.

Escalators (London Underground)

6. **Mrs. Roche:** To ask the Secretary of State for Transport when he expects the recommendation of the Fennell inquiry to replace all the wooden escalators on the London underground to be implemented.

The Minister for Transport in London (Mr. Steve Norris): London Underground has replaced the timber skirtings, balustrades and advertisement panels on all its escalators with non-combustible materials. Its programme for replacing wooden treads and risers is still in progress and, with the support of the fire authority, London Underground has asked the Home Secretary to amend the relevant regulations in order to permit fire authorities to grant exemptions in respect of wooden treads and risers beyond 1 January 1996.

Mrs. Roche: Does the Minister agree that, given that the Fennell inquiry found out that a lit cigarette on a wooden escalator started the King's Cross fire and recommended that wooden treads be urgently removed, the Government's attitude is one of utter complacency towards the travelling public in London?

Mr. Norris: No. The installation of sprinkler systems, fire detection equipment and improved escalator cleaning and inspection procedures are the important elements in ensuring that a tragedy like King's Cross does not recur. I stress that the relevant fire authorities have supported London Underground in its application to the Home Office to ensure that the programme is carried out, but in an appropriate time scale.

Mr. John Marshall: How much has London Underground spent on safety since the publication of the Fennell report? How many recommendations were in that report and how many of them have been implemented by London Underground since the report was published?

Mr. Norris: London Underground has spent £250 million on safety since King's Cross. There were 127 recommendations in the Fennell report, of which 114 have already been implemented.

Mr. Simon Hughes: Given that London transport is the subject which most exercises Londoners—according to replies sent to the Secretary of State for the Environment—and given that Ministers share the concern to maximise investment, the number of users, and safety, will the Minister seriously consider consulting the using public of London before fixing the amount of money to be raised next year, so that choices about investment can be made by the people rather than just by the Government?

Mr. Norris: No. It is appropriate that the investment priorities for the underground should be determined by London Underground in consultation with my right hon. Friend.

Mr. Harry Greenway: I welcome the money that has been spent on safety. Indeed, together with my hon. Friend I have been to see the safety measures implemented at Greenford station and elsewhere. We are grateful for them. Will my hon. Friend consider a down escalator—no, I mean an up escalator—at Greenford station, as that is greatly needed?

Mr. Norris: Up or down, I will certainly consider my hon. Friend's suggestion.

Mr. Raynsford: Does the Minister accept that 38 escalators still have wooden treads and risers? Does he recall that one of the important recommendations in the Fennell report was that replacement of wooden risers should be urgently sought because of the discovery of the trench effect? Did not the former Secretary of State for Transport promise in November 1988 that London Transport had been asked to implement that recommendation urgently? Why, five and a half years later, is the Department trying to renege on that undertaking? Is not it purely because the Government have cut London Transport's investment programme by £1 billion compared with what was promised at the last election? When will the Government recognise that they cannot jeopardise public safety in order to make cuts in London Transport's funding?

Mr. Norris: That is not good enough. First, the rate of replacement for escalators should be about six a year. If the rate were increased, it would impose intolerable congestion on the whole system—not something which would commend itself to the hon. Gentleman. Secondly, independent analysis has concluded that replacing the treads and risers in advance of their normal replacement would be very bad value for money and would offer very little compared with the other items that I mentioned, such as sprinkler systems, fire detection equipment, better inspection under escalators and so on. That is the way to do these things. It is typical of the hon. Gentleman to try to spread fear and alarm where there is absolutely no cause for them.

A12

7. **Mr. Whittingdale:** To ask the Secretary of State for Transport what measures his Department is intending to take to improve safety on the A12.

The Minister for Roads and Traffic (Mr. Robert Key): Work will start on the Witham bypass section at the end of June. I have asked the Highways Agency to bring forward work on the Feering to Marks Tey safety fence improvements, which will now start this year.

Mr. Whittingdale: I am grateful to my hon. Friend for that answer, but is he aware that it is now nine months since my constituent, Cheryl Franklin, a 27-year-old bride on her way to her honeymoon, was killed as a result of her car crossing the central reservation? Does he accept that it is essential that that work should go ahead as soon as possible if we are to avoid similar tragedies?

Mr. Key: Yes, I am aware of that case due to the diligence of my hon. Friend, who has made representations to me, the campaign of the *Colchester Evening Gazette* and the letter sent to my right hon. Friend the Secretary of State from Her Majesty's coroner for the county of Essex. It has taken a number of months to commission work from our agents, Essex county council. It has completed its work, which had to be evaluated, and, as I have just announced, we are proceeding with all speed.

Ms Walley: When will the Government realise that if they talk about safety, they must talk about safety with integrity? We have just heard the Government's response to the Fennell report and now we have heard the Government's response to road safety, exactly at the same time as they are privatising the Transport Research Laboratory. Where is the Government's long-term vision and when—

Madam Speaker: Order. I think that the hon. Lady is on the wrong question, but it appears that the Minister is able to give a reply.

Mr. Key: In relation to safety on the A12 and safety policy, we do not count the pennies when it comes to safety. That is exactly why our road safety scheme budget was effectively ring-fenced in this financial year, so there was no reduction in it. That, too, is why we shall continue to improve road safety by engineering better roads.

Roads Programme

8. **Mr. Mike O'Brien:** To ask the Secretary of State for Transport what are his priorities in the roads programme for the west midlands.

Mr. MacGregor: The priorities are outlined in "Trunk Roads in England 1994 Review", which I announced to the House on 30 March.

Mr. O'Brien: Is the Secretary of State aware that there is widespread opposition not only in north Warwickshire but throughout Staffordshire to the proposed Birmingham northern relief road? It is regarded as unnecessary, because it will not cure the congestion problems on the M6, and environmentally destructive because such orbital roads generate more traffic, which further damage the environment. That is why the proposal is opposed by large sections of the community throughout my area.

Mr. MacGregor: I am aware of the hon. Gentleman's views. The forthcoming public inquiry will allow all representations to be heard by an independent inspector. That is the way to proceed with the scheme. The hon.

Gentleman will also know that a comprehensive assessment of the environmental effects of the proposed scheme is described in the environmental statement.

Mr. Anthony Coombs: Although I recognise the importance of prioritising the road programme, is my right hon. Friend aware of the great concern that has been expressed in my constituency, in particular about the decision to make the Kidderminster-Blakedown and Hagley bypass one of the lowest priorities? Is he aware that it is supported by the local district councils and the chambers of commerce? Is he also aware that my constituents would like him to reconsider his decision and give that scheme the priority that it deserves?

Mr. MacGregor: Contrary to what Opposition Members may say, I know that there is a great demand for our road programme and that is why we are continuing with a major programme. Alas, there are so many requests from around the country that it is necessary to prioritise. Despite the high level of road building in which we are engaged, it is not possible to build all the roads at once or even within the next five or six years. That is why it has been necessary to say that some schemes will be delayed. The scheme to which my hon. Friend referred is connected with the western orbital route. I assure him that all schemes in the longer-term programme are secure and will go ahead as we continue to complete the schemes ahead of them.

Rail Reforms

9. **Mr. Stephen:** To ask the Secretary of State for Transport what opportunity for non-transport industries will be created by the rail reforms.

Mr. Freeman: A wide spectrum of opportunities for non-transport industries will be created by the Government's rail reforms, including, for example, bidding for the infrastructure service units and British Rail Telecoms and developing the commercial potential at some of our larger stations.

Mr. Stephen: As my hon. Friend knows, I have had the good fortune to be a Industry and Parliament Trust fellow with British Rail for the past year. Will he accept from me that a positive attitude exists throughout the industry to the introduction of private sector capital and management techniques, not least among the men and women who maintain the track and signal infrastructure? Can he give a suggestion of the timetable for the restructuring of British Rail infrastructure services?

Mr. Freeman: I am grateful to my hon. Friend. There is a widespread enthusiasm among the staff of British Rail —*[Interruption.]* There is a widespread enthusiasm for our reforms among those people who look forward positively to developing a better rail system. If hon. Gentlemen are not aware of that, I will introduce them to some of the management of British Rail. Therefore, I agree with my hon. Friend.

On the infrastructure units, I expect that the process of sale will commence at the beginning of the next financial year and will be concluded by Easter 1996.

Mrs. Dunwoody: Is the Minister aware that there is every reason why private consultants should be delighted with the opportunities offered by British Rail, because they are costing the taxpayer £344 million and not one single penny is going to improving either the rail structure or jobs? What is happening with those people who are flying round in helicopters, and how can we obtain some value for money from those people who are publishing articles calling it a "gravy train"?

Mr. Freeman: On privatisation costs, the Government do not recognise the type of figures that the Opposition have been speaking about—£300 million, £400 million, £500 million and £600 million. The hon. Member for Holborn and St. Pancras (Mr. Dobson) has been including the cost of redundancies of more than £300 million. That would have occurred anyway and improved the efficiency of British railways.

Mr. Hawkins: Does my right hon. Friend agree that the opportunities provided by the rail reforms will be enormously enhanced by the success of the channel tunnel, which he, the Secretary of State and many other Conservative colleagues enjoyed, which was built as a result of the success of private sector finance, and which would never have been built had we followed the transport policies of the Labour party?

Mr. Freeman: It was the Labour party which cancelled the channel tunnel project in the 1970s. It is under the present Government that private sector capital has brought off a major engineering feat.

Mr. Dobson: Is not the Minister being a trifle modest in his list of non-transport industries that have benefited from rail privatisation? Has not between £250 million and £300 million of taxpayers' and passengers' money been paid out by his Department or British Rail to merchant bankers, management consultants, lawyers, accountants, public relations advisers and even—God help us—parliamentary consultants?

Mr. Freeman: The truth is that British Rail and Railtrack, the Department of Transport, the Office of Rail Passenger Franchising and the regulator have spent money well on preparing the railway industry for privatisation. Last year, British Rail and Railtrack spent about £50 million together. That is 1.5 per cent. of the turnover of British Rail and it is money well spent.

A66

10. **Mr. Devlin:** To ask the Secretary of State for Transport what plans he has to upgrade the A66.

Mr. Key: There are nine schemes in the road programme to improve the A66, with an estimated value of £40 million.

Mr. Devlin: I thank my hon. Friend for that reply and also for the replies to my written questions showing that more than half the movements along the A66 are those of commercial traffic. Is he aware of the high priority that is attached to the modernisation and improvement of the A66 trans-Pennine route by the Teesside chamber of commerce and other commercial organisations in the north-east of England, which regard it as one of the components of enormous economic expansion in the future? In that light, will he give the further improvement of the road his greater consideration in the future?

Mr. Key: I am second to none in my admiration for the progress on Teesside and my hon. Friend has kept me well

informed of that and lobbied hard on behalf of the business community in his constituency. There is, however, another side to the argument. From my position, with a national perspective, I have also to bear in mind the pressures from elsewhere in the north—for example, to upgrade the A69.

Traffic Calming

11. **Mr. Garnier:** To ask the Secretary of State for Transport what evidence he has that traffic-calming schemes have reduced accidents in urban areas.

Mr. Key: Traffic calming has reduced accidents in 20 mph zones by as much as 70 per cent. and has been particularly effective in reducing accidents to child pedestrians and cyclists.

Mr. Garnier: The most effective and popular traffic-calming scheme in Market Harborough is the completion of the A1-M1 link, but the benefits of the traffic-calming scheme currently being undertaken within Market Harborough are not widely understood. Will my hon. Friend use all his powers to ensure that the disadvantages of the scheme are fully mitigated by its benefits?

Mr. Key: Yes. I shall also bear in mind the fact that work starts today on a traffic-calming scheme on a length of wide road—Fairfield road—in my hon. Friend's constituency. Vociferous opposition has been expressed in respect of work in zone 3—Fairfield road, Logan street—so we have modified the scheme in consultation with the local highway authority. As my hon. Friend rightly said, the best future for traffic calming in Market Harborough lies in the completion of the A14—the A1-M1 link—which will be opened next month, and in the successful completion of the bypass demonstration project. Market Harborough is one of only six towns that have been part of an experiment to ensure that, when towns are bypassed and traffic flows reduced by up to 70 per cent., the towns' centres return to the life that they knew in the past, and that wide, unattractive roads do not go through the middle of our cities.

Mr. Enright: Is the Minister aware that, precisely when he was praising sleeping policemen, the Minister for Transport in London was busy denigrating them? Will he hold a referendum on the matter?

Mr. Key: No. I have no intention of having a referendum on that matter. Good heavens, if we had a referendum those in favour of road improvement might win the argument!

Mr. Dunn: Does the Minister agree that, in addition to traffic-calming measures, the proper working and maintenance of motor cars is essential? Does he agree that many of our constituents could not afford to maintain their motor cars if they faced a 50p increase in the price of petrol as suggested by the Liberal Democrats?

Mr. Key: My hon. Friend makes an important point. The management of our roads includes creating, as far as possible, a pollution-free environment. That is being achieved because motor cars are becoming much cleaner and because of our commitment to the Rio arrangements and increasing the price of fuel. Given that cars will be much more efficient, that need not bear down on less-affluent members of the community.

Mr. Pike: I recognise the impact on accidents to which the Minister referred in his original response, and the fact that most traffic-calming schemes cost relatively little. But why does not the Minister provide local authorities such as Lancashire with enough resources to carry out all the traffic-calming schemes that they wish to introduce this year?

Mr. Key: We have maintained the money for traffic-calming schemes at £50 million and it is entirely open to local authorities to prioritise spending in these areas. This year, we have introduced for the first time a package approach to local authority joint funding with the Department of Transport. That means that local authorities have much more flexibility to design overall transport packages including road, rail, bus, cycle, and pedestrianisation features. That is a sensible and practical way forward.

Airlines (Competition)

12. **Mr. Steen:** To ask the Secretary of State for Transport if he will take steps to improve competition among airlines operating (a) within the United Kingdom and (b) within Europe; and if he will make a statement.

Mr. MacGregor: The Government strongly support a liberal market in aviation. The United Kingdom led the way in developing a competitive domestic market and in the creation of the European Union single market and open skies in Europe policy. I hope that that will be extended to the full European Economic Area later this year.

Mr. Steen: I congratulate the Secretary of State on taking on Air France and winning for British airlines in Orly. Will he now correct the balance for the few remaining scheduled British airlines so that they do not go the way of British Caledonian, Dan Air, Brymon, Birmingham Executive and British Island Airways, which have either gone to the wall or have been taken over by British Airways? Although British Airways has a successful track record, privatisation has given the company an over-dominant position in this country and Europe.

Mr. MacGregor: If the latter part of my hon. Friend's question refers to anti-competitive behaviour, the Office of Fair Trading has powers to investigate such allegations. I am grateful to him for his opening remarks. The outcome of the Commission's deliberations on the London to Paris, Orly air route was crucial because it was one of the first tests of the implementation of the single market. Another is that air fares are coming down. I am pleased about the Commission's response and grateful to my hon. Friend for recognising the part that I played in pressing for that. It will help other airlines and will be a great help to British Midland. My hon. Friend will have noted that, from next Monday, Air UK will operate six flights a day from Stansted to Orly.

Mr. Tony Banks: If the Secretary of State really wants to take on Air France, should not he do so in respect of its monopoly on flights to Strasbourg? The present position is clearly thoroughly unsatisfactory: the airline charges enormous fares because it knows that most people who go to Strasbourg will not be paying their own fares.

As for fares coming down, when can we expect to pay fares in Europe that are comparable with those in the United States?

Mr. MacGregor: Some fares in the European Union are coming down as a result of the single aviation package. In fact, British airlines have led the way in bringing those fares down and others have had to follow suit. The important thing is to have competition on individual routes to ensure that that happens. We are pursuing that objective as well—which is why the question of the London to Orly route is important, as is that of flights from Orly to Toulouse and Marseilles. If the hon. Gentleman wishes to get in touch with me about Strasbourg, I will certainly ensure that it is examined; but I do not think that it has yet been drawn to the Commission's attention.

Northern Line

13. **Dr. Goodson-Wickes:** To ask the Secretary of State for Transport what progress he has to report on measures to improve the service offered by the Northern line.

Mr. Norris: My right hon. Friend the Secretary of State announced on 29 March that London Underground would be holding a competition for the supply of privately financed rolling stock for the Northern line. This competition is now under way, and should be completed by the autumn.

Dr. Goodson-Wickes: My hon. Friend will know of the pressure put on the Government by hon. Members on both sides of the House for an improvement in the Northern line. My constituency contains the Morden depot and two stations. I welcome the initiative for private sector involvement in the line. Will my hon. Friend give me some idea of the timing of the tenders and assure me that our constituents can look forward to a Northern line that can provide a service that is appropriate to the next century?

Mr. Norris: I am grateful to my hon. Friend for supporting my right hon. Friend's initiative. I hope that we may be in a position to look at the tenders before the end of the year. The initiative will significantly increase the rate at which improvements in the line can be made. As my hon. Friend implied, the station improvements in his constituency are a separate item in the budget; those stations will undergo a thorough refurbishment in the next two years.

Ms Glenda Jackson: Is the Minister aware that it is the possibility of losing a competition that causes my constituents concern—not least in the light of a recent incident at Hampstead tube station, when the elevator had to be manually winched 181 ft to the surface? Will he consider sympathetically the call for a safety inquiry from my constituent Mrs. Jenny Woodley, whose son—as he knows—was tragically lost in an accident on the underground? That is desirable not least because manning levels throughout the system seem to be falling.

Mr. Norris: I am very ready to consider any representation from the hon. Lady in regard to an individual constituency case, and I will happily do so in this instance.

I found the hon. Lady's original question rather confusing. Is she saying that she does not welcome an initiative that is likely to deliver modern, safe and reliable Northern line trains several years earlier than they would otherwise be available? I believe that the vast majority of her constituents will welcome this imaginative initiative which is designed to accelerate a pace of investment that is already four times as great under the present Government as it was at any time under the stewardship of her party.

Resignalling

14. **Mr. Burns:** To ask the Secretary of State for Transport when he expects the resignalling of the Liverpool Street to Chelmsford line to be completed; and if he will make a statement.

Mr. Freeman: Resignalling is expected to be completed as far as Chelmsford by late 1995, and Colchester by Easter 1997.

Mr. Burns: That announcement will be warmly welcomed by my constituents, because the dates are earlier than was originally anticipated. Given that it comes on top of the complete rebuilding of Chelmsford station over the past eight years, the introduction of new rolling stock on the line and the improved journey times, will not the resignalling ensure a better, more consistent service for my constituents who travel to work each day via Liverpool street?

Mr. Freeman: My hon. Friend might find it interesting to know that punctuality on the Great Eastern line has been 91.3 per cent. over the past four weeks, which compares with the standard set by the passengers charter of 88 per cent.—a creditable performance by British Rail.

East London Line

15. **Mr. Dowd:** To ask the Secretary of State for Transport what plans he has to expedite the development of the options for the southern extension to the East London line.

Mr. Norris: Responsibility for assessing the options for the southern extension to the East London line, and the time scale for that assessment, rest with London Underground Ltd.

Mr. Dowd: I thank the Minister for that reply. Will he liaise with his officials to ensure that London Underground examines all the options for the extension of the East London line, beyond the modest proposal to go to East Dulwich? In particular, will they examine the London borough of Lewisham's proposal for a circular route involving track sharing with Railtrack, through Crystal Palace and back to New Cross Gate—not only to secure the future of New Cross Gate but to bring to a part of south London that is wholly deprived of an underground service a much-needed facility?

Mr. Norris: I am happy to arrange for any examination that is not already being done to take place, because I agree that there is scope, in the southern works on the East London line extension, for a real enhancement of the system at relatively modest cost.

DUCHY OF LANCASTER

Research Funding

31. **Mr. Simon Coombs:** To ask the Chancellor of the Duchy of Lancaster if he will pay an official visit to the research councils in Swindon to discuss future funding.

The Chancellor of the Duchy of Lancaster (Mr. William Waldegrave): I held a meeting last week with chairmen and the chief executives of the research councils and I expect to visit Swindon in July.

Mr. Coombs: Does my right hon. Friend agree that, in general principle and as far as possible, resources should be concentrated on scientific research at the sharp end? Is he happy with the fact that as much as £3.5 million a year is being withheld by his Office for centralised activities such as the technology foresight programme?

Mr. Waldegrave: I can reassure my hon. Friend. First, the cost of the foresight exercise is about £2 million. Secondly, the costs will come from the running costs of my Department, not from the science base, which is protected. I agree that the money should go to science, which is why the new Director General of Research Councils recently gained £7.5 million in efficiency savings from the research councils to plough back into front-line science.

Dr. Bray: Is the Chancellor aware of the danger of the erosion of support for the science base because of the need to support teaching that should be done at undergraduate level and financed by the Higher Education Funding Council and the Department for Education?

Mr. Waldegrave: The hon. Gentleman touches on an important point. As he knows, we have put out a consultation paper about potential changes in postgraduate teaching. There is a growth of four-year courses in some of our science and engineering schools; some of that growth is welcome, but it needs close analysis to compare its output with that of other routes.

Civil Servants

32. **Mr. Steen:** To ask the Chancellor of the Duchy of Lancaster when he last met his counterparts in the European Union to discuss initiatives to reduce the number of civil servants across the Union.

The Parliamentary Secretary, Office of Public Service and Science (Mr. David Davis): I shall resist the temptation to guess who the counterparts of the Duchy of Lancaster in the European Union are, but I have not discussed with them initiatives to reduce the number of civil servants in the Union.

Mr. Steen: Does my hon. Friend agree that there is no way that the numbers of civil servants will be decreased in the European Community as long as there emerge from Brussels daft and expensive directives such as the one being enforced in the Palace of Westminster, under which all filing cabinets will be scrapped this summer because they do not contain anti-tilt mechanisms? What will the cost to the nation be if all our filing cabinets have to be scrapped? Is not that a crazy example of these daft directives?

Mr. Davis: I shall also resist the idea of a European anti-tilt mechanism. The European Commission produced a report on subsidiarity which proposed a reduction of 25 per cent. in the quantity of legislation and regulation emerging from Europe. The directive to which my hon. Friend referred may be a good candidate for that.

Mr. Skinner: How on earth can the number of civil servants in the European Union be reduced if every man and his dog, in the Tory Government and on the Tory Back Benches alike, is calling for God knows how many different varieties of referendum? And while we are about it, will the Minister ask his right hon. Friend to tell us where he stands on the issue?

Mr. Davis: The answer to the hon. Gentleman's last question is no, I certainly shall not, but I have no doubt where he stands on the issue of a referendum.

Public Services

33. **Mr. Devlin:** To ask the Chancellor of the Duchy of Lancaster what initiatives his Department has launched to obtain the best value for money from public services.

Mr. Waldegrave: My Department co-ordinates a range of initiatives under the banner of the citizens charter that help to improve value for money in the delivery of public services. These include the "Competing for Quality" programme and "next steps", as well as the charter initiative itself. As the citizens charter second report announced, £135 million of savings have been achieved under the "Competing for Quality" programme.

Mr. Devlin: In evaluating the value-for-money initiatives that he is taking, will my right hon. Friend bear in mind the fact that the home civil service has an unenviable reputation throughout the world for its objectivity and lack of corruption? Will he ensure that those values are enshrined in any "next steps" agencies that he establishes?

Mr. Enright: Unenviable?

Mr. Waldegrave: I think that my hon. Friend meant to say an enviable record, in which case all hon. Members would agree with him that that is so. My hon. Friend is right that the maintenance of those standards, which are envied worldwide, is a central objective of policy in the changes that we are making and have made in the civil service in the past 10 years.

Mr. Winnick: Is not it clear that this Government provide the worst possible value for money? Did not the electorate make it clear last week that they considered that the Government were totally discredited and divided and that the sooner they went, the better?

Mr. Waldegrave: In the time that I have been here—since 1979—I have heard the hon. Gentleman make similar remarks, usually about two years before elections that we win.

Mr. Ian Bruce: Should not we ensure in the European parliamentary elections that the socialists are defeated so that the European Parliament can work with this Government to ensure that we maintain good public services and the minimum number of civil servants?

Mr. Waldegrave: All the efficiency gains made in both British Government and British industry would be lost as a result of the centralising tendencies that both Opposition parties would reinforce in the European Community.

Mr. Meacher: As the right hon. Gentleman has stated that market testing of public services is his flagship project; as he has estimated, although he has never substantiated it, that it achieves savings of £100 million a year; and as the Cabinet Office efficiency unit has officially estimated the cost of consultancies at £565 million last year, with savings of a mere £10 million, should not he do what any chief executive would do if his pet project turned into a field day for waste and corruption—namely, resign —or is the pay-back to the Tory party from those jobs for the boys such that even he can cling to office, like the Prime Minister?

Mr. Waldegrave: Not for the first time, the hon. Member has completely confused himself, but he will not confuse the House. Savings of about £135 million have been achieved by market testing. The annualised cost of consultants is probably about £1 million. The total cost of consultants is about £10 million. The hon. Member for Norwich, South (Mr. Garrett) is a distinguished management consultant and used to work for Inbucon, so perhaps he will be able to put his hon. Friend right on some of these matters.

Citizens Charter

34. **Mr. Brandreth:** To ask the Chancellor of the Duchy of Lancaster what assessments have been made of the extent of the changes in efficiency and quality of public services as a result of the application of the citizens charter.

Mr. David Davis: The citizens charter second report, published in March, reported fully on improvements in efficiency and quality in public services since the launch of the citizens charter. Individual services also assess improvements and publish their performance results.

Mr. Brandreth: Will my hon. Friend confirm that the total cost of the citizens charter programme amounts to less than 2p per family per week? Does he agree that that represents excellent value, given the improvement in services and the pressure for improvement in public services? Is not that the reason why overseas countries are now using our citizen charters as an example of the way in which they may exert pressure for an improvement in public services?

Mr. Davis: My hon. Friend is right. More than 30 countries—France, North America and many others—have come to see or have considered our experiences in this matter. He is right to say that there has been a considerable improvement in services. One example that leaps to mind arose from the league tables for schools, which led to significant improvements for a number of schools in the past few years.

Mr. Barnes: What changes are there in efficiency and quality as a result of the scrapping of the charterline experiment in the east midlands? How much did that wasteful experiment cost and should not the money have been used for other purposes, such as supply to local authorities in the area to enable them to inform people of the services that they provide?

Mr. Davis: As I have told the hon. Gentleman before, the majority of the money that was spent on charterline went into the development and research phase. That was used to create a database and to provide information for a number of other services. For example, the Royal Mail is producing a directory of all homes and services in the country at no cost to the taxpayer; the BBC will have a telephone helpline; and directories such as the British Telecom and Thomson directories will also use the information. That is all for the benefit of the taxpayer.

Departmental Information

35. **Mr. Peter Bottomley:** To ask the Chancellor of the Duchy of Lancaster how the House will receive information about decisions on appeals against a Department's refusal to make information available.

Mr. Waldegrave: The parliamentary ombudsman will keep the House informed of his findings when investigating complaints under the code of practice.

Mr. Bottomley: The House and the country will understand that using the parliamentary ombudsman as a method of appeal is a far more practical and speedy way to get information than trying to use a freedom of information Bill or Act. Will the parliamentary ombudsman have sufficient resources, and will the House have an opportunity to consider a range of reports when enough experience has been gathered?

Mr. Waldegrave: I strongly agree with my hon. Friend because I think that the system will be cheaper, quicker and more easily accessible to the citizen. We have doubled the resources that are available to the Parliamentary Commissioner to make sure that he can do the work swiftly and with the competence that we always associate with his work.

Mr. Garrett: Will the Minister confirm that the multitude of exclusions and exemptions from his code of practice on open government means that there will be no official disclosures on, for example, the arms-to-Iraq affair, about which he will no doubt be pleased, or the Pergau dam affair? Will he also confirm that there will be no disclosures of policy analysis or of any information that the Government do not consider reliable? Is not the truth of the matter that the code of practice is just a sham?

Mr. Waldegrave: No. The exclusions from the code of practice are those that are found in most freedom of information legislation abroad. I agree with my hon. Friend the Member for Eltham (Mr. Bottomley) that the system will work to achieve the objectives, which I share, of those who campaigned for greater freedom of information and that it will do so at much less cost and with much greater ease of access for the citizen.

Contracts

36. **Dr. Goodson-Wickes:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on progress in contractorisation in the public service.

Mr. David Davis: In the period from April 1992 to December 1993, decisions to contract £855 million-worth of work to the private sector were reported under the "Competing for Quality" programme.

Dr. Goodson-Wickes: I am sure that my hon. Friend will agree that that ghastly word "contractorisation" masks an admirable concept. Does he further agree that its implementation sometimes threatens the career structure of people in the system? I shall give an example. Technical recruitment to the Ministry of Defence may be inhibited if people do not have a proper career structure. Will he assure me that he will liaise with my right hon. and learned Friend the Secretary of State for Defence to ensure that that potential problem is addressed?

Mr. Davis: As my hon. Friend says, market testing and contracting out are designed wholly to improve value for money and the quality of service that the public services, including the Ministry of Defence, provide. In specifying projects, the Ministers who are involved in making decisions obviously take into account matters such as recruitment, which my hon. Friend mentions. I will, of course, speak to my right hon. and learned Friend the Secretary of State for Defence on that matter if my hon. Friend so wishes.

Mr. Flynn: What does the Minister conclude from the contractorisation of the fireworks safety campaign from civil servants to a private company, which resulted in a doubling of the cost, in the production of useless information and in a record number of firework accidents? When will the Government realise that our civil servants are still the most efficient, the least corrupt and the least politicised in the world and stop handing over their jobs to cowboys?

Mr. Davis: One part of the hon. Gentleman's question was correct—our civil service is entirely commendable. But that is not to say that some of the things that it does cannot be done better, as has been demonstrated by the market-testing programme. The in-house team won the bid in 60 per cent. of market tests, and in practically all those cases significant savings, sometimes down to about 25 per cent., were made.

Research Laboratories

37. **Mrs. Anne Campbell:** To ask the Chancellor of the Duchy of Lancaster what plans he has to implement the recommendations of the efficiency scrutiny report into the Government research laboratories.

Mr. Waldegrave: The efficiency scrutiny team will make its recommendations shortly. I intend to publish the report and to consult widely before reaching decisions on the way forward.

Mrs. Campbell: Does the right hon. Gentleman agree that 90 days represents a ludicrously short time scale for the scrutiny of the efficiency of 53 Government research laboratories? Is not it likely that the scrutiny team will produce simplistic rationalisations and cuts, which could only damage the Government's research base?

Mr. Waldegrave: I do not believe so. We will all see the report when it is published, and then we shall consult carefully. There is no reason why the Government should not examine carefully research overhead costs. As my hon. Friend the Member for Swindon (Mr. Coombs) says, we want the money to go to science. If we can find ways to save money by dispensing with unnecessary overheads, we should do so.

Mr. Dickens: Is not it a fact that the Government have no money of their own—only taxpayers's money? Should not we review research laboratories sensibly and regularly so that money spent on behalf of taxpayers is applied efficiently and effectively?

Mr. Waldegrave: My hon. Friend must be right when he suggests that it is the duty of any Minister to ensure that taxpayers' money is spent as efficiently as possible. We shall do that through the study and we shall do it right across the board.

Mr. Dafis: When considering the report, will the right hon. Gentleman bear in mind the fact that a recent parliamentary answer that I received showed that research funding for Wales is absolutely disgraceful? Will the Chancellor of the Duchy discuss that matter with the Secretary of State for Wales, the Higher Education Funding Council for Wales and other organisations involved in scientific research in Wales? Will he consider also devolving to Wales—to the Welsh Office—the function of research councils, together with at least 5 per cent. of funding?

Mr. Waldegrave: It would be a bad idea to devolve research council funding to Wales or to Scotland. Vice-chancellors and most of the research community—in Scotland, at any rate—are strong supporters of maintaining a national system. The hon. Gentleman is right to say that there is concern. My right hon. Friend the Secretary of State for Wales and the Higher Education Funding Council for Wales recently took steps to reinforce research excellence in Wales, which will enable research contracts to be won on merit more freely, perhaps, than in the past.

Dr. Spink: Does my right hon. Friend agree that Government research laboratories should enjoy state-of-the-art management and organisational structures and should apply their resources as effectively as possible? Is not it essential that the review is carefully considered?

Mr. Waldegrave: As we are supporting through the Economic and Social Research Council good research into organisational theory and proper management, it would be paradoxical not to apply them to the science base itself.

Secrecy

38. **Mr. Mike O'Brien:** To ask the Chancellor of the Duchy of Lancaster what progress he has made in reducing secrecy in Government.

Mr. Waldegrave: The Government's new code of practice on access to Government information came into force at the beginning of April. I am confident that it will prove to be a significant advance.

Mr. O'Brien: Is not it the case that the code, which came into effect on 4 April, will not allow the public to become fully aware of the growth of scandals such as Pergau and Matrix Churchill? Until we have a Government who are prepared to be open with the electorate about the way in which they run their affairs, scandals such as Pergau and Matrix Churchill will continue and the Government cannot claim to be open or to seek an end to secrecy.

Mr. Waldegrave: As the hon. Member for Norwich, South (Mr. Garrett) asked the same question, word for word, a few minutes ago, I suspect that it was written out

and handed to the hon. Gentleman. The truth is that the code's exemptions are just about exactly the same as those in freedom of information legislation around the world. If the hon. Gentleman is seriously interested, he will discover that the new code of practice policed by the ombudsman will be a major step forward.

Lady Olga Maitland: On behalf of amateur and professional historians, may I congratulate my right hon. Friend on persuading his colleagues to release confidential Government information? Does he agree that that is a step forward in open government?

Mr. Waldegrave: I was grateful for the thanks that were delivered to the Government the other day by the Institute for Contemporary History. We have made major steps forward: I commend to the House for example the Farm Hall transcripts and many other things that have been released in the past year, from which the institute might learn something.

Citizens Charter

39. **Mr. Enright:** To ask the Chancellor of the Duchy of Lancaster what assessment he has made of the results of introducing the citizens charter.

Mr. David Davis: As I told my hon. Friend the Member for City of Chester (Mr. Brandreth) earlier, the citizens charter second report is just such an assessment.

Mr. Enright: But does the Minister agree that the citizens charter is totally incapable of stopping Departments throwing away taxpayers' money? For example, how could it possibly get back the £200,000 that was lent to Unicorn Heritage plc and a gang of failed business men? How does it help that?

Mr. Davis: That is a disgraceful use of parliamentary questions. The "Competing for Quality" initiative, of which the charter is a part, achieves an enormous amount of improvement in value for money—as has already been said, £135 million gross in this year alone.

Points of Order

3.30 pm

Mr. Martin O'Neill (Clackmannan): On a point of order, Madam Speaker. Is it not an abuse of the House for a question to be tabled on a Friday for answer on the following Monday when the issue is not an emergency? I refer to question 1167 on today's Order Paper, tabled by the hon. Member for Brentford and Isleworth (Mr. Deva), in which he asks the President of the Board of Trade

"when he expects to be able to publish the consultative document on the opening up of the domestic gas market; and if he will make a statement."

The issue is of vital importance to the millions of gas consumers, particularly those on low incomes, who are not likely to benefit, and those living in remote areas, whose charges will almost certainly rise. The issue has been the subject of great interest and controversy since last September, when the Monopolies and Mergers Commission first made its recommendation in a report on the domestic gas industry—

Madam Speaker: Order. The hon. Gentleman is a long-standing Member of the House. He knows that he cannot make a speech on a point of order. Will he now come to his point of order for me?

Mr. O'Neill: I am grateful to you, Madam Speaker. May I make the point—[HON. MEMBERS: "No."]—that the Government's first response was made on 21 December, after the House had risen? Thereafter, we expected a full statement to the House. Instead, the Government are hiding behind a written answer two days after the by-election defeats. It was delayed to avoid the elections, and has now been hidden from the gaze of the House and questioning by that technique. Is that in order?

Madam Speaker: To answer the last question first, it is perfectly in order. As the hon. Gentleman knows—I have made the point that he is a long-standing Member of the House—it is for Ministers, not the Speaker, to determine whether statements should be made by means of an answer to a written question or by an oral statement at the Dispatch Box. I have no authority in such matters.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Madam Speaker. I want to raise an important matter, and it is very much a genuine point of order.

Madam Speaker: I thought that the last one was quite an important matter, too.

Mr. Campbell-Savours: I am sure, but this is an important matter.

Last Friday, the House considered the Civil Rights (Disabled Persons) Bill. After the debate was concluded, my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris), who tabled a question to Ministers about help with the drafting of amendments, received an answer from the Leader of the House saying that amendments tabled on Tuesday 3 May 1994 were drafted by the Office of Parliamentary Counsel. That means that all the amendments on paper No. 1295, Consideration of Bill, by four hon. Members—the hon. Members for Hertsmere (Mr. Clappison), for Sutton and Cheam (Lady Olga Maitland), for Bristol North-West (Mr. Stern) and for Gainsborough and Horncastle (Mr. Leigh)—were tabled by parliamentary counsel.

That raises two very important issues for the House. First, in future will all hon. Members have access to parliamentary counsel when they wish to draft amendments? As I understand it, we are all equal in this House, and you, Madam Speaker, adjudicate on these matters. I want to know whether I and all my hon. Friends have that right.

Secondly, in light of the statement made by the Minister for Social Security and Disabled People in reply to an intervention of mine, when I asked him

"Have he or his Department been in any way involved in the drafting of any of the amendments or the new clause tabled by the hon. Members for Sutton and Cheam",

the Minister said:

"No part whatever in the drafting of any of the amendments and, to the best of my knowledge, nobody in my Department has been involved in the drafting of any amendments in this area." —[*Official Report*, 6 May 1994; Vol. 242, c. 991.]

That clearly suggests to the House that, if the Minister was not responsible for giving the instruction to parliamentary counsel to draft those amendments, and civil servants were not involved, four Members of this House must have extra-special control and influence over parliamentary counsel in their decision to proceed with the drafting of those amendments.

I wonder whether you, Madam Speaker, would establish who gave that instruction. Was it a Minister? At least then we will be able to establish where there is consistency in the answer given by the Minister, when I asked him about the arrangements relating to the drafting of those amendments.

Mr. Dennis Skinner (Bolsover) *rose*—

Madam Speaker: Does it relate to the previous point of order?

Mr. Skinner: Well, it does, yes, but it relates to a slightly different point as well. As you will know, Madam Speaker, a week last Friday, the House carried unanimously a decision calling on the Government to give more parliamentary time to the Civil Rights (Disabled Persons) Bill. The Government seem to have totally ignored that decision. The Minister was completely wrong in his summing up in relation to that resolution. The point about the Standing Order should be drawn to the Minister's attention.

On the Friday in question, the motion that was passed called on the Government to give the Bill time. However, the Minister told us that the reason why the Standing Order was changed was to prevent the Government from giving time. That is totally wrong. The Standing Order was drawn up to stop motions being transferred into Bills and the House sitting over a weekend.

I therefore submit that, on that count as well, the Minister went beyond the Standing Order. That is why I am absolutely convinced that this matter should be brought before the House again.

Ms Liz Lynne (Rochdale): On the same point of order, Madam Speaker.

Madam Speaker: No, I think that I understand the feeling of the House on this matter. The hon. Member for

[Madam Speaker]

Bolsover (Mr. Skinner) raised on Friday a point of order which was barely a point of order, and I answered him then.

However, in response to the hon. Member for Workington (Mr. Campbell-Savours), I believe that he is mistaken in some respects. Amendments were not tabled by parliamentary counsel. Amendments are tabled by hon. Members. *[Interruption.]* Just a moment. Hon. Members are, of course, free to ask Ministers for assistance in drafting amendments to Bills. However, if the hon. Member for Workington would allow me to consider precisely what he has said, I should like to look further into it.

Ms Lynne *rose—*

Mr. Alfred Morris (Manchester, Wythenshawe) *rose—*

Madam Speaker: No, I have dealt with that matter. We will now move on to the Orders of the Day. *[Interruption.]* Just a moment. I have dealt with the matter raised by the hon. Member for Workington, which I think deals with a number of issues, and I want to look at it.

Lady Olga Maitland (Sutton and Cheam) *rose—*

Madam Speaker: Does it relate to that point, or is it quite different?

Lady Olga Maitland: On a point of order, Madam Speaker. I would like to make it abundantly clear that I raise my own amendments. I sought consultation, but it would be totally unfair to suggest that they came from any other source. It seems that disabled people are being used as a political football for political purposes by the Labour party.

Madam Speaker: When I am very tolerant and sympathetic, the House runs into these problems. The hon. Lady has given an explanation. That is not a point of order. I think that we had better move on.

Mr. Alfred Morris *rose—*

Madam Speaker: Does the right hon. Gentleman have a point of order that I can deal with, and not an explanation?

Mr. Morris: Madam Speaker, as you know, I very rarely raise points of order. What concerns me is that it may be necessary, before the outcome of your inquiry, which all of us welcome and appreciate, for a right hon. Member, and perhaps at least one hon. Member, to come to the House to apologise for having made what seem to many of us to have been misleading statements here last Friday.

They purported to make it absolutely clear that they drafted the amendments. We now have it from the Leader of the House of Commons that all 80 amendments that appeared on the Order Paper last Wednesday were drafted by the Office of Parliamentary Counsel. They were drafted on Tuesday and tabled on Wednesday in the names of five Conservative Members.

Madam Speaker: I appreciate the point made by the right hon. Gentleman. As I said, I will look into the matter.

Orders of the Day

Special Educational Needs

3.40 pm

The Parliamentary Under-Secretary of State for Schools (Mr. Eric Forth): I beg to move,

That the draft Code of Practice on the Identification and Assessment of Special Educational Needs, which was laid before this House on 13th April, be approved.

The code of practice on the identification and assessment of special educational needs has been eagerly awaited in this House and, indeed, in the other place, and by local education authorities, schools, voluntary bodies and all concerned with children with special educational needs—not least parents. If the code is approved by Parliament, it will set the framework for special educational provision for many years to come.

The code of practice springs from the Education Act 1993. Part III of that Act builds on the principles of the Education Act 1981, covering the same sort of matters. It seeks to ensure their more effective application in practice, to the benefit of all children with special educational needs and their parents. There was a clear need to review and revise the 1991 legislative framework—that was agreed by all—and the 1993 Act was the result. Regulations made under the Act and laid before Parliament at the same time as the code embody the detail of the new system.

The code of practice which we are now considering provides guidance to all concerned on the exercise of their duties under the Act and the regulations. Schools and LEAs, health services and social services must have regard to that guidance. The code seeks to create a purposive partnership among those bodies and between them, voluntary organisations and parents on behalf of all children with special educational needs.

Section 157 of the 1993 Act requires the Secretary of State to issue a code of practice. Section 158 requires him to consult upon a draft and to bring a revised draft to Parliament for approval under the affirmative procedure, which is what we are now doing.

The draft before us today contains six sections. Part 1 sets out the main principles which inform the code as a whole. Part 2 offers guidance to schools as to how they might fulfil their duties towards pupils with special needs who do not require statements, and lays a particular emphasis on partnership between all concerned. Part 3 deals with statutory assessments—in particular, the time limits for making such assessments, guidance as to when such assessments should be made, and how such assessments should be conducted.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Madam Speaker. I have just had passed down the Bench a letter from the Minister for Social Security and Disabled People—I say this to my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris)—in which he repudiates much of what he said last week, and now gives a completely new interpretation of events. In the light of what has happened, I wonder whether you should consider this correspondence, which was literally handed down the Bench moments after you gave your ruling, from the Leader of the House of Commons.

Madam Speaker: Of course, if the hon. Gentleman lets me have the correspondence, I shall look at it, together with the point of order that he raised earlier.

Mr. Forth: Part IV deals with statements of special educational needs, including the form and content of statements and choosing the right school. Part V covers children under five with special educational needs, and part VI deals with the annual review of statements and transition to adult life. At the end of the draft code, there is an appendix covering transitional arrangements from the 1981 Act to the 1993 Act, a full glossary of terms and an index.

The code itself, as presented to Parliament, is bound between a foreword and a copy of the Education (Special Educational Needs) Regulations 1994, neither of which is part of the code itself. The foreword aims to explain the status of the code, and other matters which I shall touch on in a moment. The regulations, together with regulations governing the information that schools must publish, have been formally laid before Parliament alongside the code.

One of the main purposes of the code is to promote partnership. In earnest of that intention, the draft code itself has been developed in partnership. I take this opportunity to pay a tribute to all those who helped us to produce the consultative draft and the draft before us today.

Throughout the process, we have been most fortunate in being able to draw on the help of expert individuals from the voluntary world. We have discussed successive drafts with representatives of the local authority associations and the Society of Education Officers. Senior academics and administrators, teachers and governors have given us their time in commenting on drafts. While I readily take full responsibility for the code and its contents, the production of the code has been a co-operative effort, designed to promote co-operation on behalf of children with special educational needs. I am most grateful to the many individuals and organisations who have helped us.

On a personal note, Madam Speaker, I am happy to acknowledge, pay tribute to and thank my officials in the Department for Education, who have worked tirelessly with dedication and sensitivity to bring the code to fruition and to the House today. Without their work, it would not have been possible.

The revised draft is also the result of extensive consultation. We issued over 30,000 copies of the consultative draft. We attended meetings of teachers, parents, governors, the health services and social services across the country. We received over 1,000 written responses and analysed them closely. I hope that those who took much time and trouble to contribute will consider that their efforts are reflected in the revised draft which is before the House today.

The consultation process revealed a general welcome for the principle of issuing such a code and for the main principles of the draft, including the emphasis on the role of parents, the emphasis on pupils who have special needs but who do not require statements, the guidance on when assessments and statements should be made, the emphasis on clear, thorough statements, and the stress on partnership among all agencies.

The consultation also revealed areas of concern. There were calls for greater clarity about the status of the code, about what it means to have regard to the code, and about what will be expected of schools and others when it comes into effect. There were concerns about schools' capacity to follow the guidance of the draft code and about the implications for professional development and in-service training. There were important concerns about the draft's coverage of co-operation between the services involved, and about the sources of advice and information available to parents. The revised draft code, read together with the draft foreword, is designed to meet those concerns, and I am confident that it does so.

The new draft foreword explains the code's status. Local education authorities and schools, when fulfilling their functions under part III of the 1993 Act, must have regard to the code. So must any bodies that help them perform those functions—for example, the health services and social services.

The code itself offers wide-ranging guidance. It recommends, for example, that LEAs and schools should adopt a staged approach, matching action to each child's needs, but it is up to the LEAs and schools to decide exactly how they should apply the code's guidance. It is not a prescriptive straitjacket: it is there to help schools and LEAs, and help children with special educational needs. But whenever they, the health services and social services take action on behalf of such children, they must consider what the code says.

It is our intention that the code should come into effect on 1 September this year, but we do not expect that all schools will have systems in place at that time which will all match the code's aspirations. We do expect all schools to have regard to the code from that date, and we do expect the effect of their having regard to the code to develop over time. As I shall explain, we shall be monitoring their progress closely.

During the consultation process, we listened very carefully to what schools had to say. We recognised that they were worried that the code, while admirable in principle, might not be realisable in practice. We recognised, too, that they were worried about pressures on their time, and about bureaucratic burdens.

We have revised the code accordingly. We have made it clear that the way in which schools react to the code will vary in the light of their particular circumstances. We have set out as guidance an example of a staged approach, which we have kept to basic principles and which emphasises the importance of gathering information at stage 1, developing individual education plans at stage 2 and consulting outside experts at stage 3. I hope that schools will welcome these changes, and that the code now represents an effective and feasible way forward.

We recognise, too, that schools and LEAs will need to think carefully, in the light of the code, about how they manage money to secure maximum benefit for pupils with special educational needs. Substantial sums are already available, and I believe that the code will ensure that they are put to best use.

LEAs, for example, will wish to give careful thought to how the funding allocated to them is distributed to schools. That is a matter for the LEAs themselves, but the code should help those who wish to do so to introduce moderated audit schemes reflecting the numbers of pupils with special educational needs in schools.

Schools themselves will wish to think hard about how they use the money they receive, whether allocated by audit schemes or by proxy measures. Schools' SEN policies must set out the principles by which funds are

[Mr. Forth]

allocated to and amongst pupils with special educational needs, and their annual reports must tell parents how the money has been used.

The consultative draft emphasised partnership. I hope that the revised draft reinforces that message. Part II contains new material on the way in which the health services should be organised to help children with special educational needs. Nowhere is partnership more important than in providing help for children with speech and language difficulties.

To help to develop that partnership further, my Department and the Department of Health will jointly make available £50,000 in this financial year to back a development project designed to maximise the use of speech therapists' time. The results will be widely disseminated.

There is new material, too, on SEN support services. The development of the role of the named person, who can help parents in all their dealings with LEAs, is also a new incentive for voluntary organisations to become directly involved in the process.

Mr. Brian Wilson (Cunninghame, North): Will the resources available to the speech therapy service be related to the number of children whose special needs have been formally recorded?

Mr. Forth: Not in the direct sense that the hon. Gentleman suggests, or requests. Given the way in which speech therapy is delivered and the way in which the needs of children, for example, are identified, I do not believe that one can make that direct comparison.

Obviously, the Department for Education and those responsible for speech therapy services—my colleagues in the Department of Health and their agencies—will want always to be satisfied that the number of speech therapists is adequate to the need. I think that I am right in saying that, given the increase in the number of speech therapists nationally in the past few years, we can have some confidence that that will be the case. It is one of the things that will be monitored. I should like to come back to that point later. My remarks might help to answer the hon. Gentleman's question.

Partnership with parents is a vital aspect of each part of the code. We have placed in the Library a draft of the guide for parents, which we intend to issue and distribute very widely alongside the code. We are backing our commitment to partnership by making some £3.5 million support available through grants for education, support and training for LEAs to develop parent partnership schemes. I am delighted to say that every LEA has bid for and received funding for such schemes this financial year.

I have outlined just some of the changes that we have made in the light of the consultative process. We recognise, of course, that more is needed if the code is to effect change. If its messages are to have a real impact, training and professional development, energetic dissemination, and careful monitoring will be essential.

Paragraph 2:26 of the code recognises the importance of in-service training. References are made to the training needs of all teaching staff, non-teaching staff, SEN co-ordinators and governors. Under the new special educational needs information regulations, a school's SEN policy must describe the school's training plans. Funding of almost £10 million in 1994-95 will be available for this purpose through grant for education support and training.

GEST funding will also be available for the development of schools' SEN policies, for the professional development of SEN co-ordinators and for governor training. In February, I announced a £2 million increase in the support available in 1994-95 through the wholly new GEST grant 23—giving a total of some £5.6 million. With separate financial support from my Department, the Council for Disabled Children and the university of London institute of education are preparing a distance learning pack to help schools develop policies. That pack should be available early in the autumn.

Subject to Parliament's approval, the code will be published next month. It will be distributed promptly to all schools and other interested parties. With the help of the Council for Disabled Children and the National Children's Bureau, we shall then launch a major dissemination exercise at conferences that we have arranged up and down the country.

I am delighted to report that the local authority associations and the Society for Education Officers will join us in that exercise. Other organisations such as the National Association for Special Educational Needs have taken their own most welcome initiatives in arranging conferences to get the message across.

I now turn to monitoring. Registered inspectors will carefully examine schools' SEN policies and their implementation in the light of the code. The Office for Standards in Education's special educational needs team will devote particular attention to the code. It will look, for example, at the impact of special educational needs support services.

The Audit Commission, which already monitors LEAs' performance in making assessments and statements, will have its vital role to play. There may well be a role, as appropriate, for the research community. We will draw all this information together and, of course, keep Parliament fully informed.

The issue of the code of practice represents a major step forward for special education. The code reflects and builds on the principles of the report of the Committee chaired by Baroness Warnock, the Education Act 1981 and the many positive developments in the field since that Act came into effect.

Importantly, the code also reflects good practice in schools and LEAs across the country. It is challenging, but it is realistic. I hope that it will receive the support not only of the House but of all concerned with special educational needs throughout the country. I hope that it will represent a quantum leap forward in the provision for special educational needs.

3.54 pm

Mr. Win Griffiths (Bridgend): First, I reiterate what the Minister has heard me say before—we welcome the code of practice. We only wish that the Government had introduced other major pieces of legislation in a similar way. From the beginning, when they were challenged in Committee about how the new processes would work, Ministers were heard to say, "That will be a matter for the code of practice," or, "That is too difficult to answer now, but we will look into it when we draw up the code of practice."

In all fairness, great efforts have been made behind the scenes to ensure that, by and large, the code meets the problems and concerns raised in Committee. It is also obvious that, having issued the draft code, the Government listened to representations they received during consultation as changes have been made and have further improved the code.

I therefore hope that, despite the fact that I shall concentrate on remaining matters for concern and potential problems, some of which could be fundamental, the House will not doubt that we welcome the code as a significant and important step forward in dealing with children's special educational needs.

The code is the most recent in a long line of decisions taken by Ministers, starting with my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris), who instituted the Warnock committee which brought about the Education Act 1991. The code of practice is another landmark decision.

I hope that the Government will accept that I am raising concerns that many organisations have pointed out to me, and other matters about which I am worried.

My first concern is about training, which is at the heart of whether the code will be successful. The Government have already listened to concerns about the role of the special educational needs co-ordinator and the fact that we should not place so much responsibility on that person or persons in any school.

We also welcome the funding that is made available through grants for education support and training—GEST—and the fact that the Government have been careful to ensure that provision will be made for the training of special educational needs co-ordinators and all staff, whether teaching or non-teaching, and governors.

Some aspects still worry me, however. For example, the Minister referred to paragraph 2:26 of the code, which is found on page 12, but its description of what might happen is the wrong way round. The end of the paragraph states:

"A school contemplating a particular special educational needs in-service training programme may wish to inform itself of the LEA's in-service training policy and may also wish to consult other schools in the area with a view to securing economies of scale and sharing expertise."

It should not be an option. Each local education authority, in concert with all the schools, should draw up the necessary in-service training plans. Training should not be optional: it should be something that all schools and the LEAs are involved in from the beginning.

Over the years, the actual requirement for teachers to have expertise in and knowledge of special education has diminished. I believe that the current Education Bill, which will be considered in Committee from tomorrow, will cause further problems, because it will be difficult to ensure that new teachers receive the range of expertise during school-based teacher training that will be required if the code is to be implemented successfully. The code demands that all teachers should be special education teachers.

I welcome the money that the Government are making available for training, developing partnerships with parents and ensuring that governors are aware of their responsibilities. What about the special needs co-ordinator? In most schools, the person undertaking that job will be performing a new specific, additional role. That person must be rewarded for that.

In the early years of the working of the code, I can envisage that, in some large comprehensive schools, it might be necessary to appoint several special needs co-ordinators. In the short term, as the code begins to operate effectively and picks up children with special needs and ensures that those needs are met, more money must be made available for that purpose.

The Government have said that, in the next few years, they expect that more children will be statemented. In the short term, therefore, significant additional funds will be required to ensure that the code is introduce effectively and the needs of children are properly met. In the long term, however, as those needs are picked up earlier, as should happen under the code, I am sure that number of statements made will fall.

On page 10 of code, paragraph 2.15 refers to the work of the special needs co-ordinator and what schools might need to do to ensure that that job is done properly. It is worrying to note that that requirement is considered in the context of the resources available to schools. That is one of the issues that has bedevilled the provision of special needs since 1981. Very often, parents and local educational authorities have been involved in a battle royal over provision because of fears about costs. I fear that that could happen again, even though the code has been introduced.

When the Minister appeared before the Select Committee on Education, he was questioned about the monitoring of the code. He believed that such monitoring would be carried out by parents, governors, LEA inspectors, OFSTED and the special educational needs tribunal. Governors and LEAs might, however, become more concerned with keeping spending within limits rather than the effective implementation of the code. OFSTED inspectors will usually visit schools in a four-year cycle, which is hardly sufficient for monitoring that code. That means that monitoring will be left to parents and the SEN tribunal. It is clear that parents will need help.

The Department for Education has given OFSTED a monitoring remit to offer advice in the run-in period, but I believe that it should be given a further remit to carry out monitoring beyond the scope for which it has the resources at the moment. In other words, OFSTED should have a stronger remit than the four-yearly assessment of schools, in connection with the implementation of the code of practice in its early years. The Government have said that they intend to review what local education authorities are doing—considering how long statements take to be made and so on—and I should be interested to hear more about the precise way in which that will work.

There is a danger of disputes arising between schools and LEAs, because, although the Government are making, and have made, great efforts to develop partnerships between parents and schools and schools and LEAs, there could be disputes between the school and the LEA about the five-stage system and the criteria for assessment.

For example, if the schools and the LEAs have not agreed on the respective means for operating the five-stage system—which, I am pleased to say, does not have to be mechanically followed—there can be an agreement between the two, but there is a danger of an LEA saying to a school: "We are not happy with the way in which you have gone through the stages, or your adaptation of the stages, before coming to us and requesting an assessment." I hope that that danger can be tackled.

In addition, there could be a grey area between what the school is expected to provide from its resources and what

[Mr. Win Griffiths]

the LEA is expected to provide on the basis of the needs stipulated in the statement. The draft of the code before us puts a stronger emphasis on the role of the LEA in that respect. I hope that such disputes will not take place, and that the Government will be prepared to issue further advice and guidance if questions arise.

The code has made great efforts to improve liaison between local education authorities, health authorities, health trusts and social services departments. Many of the problems of providing a statement in six months have often occurred with agencies over which the LEA has no control. The code attempts to ensure that everyone keeps in step in meeting the timings that are required; nevertheless, I know that LEAs are still fearful that, especially at the final stage, there may not be sufficient time for them to properly complete the statement, and that therefore they could have recourse to the several provisions in paragraph 3.43 to enable them to take a little longer.

I am especially worried about speech and language therapy, because I am not happy that, by the provisions in paragraphs 4.34 to 4.36 of the code on page 82, the Government have cleared up who should pay for that therapy and in what circumstances. I do not understand why the Government did not opt for the procedure that is followed in Scotland, where it would appear that the service is being provided in a way that is welcomed by health authorities, LEAs, parents and schools.

Better provision is made in the code for under-fives. Nevertheless, I believe that there is a case for improving such provision. There should be specific provision for special educational need co-ordinators to be provided in nursery schools or for local education authorities to make specific peripatetic provision to cover nursery schools, nursery classes and playgroups, in all of which there will be a need to ensure that the special educational needs of children are picked up as soon as possible.

I hope that the Government will consider provision beyond the age of 14 in more detail. They have instituted a system for children from the age of 14 onwards, which will be better for those children who previously had statements. Nevertheless, it leaves children with learning difficulties but without statements in a position where they will not necessarily get the help they require once they leave school. Will the Government consider extending the operation of the code to 19-year-olds?

I have received many representations on the need to mention autism in the code of practice. I have spoken about that issue to people working in the health service and schools, and to parents. It is reckoned that some 30,000 children may be affected by difficulties associated with the autistic continuum. There is now strong evidence that autism is under-identified and therefore under-provided for by local education authorities.

The Departments for Education and for Health are undertaking research, with the good offices of Professor Elizabeth Newson, director of the child development research unit at Nottingham university. An interim report has been published, but I understand that a complete report expected last September has not yet been published. I hope that the Government will respond positively to that research if it becomes apparent that a stronger and more specific reference to autism needs to be made.

The "named person" is also a welcome improvement, but have the Government considered the difficulties that may arise for parents whose children have emotional or behavioural problems? Over a wide spectrum of special needs, many voluntary organisations work in that area, but help may not be so forthcoming for emotional and behavioural problems. I should welcome a response from the Minister on that issue.

Have the Government compiled, or are they in the process of compiling, a list of lay members with expertise in special needs and local government to serve on the tribunals?

Mr. Forth *indicated assent.*

Mr. Griffiths: I am pleased to see the Minister nod.

Paragraph 6:12 on page 100 refers to people who should attend the special annual review but makes no compulsion. A local education authority should be obliged to have a representative at the annual review, because, under the code of practice, schools now play a much greater role than previously. Schools should be properly resourced for that work.

My last specific point concerns a matter that appeared in the original document but does not appear in this draft—the requirement for schools to specify the special educational experience and qualifications of members of staff. While much is said about what schools must do in terms of providing information about training, nothing is said about the experience and qualifications of staff. Why were those matters dropped from the code? It is valuable information, which parents should have.

On the framework in which the code will operate, a recent Court of Appeal decision will allow parents to sue local education authorities if they believe that the authorities have failed to provide appropriate special education for their children. It is important that the code of practice is seen to work properly.

Then there are the pressures on learning support services caused by other Government policies. There is much evidence that such services are under great pressure; there must be concern about whether there will be enough support at the centre to ensure that schools have access to them in developing their own policies and practice, and identifying and meeting special educational needs.

A survey conducted by the British Association of Teachers of the Deaf, for example, reveals a decline in the number of such teachers. Let me give just one example: in the midlands region, between 1991 and 1993, there were 380 more children with hearing impairments, but 16 fewer teachers of the deaf to deal with them. In the same period, the number of vacancies for educational psychologists increased from 42 to 70. If the code is to work properly, however, extra responsibilities will be imposed on such people—especially at stage 2—as they must help with preventive work in schools.

Another survey, carried out in a Merseyside authority, showed a loss of 28 special needs support teachers in 28 schools, at a time when the number of pupils with special needs had increased in more than 50 per cent. of those schools. I am worried about the ability of local education authorities to provide for schools.

In that context, too, the local government reforms pose a problem. My education authority, Mid Glamorgan, currently employs either three or four educational psychologists; when the county is divided into four or even

five separate education authorities, there will not be enough psychologists even for one to be employed in each authority. Local authorities in both Wales and England must be brought together to ensure that they provide such services.

The problem is that the Government seem to see schools as self-sufficient units, to be judged principally on their examination results, and the meeting of special education needs is not considered as important as it should be. The increase in the number of exclusions is very worrying; I know that the Government are trying to deal with the problem, but—although the code has tremendous possibilities and is very welcome—I am concerned about potential problems that could damage its implementation if they were not prepared to monitor it carefully and perhaps, in its third year of existence, conduct a major, far-reaching and independent review.

4.17 pm

Mr. Alan Howarth (Stratford-on-Avon): I should, perhaps, declare my interests, as both the parent of a child with a statement and a parliamentary adviser—unpaid—to the National Association for Special Educational Needs.

I welcome the code of practice. I welcome it in principle: it offers an amplification of the Government's objectives and recommendations. It is not rigidly prescriptive in regard to method and leaves proper scope for professional judgment and discretion. At the same time, it has authority and legal standing derived from the Education Act 1993 and from the requirement for the tribunal to have regard to the code in forming its judgments. That authority is reinforced by the intention —mentioned in the foreword—for registered inspectors and the Office for Standards in Education to monitor the code's implementation.

I think that the Government have struck the right balance, leaving scope for independence of judgment while making it clear that they attach great importance to the implementation of best practice on the model set out in the code. I applaud the substance of the code. It strikes me as a fully considered, imaginative exposition, setting out and underpinning best practice in schools and local education authorities. I may differ from the Government over one or two points of detail in the code, but most of the document I find admirable.

The document valuably clarifies the responsibilities of all concerned. In their document "Getting in on the Act", the Audit Commission and Her Majesty's inspectorate called for clearer definitions of objectives and responsibilities and for improved accountability. We could not possibly ask for those requirements to be better met than they have been in the code.

Promulgation of the code will also, I believe, mitigate some of the difficulties that I had feared would arise from the absence of a planning framework. I spoke about that during proceedings on the Education Bill last year, on 2 March. As my hon. Friend the Minister knows, with colleagues, I met the Secretary of State to pursue a discussion on that last summer. The code is a positive and constructive response in that regard.

For instance, I am interested in, and welcome, the proposal that there should be moderating groups, as set out in paragraph 4.7, although I should have liked the tone of that section to be rather less tentative. It is a good idea and it should be pursued vigorously. Similarly, I welcome the recommendation that standard formats for record keeping should be used. Again, I should have liked paragraph 2.25 on this subject to be rather firmer in tone. Standard formats should be used nationally, not just within a local education authority. In that way, we can help to promote equity and to minimise discontinuity. The discrepancies and gaps between primary and secondary phases, between different schools in an authority's area and between different education authorities have been a justifiable source of discontent. I want pressure to be maintained in the direction of more equity and consistency of provision.

Some have said that consultation on the document was somewhat too restricted, but it seems clear to me from the revision that we are debating today that Ministers and officials have listened and have responded to proposals put to them in consultation. Certainly, they have significantly redrafted the document.

I greatly welcome the inclusion of the foreword. I was pleased to note that even the rather dauntingly legalistic notice to parents, which is fairly intractable material to make user-friendly, had been rewritten and is now fractionally less forbidding.

I know that the National Association for Special Educational Needs is grateful for the constructive consideration given to its representations. I also know that the British Dyslexia Association has welcomed the passage in the revised code on the criteria for achieving multi-professional assessments of dyslexia and the new section on resolving parental complaints at school level.

I offer my hon. Friend the Member for Mid-Worcestershire (Mr. Forth) my warmest congratulations on his achievement. I believe that it marks a most valuable advance for parents, children, teachers and all practitioners in this field.

The time scale held out for implementation seems sensible and realistic. The foreword in which the regulations are explained makes it clear that it is not expected that the systems will instantly come into being and emerge fully fledged by 1 September. At the same time, it is made equally clear that schools and LEAs are expected to get down to their task and to develop systems to put them in a position to publish information on their special educational needs policies by 1 August 1995, and thereafter to keep them up to date and to make them clear in prospectuses and annual reports. That is reasonable.

I do not underestimate the demands that the code will make on the teaching profession and indeed on all the relevant professions, but the right balance has been struck in the time scale that the Government envisage.

I welcome what the Minister said about his plans to explain the code and to encourage and to build confidence on the part of all who will have to operate it, by means of a series of conferences and training events. I am pleased that he welcomes the partnership with voluntary organisations and that he at least does not regard pressure groups as subversive of all that is best in our national life.

It will not be enough just to distribute the document, although it is important to distribute it as rapidly as possible to all schools and voluntary organisations at local and national levels. We still need to overcome some apprehension and misapprehension among teachers. At the weekend, I spoke to an experienced and dedicated special educational needs teacher who was teaching seriously disabled children in a difficult inner-city area. She had not had the opportunity to read the draft code, which I do not think was distributed to all schools, and she was fearful of

[Mr. Alan Howarth]

what it might mean. She had heard about the five-stage model and she was worried that it was one more bureaucratic incubus from the Department. She was even apprehensive that teachers might boycott the code.

Teachers need not have any such fears. In paragraph 7 of the foreword, Ministers sensibly and helpfully explain that the detail of what schools decide to do

"may vary according to the size, organisation, location and pupil population of the school."

Paragraph 12 states:

"In practice, the precise definition of the stages and the number of stages adopted are matters for schools and LEAs to decide, consulting each other, in the light of the Code."

That is sensible and, when understood, should allay any fears. It will be important to explain and reassure as soon as possible.

Implementation of the code will entail taking a clear view of resources. There is no question but that the proper implementation of the code will cost money, but no one should exaggerate what it will cost and no one should exploit the fact that it will place a new set of demands on the system. Everyone should seek best value for money.

Some unavoidable costs will arise—for example, the appointment of the special educational needs co-ordinator, who should be properly rewarded for the demanding task that he or she will have to undertake. Other teachers may well have to take over some of the former responsibilities of the SENCO—the special educational needs co-ordinator. Consider the activities to be undertaken not only by the SENCO, but perhaps by all colleagues.

They will involve developing overall school procedures, assembling information about individual children, recording, consulting parents, ascertaining the wishes of the child, co-ordinating with other services, generating letters and holding meetings, assessing, planning and reviewing. That will involve far from insignificant resources in stages 1 and 2 and stage 3 will involve the cost of outside specialist services. Account has also to be taken of the cost of training, which, if properly done, could be the biggest cost.

The identification of budgetary resources applied to special educational needs school by school will be essential in the interests of accountability and so that we can know whether resourcing will be adequate. It is natural for people to say that resources will not be sufficient—people will always say that schools do not have enough—but we should at least be clear what resources they have. I am glad that paragraph 2:7 of the revised draft emphasises the obligation on the governing body to establish the appropriate funding arrangements.

Paragraph 2:11 places an obligation to include in the annual report information on

"how resources have been allocated to and amongst children with special educational needs over the year".

Local management of schools formulae have varied significantly in relation to special education needs across the country. I should be grateful if my hon. Friend the Minister would comment on the evolution that he foresees of the LMS methodology. It is important to ensure not only transparency but the maximum fairness and consistency between authorities. Arbitrary variations between one local education authority and another of resources applied to special needs have been a source of puzzlement, and all too often people have felt a sense of unfairness and disappointment.

In another place last year, my noble Friend Baroness Blatch, the Minister of State at the Department for Education, made a helpful and important comment. During proceedings on the Education Bill, Lady Faithfull, who knows a thing or two about local authorities, asked whether there might be a risk that a local authority treasurer might say that it was too expensive to provide a statement. My noble Friend said unequivocally:

"The child is diagnosed as having special educational needs. Those needs are set out in a statement and then the education provision consistent with those needs must be found. It is reasonable for the treasurer to say to those involved in making that professional judgment that they must look for the most cost-effective solution. But the cost-effective solution they come up with must be wholly consistent with the statement, whatever the cost."—[*Official Report, House of Lords*, 29 April 1993; Vol.545, c.562-63.]

I do not know whether my noble Friend was then upbraided by my right hon. Friend the Chief Secretary to the Treasury, but I have not been able to find any such unequivocal and sonorous statement in the code. Perhaps the Minister will reaffirm that resources must be found to match the statement and that that will be put into the final code.

Mr. Forth: I shall try to answer that important question now in case we run out of time. There are two important aspects. One is in the interesting current variation in the number of statements provided by different local authorities—for example, fewer than 2 per cent. of pupils in some authorities to nearly 4 per cent. in others. That shows that most authorities can find the money if they can justify it and support the mechanism.

The other crucial new factor in the equation is that for the first time, the special educational needs tribunal will have powers to bind local education authorities on the statementing process and will do so quite impartially. Those two factors lead me to suppose that the money will be found where it is necessary under the constraints of the new standardised, but more rigorous, approach.

Mr. Howarth: I am grateful to my hon. Friend. I know that he well understands the great importance of this issue. If his intentions in the code are to be truly fulfilled, we must not slide back to resource-led statements with all the evasions, the frustrations, the sadness and the waste of children's potential that they have involved.

Mr. Win Griffiths: I welcome what the Minister has said, but why was it necessary in paragraph 2.15 on page 10 of the code to say:

"Governing bodies and head teachers may need to give careful thought to the SEN co-ordinator's timetable in the light of this Code and in the context of resources available to the school"?

Surely the SEN co-ordinator's role should be developed and resources should be found to make sure that the co-ordinator is able to do his or her job properly.

Mr. Howarth: It is not for me to answer that question but I think that all hon. Members, and those on the Front Benches, agree that the necessary resources must be found. Of course that applies not only at school level but, as the hon. Member for Bridgend (Mr. Griffiths) suggested in his speech, what the noble Baroness Blatch said has an important bearing on LEA resourcing. There are legitimate concerns about the contraction of special educational needs support services in LEAs. If we are to make the code's aspirations a reality the support services at LEA level should be sufficiently resourced.

The principle of integration of children with special needs into mainstream education and the requirements of the code carry massive implications for initial teacher training, in-service education and training and for specialist training in the special educational needs field. Training is the ghost at the feast in the code. I note what is said in paragraph 2.26 and I noted what the Minister said.

Although I welcome the Department's support for the development of distance learning packages, relatively little about training is explicit in the code, while there is much that is implicit. The code assumes a formidable range and depth of expertise. Every school will have a so-called responsible person. There are implications in the document for the training of heads and deputies and of governors, whose responsibilities will be enormous, special educational needs co-ordinators and all teachers in all schools.

Training will be the fountainhead of success or failure. The code rightly raises expectations and sets better standards. We understand, for example, that some 300,000 schoolchildren have dyslexia. The code has important and constructive points to make about their entitlement. Teachers in all schools will need to know how to identify and respond to specific learning difficulties. The development of that competence will need to be embedded in initial teacher training and reinforced in INSET—in-service training—through the GEST—grants for education support and training—programme.

I welcome the fact that GEST funding for special educational needs training is due to rise from £6.6 million in 1991-92 to £9.7 million in 1994-95. I am not sure how many schools the country has now but in my time in the Department, they were thought to number 27,000. On my reckoning, that amounts to £360 per school and the LEA must provide an additional 40 per cent. Given that standard spending assessments are tight, how confident is my hon. Friend the Minister that the necessary training will be sufficiently resourced? There must be enough good training and sufficient resources must be provided. Training must draw on the latest and best practice in schools nationally and internationally.

I welcome the requirement that one member of the Teacher Training Agency should have knowledge of special educational needs. I hope more than one member will do so and that that experience and knowledge will be fully up to date.

I am concerned that the Government envisage that initial teacher training could be offered by schools without collaborating with higher education. Although some schools have highly developed expertise in special educational needs, all too many do not, and no school can reasonably be expected to keep absolutely up to date with latest developments.

How can the generality of schools, which have considerable leeway to make up, take responsibility for developing the content of training, to provide their own teachers and prospective teachers with the knowledge and skills demanded by the code? My hon. Friend the Minister may say that the criteria for the accreditation of courses will provide a safeguard, but what if schools fail to satisfy those criteria? Where will training come from then?

I understand that my hon. Friend does not envisage schools running specialist training on their own without input from higher education, but the Education Bill does not preclude it either. Special education is, by definition, special. Teachers of children with special educational needs must provide teaching that is additional, to and different from, ordinary education. Their training must correspondingly inculcate special knowledge and skills. I should be most concerned if training in special educational needs were cut off from access to national and international developments.

A recent conference on integration organised by the Organisation for Economic Co-operation and Development showed that special educational needs are a rapidly developing field in many countries. We must not deprive ourselves of the ability to learn from international experience. Rather, we should ensure that, where appropriate, it is rapidly translated into the practice in our schools. Schools alone cannot possibly achieve that.

There is a shortfall of available specialist teachers. The number completing courses in teaching pupils with severe learning difficulties fell from 200 in 1989 to 80 in 1993. The number of teachers of hearing-impaired children qualifying has fallen from 150 to 110. The British Association of Teachers of the Deaf reports an average age of more than 40 for new trainees and a serious fall-off in younger teachers. Special schools and support services are having difficulty in filling appointments with qualified people. If there is to be further doubt about the viability of specialist training courses in institutions of higher education, I fear that numbers will fall even further. Yet the code, for example, in paragraphs 3:78 and 3:79 on the assessment of children with hearing difficulties, makes assumptions and, indeed, explicit requirements that imply considerable specialist expertise.

We must ensure that we will the means as well as the ends. A great deal of training is needed. It must be adequately resourced, and the processes of training must not be cut off from the centres of expertise in higher education—for example, the university of London institute of education and the education department of the university of Manchester, which have a great deal to offer, as we all know.

Therefore, I hope that my right hon. Friend the Secretary of State will be willing to ensure that the Education Bill will require training for special educational needs to be carried out in collaboration with institutions of higher education. I welcomed his undertaking on Second Reading, in response to an intervention from me, to reflect further on that. If we fail to ensure appropriate training, the volume of appeals will ineluctably soar and, after all, we do not want the tribunal to be busy. We must not see the aspirations of the code turn to bitter disappointment on account of failure in training.

The code and the legislation will be helpful in achieving better collaboration between services, but, like the hon. Member for Bridgend (Mr. Griffiths), I have some worries in that regard. I am concerned that delays in the processes of assessment and statementing might be generated from agencies other than local education authorities—particularly from health authorities.

I remain dissatisfied with paragraphs 4:34 to 4:36 on speech and language therapy, which simply recapitulate the existing unsatisfactory status quo at law. I would add that they look at the existing pattern of provision somewhat through rose-tinted spectacles. The availability of speech therapy remains deficient in too many health authorities. In the gap between what is described as

"educational and non-educational provision"

and what is referred to as "prime" and "ultimate"

[Mr. Howarth]

responsibility, a great deal of time can be lost—precious, irrecoverable time—for children, whose development every week and month is crucial.

The case law has helped to clarify responsibilities, but as the wording of the code demonstrates, they are still not nearly clear-cut enough. I wrote to my hon. Friend the Under-Secretary of State for Schools last year asking him whether he would use the opportunity provided by the Education Bill to define beyond doubt where responsibility lay. I believe that the duty to provide speech and language therapy in schools should rest clearly and inescapably with the local education authority, which should buy in the professional services it needs from the health authority, or where ever. Will my hon. Friend therefore look for an opportunity to act on that and at least strengthen his expression of expectation in the code?

I want to end on a positive note. I believe that the tone and style of the code are exactly what are needed. It is written in plain English—it should be submitted for a prize for that. It is humane in spirit. It is undogmatic. It makes it clear that its provisions are not set in tablets of stone and that it will evolve as a living document. The emphasis on partnership—with both parents and children—to which my hon. Friend drew attention, is right and necessary. All that is humane and sensible.

Throughout the code, there is a sensitive recognition of the stress, anguish and even depression that parents of children with special needs can experience. In the past, the processes of assessment and statementing have, all too typically, been antagonistic and dragged out. I welcome, for example, the provision in paragraph 3:11 for a "named person" to be a friend to parents when the assessment and statementing process is being carried forward. I welcome also the desire, expressed in paragraph 3:12, to avoid confrontation.

The code contains imaginative touches, such as the recommendation that the letter telling parents that a local education authority intends to undertake an assessment should be delivered personally. The code requires that parents should be treated with respect and dignity. They are entitled to receive all the reports and are encouraged to express their own preferences for the school at which their child should be placed. I was pleased to note that they were not discouraged from expressing a preference for a non-maintained special school.

The requirements for targets for progress and for time scales to be observed will be exceptionally valuable for children and their parents who, all too frequently in the past, had to face the prospect of almost endless struggle to achieve what they ought to have. I hope, however, that my hon. Friend can assure me that OFSTED and the Department will be vigilant to ensure that stages 1 to 3 do not become excessively prolonged as the stages preliminary to assessment and statement. I know that that is a concern of the British Dyslexia Association.

I welcome the tribunal. That was an idea that was under consideration during my time at the Department. I am very glad that my successors have carried it forward. It should mean an end to local education authorities being judge and jury in their own case on appeals and to the protracted and bitterly legalistic and antagonistic process of appeals to the Secretary of State.

If my right hon. Friend the Secretary of State and my hon. Friend the Under-Secretary of State can ensure sufficient resources and if we have sensible arrangements for training, with the code, the interests and prospects of children with special educational needs will be enormously enhanced.

4.45 pm

Mr. Alfred Morris (Manchester, Wythenshawe): When *The Times* made its recent appeal for donations to help AFASIC—the association that represents children and young people with speech and language impairments and their families—the outcome was not only one of much-needed financial help for a voluntary organisation whose achievements are held in admiration on both sides of the House: the appeal also made hundreds of thousands of people much better informed of the extent of unmet need for speech and language therapy among children and young people in this country.

It is about AFASIC's reaction to the code of practice that I want to speak in this debate. I do so, as my hon. Friend the Member for Bridgend (Mr. Griffiths) recalled, as the former Minister for the Disabled who, in the 1970s, was principally involved in the setting up of the Warnock committee. As the House knows, my interest in the debate arises also from my Chronically Sick and Disabled Persons Act 1970, the first ever statute specifically to legislate for children with dyslexia and autism, as well as those with the devastating dual handicap of blindness and deafness.

The hon. Member for Stratford-on-Avon (Mr. Howarth) said that he was ending his speech on a positive note. It is on a positive note that I begin my speech. Let me make it clear at once that AFASIC welcomes many aspects of the code, not least its recognition of the importance of early identification, assessment and provision. The association also welcomes the code's emphasis on partnership between schools, parents, the local education authority, other agencies and the children and young people themselves; its clarity in establishing stages of assessment and provision and the identification of responsibilities at each stage; and its time limits for the assessment and statementing process.

AFASIC's concerns about issues raised by the code of practice include the onerous responsibilities placed on the individual special needs co-ordinator within the school. The association is concerned also about whether special needs co-ordinators will be given training, more especially as there appears to be no money in the 1994-95 grants for education support and training—GEST—budget; the need for a Government lead in regard to the training of teachers, therapists and other professionals in order to ensure effective implementation of the code; and the worrying assumption that measures detailed in the code can be implemented with no adjustment to the level of resources available.

The issue of resources is made all the more important by wider public understanding now both of the extent of the need for speech and language therapy intervention in the school-age population and of the pace at which need is growing. Nearly a quarter of a million children today have some speech and language impairment or disorder. Of those, 6,000 or 7,000 have severe, long-term difficulties. Some 10 per cent. of all pre-school and school-age children have difficulties which could interfere with their

educational progress at some time; and 5 per cent. of all children enter school with noticeable speech and language difficulties.

In England and Wales, responsibility for ensuring that there is provision for speech and language therapy is currently divided between local education authorities and district health authorities, with the result that many children do not receive the therapy they need, or do so only as a result of strong parental persistence. Many parents, of course, are sadly in no position to exert such pressure.

The code fails to clarify who is responsible for ensuring that therapy is purchased for those children—an issue of increasing concern to public representatives, voluntary groups like AFASIC, professionals and families. Again, the distinction in the code between "prime" and "ultimate" responsibility is of little help to purchasers, providers or parents.

The Council of Local Education Authorities—CLEA recently compiled a dossier of evidence from LEAs of shortfall and confusion in the provision of speech and language therapy to children who are acknowledged to need this help in order to progress with their education. I give the House two sample quotations from that dossier. The first is:

"One of our health districts, covering a school population of approximately 20,000, provides no service to children in mainstream schools over the age of eight, whether statemented or not. Our special school for children with autism/communication disorders is underfunded to the tune of one full-time equivalent speech therapist. Our six moderate learning disorders—MLD—schools require an additional two full-time equivalent speech therapists to meet the needs of children placed there. The provision of speech and language therapy is (apart from dyslexia) the issue which chronically prevents the LEA from developing reasonably harmonious relationships with parents."

My second quotation is about differing levels of therapy services. It shows that, in effect, the level and availability of therapy services depend not on the urgency or extent of need, but on where one lives. I quote again from the dossier:

"We liaise with six different health authorities which offer widely varying levels of therapy services. Achieving coherent delivery of this service is therefore particularly difficult and has been further exacerbated by the developing purchaser/provider split in the health authorities themselves. Agreements with the purchasers do not necessarily hold with the provider . . . the DHA is placing children on ever-lengthening waiting lists and there is increasing evidence of disagreement over whether cases are educational or medical in origin. A recent joint LEA/DHA working group showed that a disproportionate amount of speech therapy time is devoted to adults."

That is the background, some might think sombre background, to the Minister's statement today that it has always been the Government's policy to match speech therapy provision for children to their needs.

Confusion over who is responsible for ensuring the purchase of speech and language therapy is exacerbated by shortages among the providers. Figures to demonstrate this shortfall are scarce. That is due in part, AFASIC believes, to fear on the part of purchasers and providers of identifying needs they are unable to meet. No such fear was shown, however, by the Greenwich healthcare speech and language therapy service. In a survey last June, it identified a shortfall of 5.8 full-time equivalent speech and language therapists for children in mainstream schools and a shortfall of 5.6 full-time equivalent speech and language therapists for children in special schools.

Mr. Forth: If I do not have an opportunity to reply formally to the debate, as I want my colleagues to have an opportunity to speak, I will write to everyone who has participated in it.

However, with regard to the point raised by the right hon. Member for Manchester, Wythenshawe (Mr. Morris), against the background of the general increase in the amount being spent on speech therapy over the past few years, I hope that he will acknowledge that, for the first time, in the Education Act 1993, we made provision for a much more explicit and formal co-operation and co-ordination between local education authorities and local health authorities. I hope that that will be helpful.

Later this year, my Department will have further discussions with AFASIC and others to determine the nature of any continuing and on-going problems and the best way to resolve them. We have not by any means seen or heard the last word on this matter. We will consider very carefully what the right hon. Gentleman has to say.

Mr. Morris: I am very grateful to the Minister. I wish him luck with the Treasury in securing more resources for the very needful children about whom we are concerned in this debate. I hope that the debate itself will arm the Minister with compelling arguments for more resources for these children.

I was referring to the Greenwich healthcare speech and language therapy service. Its disturbing findings were made at a time when there were also 417 pre-school children among the service's case load and a further 213 children awaiting an assessment.

In a survey carried out in September 1992, the Canterbury and Thanet service identified a shortfall of 4.1 full-time equivalent speech and language therapists for statemented children in mainstream schools. At the time of that survey, 288 children in Canterbury and Thanet mainstream schools had no speech and language therapy provision, despite demonstrating a need for it.

I turn now to the performance of health authorities in helping speech-impaired children and young people. Unlike education authorities, health authorities have only a general duty to provide services. They have no specific duty to individual children; indeed, there is evidence that some health authorities, such as Stafford, are refusing to provide any speech and language therapy at all to children over the age of eight.

As the Minister knows, the "NHS Efficiency Index" encourages health authorities to spend on health care items which will most obviously demonstrate a return. That urges DHAs towards provision of acute services and discourages them from investing in community services such as paediatric speech and language therapy. Health authorities know that LEAs are the providers of last resort and thus have little incentive to provide services themselves. Fundholding general practitioners are also purchasers of speech and language therapy, a role for which many will have been inadequately prepared.

AFASIC can find no other instance in which a health authority is responsible for meeting specified educational needs and, on the association's behalf, I now ask the Government to clarify beyond doubt who is responsible for ensuring the provision of speech and language therapy services to children of school age.

In Scotland the education authorities have been allocated funds in the local authority settlement to purchase therapy from the health boards. The Government

[Mr. Morris]

have indicated that this is working well and I believe that it could serve as a useful model for England and Wales. I suspect that the Minister, who has been very generous in responding to points that have been raised in the debate, is rather envious of the arrangements in Scotland and would like, as many of us would, to see them repeated here. I ask the Government also to commit themselves, first, to monitoring the implementation of the code of practice with particular reference to speech and language therapy; and secondly, to revisit the code no later than 1996 to put into place any amendments which may have been shown by the monitoring process to be necessary.

Not to give speech-impaired children the right help, in the right place and at the right time is to endanger their future. In some cases, it can lead to a lifetime of preventable handicap and dependency for children whose claim to the attention of the House ought not to need emphasising to Ministers. If they want to make certain that the code of practice succeeds in safeguarding such children, they can do no better than to keep in close and continuing rapport with AFASIC about its implementation and to respond positively now to the association's concerns.

5 pm

Mrs. Angela Browning (Tiverton): First, I thank my hon. Friend the Minister for introducing the code of practice. I do not want to reiterate everything that hon. Members have already said, but I hope that my hon. Friend will take it from me that I warmly welcome the code. I know that much consultation has gone into the document. As we are under pressure of time, I shall simply go quickly through one or two matters which are of concern to me and which I hope my hon. Friend will monitor as the code is implemented.

Many hon. Members mentioned the question of speech therapy. I shall repeat what a speech therapist in my constituency told me in my surgery: because of the introduction of care in the community, the peripatetic speech therapists who work primarily under the umbrella of health find that they are spending a lot more time travelling to people's homes to assist stroke victims who necessarily need help early after they are discharged from hospital. That is taking up a lot of their time—time which must often be shared with children who need speech therapy. Although I welcome the increased number of hours that speech therapists are giving nationally, I suspect that they are being asked to cover a much broader area. That area must be examined.

I certainly welcome the partnership with parents. I hope that my hon. Friend will monitor carefully circumstances where parents elect the person alongside them, especially at the appeal stage, perhaps to have knowledge of a particular disability. That has often been a problem. In the statementing process, there has often been a conflict between educational psychologists and clinical psychologists. Often, the clinical psychologist has a much greater knowledge of a specific disability, especially if it is clinically based. I hope that the presence of psychologists, if necessary, will be recognised when they stand alongside parents and represent them.

Many hon. Members mentioned resources, especially with regard to disabilities. As autism has been mentioned by Labour Members, I should perhaps declare an interest as an unpaid special counsellor to the National Autistic Society. My hon. Friend the Minister knows that I have been in correspondence with him on several aspects of the subject.

When we consider resources and the anticipated number of children with special educational needs, including that segment of children who require statements of need, we are still working on the excellent report of Baroness Warnock in the 1970s, which was put into statute in the Education Act 1981. Although Baroness Warnock mentioned autism and dyslexia in her report—I have made this point to my hon. Friend before—those two disabilities were not in the final list at the back of the report where she identifies areas where statements of need may be necessary.

Hon. Members mentioned the figures relating to both disabilities. I do not think that resources have increased because there are more people with dyslexia or autism; I simply think that our awareness of the two conditions is much more enhanced now than it was 10 or 20 years ago. In terms of resourcing and meeting the need, it is likely that Baroness Warnock's figures need reappraisal in the 1990s in terms of the scale of the problem.

I recognise that for local education authorities, the Government and even schools, it is something of a Pandora's box to take the lid off and say that the area of need is much greater than the figure on which we have been working since the 1970s. In aggregating statistics as a result of the much more strictly run statementing and special needs process, I hope that we will be able to identify the scale of need of all the categories of children.

Mr. Forth: I do not think that we should attempt to put things in boxes in that way at this stage—we have rightly resisted that temptation. However, I recognise the desire of people from specific needs groups to have their requirements identified and recognised.

First, I simply ask my hon. Friend to accept that the Audit Commission, in its excellent report about two years ago, did not identify a shortfall of money; it identified the fact that the money was not always efficiently used, and the code will be a major step forward in that direction. Secondly, we should recognise the variation in existing LEA practice and existing special needs provision. There is no indication that there is a lack of money; there is an indication of an unacceptable variation in the way in which the money is brought to bear.

Mrs. Browning: I am grateful to my hon. Friend. I shall make two final points. The first relates to the money side. We must be careful when using the Warnock statistics, because LEAs which reach a 2 per cent. target of statementing of special needs feel that they have reached the target. I suggest that that is a somewhat artificial level and that other children below that 2 per cent. may need statementing. As the process is now being speeded up because of the six-month rule, there may be a tendency in some areas not to statement children who otherwise deserve it.

My final point relates to teacher training. Recently, I met many dyslexic children and I was horrified when they told me that teachers in their school referred to them as thick. When it comes to in-house training for existing teachers, I hope that my hon. Friend will understand that we have a long way to go in spreading throughout the

education establishment the message that dyslexic children are not thick, and that existing teachers require training in special needs as much as new teachers.

5.6 pm

Mr. Don Foster (Bath): This is an important debate. As time is short, I intend to keep my remarks brief. I join hon. Members who have already spoken in welcoming the code of practice, and pay a warm tribute to all the organisations that took part in the consultation exercise.

Perhaps unusually from the Opposition Benches, I pay a warm tribute to the Parliamentary Under-Secretary of State for Schools because I believe that his personal interest and involvement in the issue led to the code of practice being a model of clarity that has achieved considerable support across the political spectrum and from all those involved in the world of education.

As the Minister admitted, the code of practice is long awaited, arising, as it does, out of the Warnock report and the Education Acts 1981 and 1983. Nevertheless, it is now with us and, as I said, has received a great deal of praise from many people because it distils the highest aspirations of local education authorities and includes many examples of best practice as regards special educational needs work up and down the country. The code rightly stresses the issue of the continuum of need, and for the first time clearly delineates the responsibilities as between individual schools and local education authorities. That will go some way at least towards resolving some of the problems that local education authorities face with regard to the pressures of statementing.

The code of practice is welcomed by governors, head teachers, teachers and local education authorities; I suspect that that renders it almost unique among documents produced by the Government over the past 15 years, certainly in the field of education. I welcome it for that reason, and I hope that it will be the first of many such documents.

Perhaps the main reason why the code has been so successful is that the Minister and the Government listened to the views of different professionals; that is especially true of the way in which they have adopted the concept of special educational needs as a whole school issue and accepted the case for a five-stage model. The Government have rightly incorporated throughout the document the theme of partnership and parental involvement. They have also, perhaps for the first time, recognised the importance of listening to the views of pupils.

I said that I would be brief and I shall not rehearse many of the concerns that have been raised by hon. Members on both sides of the Chamber because it is important that the Minister has an opportunity to respond. I shall merely pick up briefly two or three points that I do not think hon. Members have touched on.

Mention has been made of the concern about the four-year period between one OFSTED report and another. The Minister may wish to comment on the suggestion that, while there is a requirement for governors to refer in their annual reports to their special educational needs policies and to the allocation of resources, a clear statement should be incorporated within those reports of what action has been taken each year following an OFSTED report to move towards meeting any criticisms that may have been raised.

Mr. Forth: In a sense, I can do better than that. We anticipate that OFSTED will prepare a first interim report on the operation of the code in respect of a limited sample of schools as early as March 1995 and will follow that with a more extensive report in December 1995. We will not have to wait for the four-year cycle. In addition, OFSTED will be concerned with giving overviews about the effectiveness of the code early on, and will do so more regularly than on a four-year cycle.

Mr. Foster: I am sure that many people will welcome what the Minister has said, but I do not think that it takes away from my point about the way in which individual schools meet the best practice and guidance contained within the code.

There is one respect in which the Minister will not give the House the satisfaction which I, for one, would like. The importance of early identification of special educational needs has been quite rightly included within the code; reference has been made to dyslexia, autism and other aspects of special educational need. I say gently to the Minister that one new practice that the Government could introduce that would help dramatically in the early identification of special educational needs is the widespread provision of nursery education. I shall leave the Minister to ponder that.

Let me make a brief point about speech therapists. In addition to the points that other hon. Members have raised about who is responsible for identifying which speech therapist should provide assistance to whom, and from where the money should come—the point about the shortage of speech therapists was made forcefully by the right hon. Member for Manchester, Wythenshawe (Mr. Morris) and others—there exists the further concern that the move towards the establishment of more and more national health service trusts is fragmenting the speech therapy service and is beginning to remove any notion of a career structure within speech therapy. That in turn may have implications for the recruitment of speech therapists in the future.

My final point concerns the crucial issue of resources. The Minister has said that there is no indication of a lack of money. On the other hand, the hon. Member for Stratford-on-Avon (Mr. Howarth) said that it was absolutely crucial that the necessary resources must be there. There is a mismatch between those two statements. All the evidence that I have seen, when visiting many schools and talking to many people, suggests that there are not sufficient resources currently available to meet the special educational needs of pupils in this country. I am influenced by the evidence provided by local authority associations, which suggest that the implementation of the code in all its aspects may cost an additional £100 million.

The Minister has said that some new money will be found, and I am grateful for his statement about those amounts. However, if I have added the figures up correctly —perhaps the Minister will give a summary of the various amounts in his winding-up speech—the total amount of new money, or at least money which will go to special educational needs which is not going to them at present, is less than £20 million.

We need to hear what the real figure is and whether we are talking about new money or money taken from elsewhere. Although the code is very welcome, it represents only one half of the solution: without sufficient resources to back it up, those aspirations will never be met.

5.15 pm

Mr. Peter Butler (Milton Keynes, North-East): My intention is not only to be brief, which is relatively easy, but to be succinct, which is more of a challenge.

I join hon. Members on both sides of the House in welcoming the code of practice, which is clearly and successfully the result of an extremely wide consultation. It is an example of a case in which those consulted have taken the opportunity to exploit the consultation, and that does not always happen.

My interest in special education goes back to my involvement in the founding of a school for what were then termed maladjusted children, who are now known as emotionally and behaviourally disturbed children. I gained a postgraduate teaching qualification and was involved in the running of that school for some 17 years, until two years ago. On the basis of that experience, I give great credit to all who are involved at every level of special education, which is one of most challenging ways imaginable of earning a living.

I have been concerned about three aspects of statementing over the past few years. My first concern is about the delay in starting the process: from my observation of one particular school, I can say that the average age for statementing—and therefore the average age of placement—has risen by three or four years during the past few years. Frankly, that means that children are statemented and placed almost too late to benefit from the proper effects of special education. I am pleased to see that that matter is covered by the trigger arrangements for stage 1, and I welcome that. I remain concerned, however, about a situation in which a parental expression of concern does not lead to an assessment, which leaves the parent with little recourse.

My second concern is about the length of time that is spent in the process of preparing the statement. I congratulate the Minister on that matter, as it has been fully covered by the code.

My third area of concern is the recent growth of non-specific or generic statementing. A simple conclusion that a child needs additional help in the classroom is almost a futile exercise and gives no reassurance to parents, little guidance to teachers and little hope to the child.I am pleased to note that the draft statement, and the lay-out of parts 3 and 4 of the former statement which is attached as the appendix to the draft code, deals extremely thoroughly with that question. I welcome that without any reservations.

Despite the comments of my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth), I do not perceive an even-handed approach to maintained or non-maintained schools. I see a clear desire for children to be placed within a maintained school—whether it is maintained, grant-maintained or grant-maintained special—rather than in a non-maintained or independent school. I greatly regret that. The document seems to assume that a non-maintained or independent placement will arise only from a successful representation made by an unusually well-informed and persistent parent.The notice to parents confirms that in its wording on the right to make such representations, which is included in paragraph 5. It is not even mentioned in paragraph 3.38 of the draft code, which says only that, on receipt of a proposed statement, parents have a right to state their preference for the maintained school that their child should attend, and to make representations to and hold meetings with the LEA.

Although the ability to suggest that the school should be independent or non-maintained is buried within the draft notice to parents, it is not brought out within the draft code of practice itself.

Mr. Forth: The debate was conducted at some length in 1993 in the confines of the Standing Committee on the Education Bill, as it then was. For better or worse, we took a decision about the relative merits of the maintained and non-maintained sectors, the position of parents and so on. The code reflects faithfully what is in the Act—and, since it is now in the Act, it is difficult for it not to do so. We must now hope that parents will take the clues and hints given in both the code and the Act and make the best possible use of them. I am confident that they will be able to do so.

Mr. Butler: I am grateful to my hon. Friend the Minister for that response. Of course, the method of funding of the school is irrelevant. The only question is whether the school can help, and possibly where the school is geographically situated. That is particularly important because, even with a specific learning disadvantage or disability, the need to recognise, for example, the effect of the peer group within which the child would be educated if he was accepted at that school is vital to the achievement of success. That is recognised in paragraph 4:41, which says:

"The placement must be appropriate to the child's needs, while also compatible with the interests of other children already in the school and"—

the final part is slightly worrying—

"with the efficient use of the LEA's resources."

Many of us saw during the 1980s what were termed "out-to-in" policies. As well as not being placed, children were removed from independent non-maintained schools out of county and placed in maintained schools within county. That was often based on imaginative accounting to demonstrate that the in-county school was cheaper, and therefore represented a more efficient use of LEA resources. I am concerned that that practice should not be repeated or continued in future. I am grateful to my hon. Friend the Minister for the suggestion, which I think I read in his response to me, that the matter will be watched carefully.

I rose to make a small but important point and to give an overall welcome for an excellent draft code.

5.20 pm

Mr. Brian Wilson (Cunninghame, North): I declare an interest in so far as I am the father of a small child with Down's syndrome. I hope that, in an essentially English and Welsh debate, I can make some comments which reflect the Scottish experience and offer comments that are relevant to the whole of Britain. I am grateful for the opportunity to follow the much more authoritative speech of the hon. Member for Milton Keynes, North-East (Mr. Butler).

Before my son was born a little more than three years ago, the impression had been borne in on me strongly, in constituency surgeries and so on that, of all the people who came to see me, those who were most oppressed and psychologically battered were those who had the responsibility of caring for people with learning difficulties

and disabilities or physical handicaps. I am sure that that is the experience of many hon. Members on both sides of the House. The phrase that was used over and over again was, "You have to fight for everything you get." Exactly as the hon. Member for Milton Keynes, North-East said, if a child had persistent parents who knew their way through the system, they might get what the child needed. If the parents did not have that persistence or knowledge, the outcome could be very different.

Since I have had more personal involvement in such matters, I have had greater cause to reflect on that. Anything that the code of practice does to improve the lot of parents and children across the economic and social range is welcome. The proof of the code's value will be what actually happens over the years and particularly whether the necessary resources are made available to meet the aspirations of the code.

Since my son was born, I have realised that, although it is not unreasonable to expect that a Rolls-Royce system should exist from the cradle to the grave for the relatively small number of children who are born with special needs and will obviously have learning difficulties, the reality is very different. I was initially struck by the extent to which people are left on their own to find out what is best for the child in the early stages.

As the hon. Member for Stratford-on-Avon (Mr. Howarth) said in a slightly different context, there is an awful lot going on in the world. A lot of research is being done in other countries, where exactly the same questions are being asked. There has been a serious failure to bring together all that knowledge and experience to create a well-defined strategy for meeting the special educational needs of the various categories of children with special needs.

I intend to limit my remarks to Down's syndrome children because they are the only ones about whom I have any claim to know enough to take up the time of the House. I shall speak particularly about the assessment of pre-school children. I note that the code sets out a worthy aspiration. Indeed, it is firm on one point. It says that the local education authority may make an assessment of a child's educational needs

"if the parent consents to it, and must make such an assessment if the parent requests it."

It goes on to state:

"Such an assessment shall be in such a manner as the authority consider appropriate."

But then, crucially, it states:

"Following such an assessment, the LEA may make and maintain a statement of the child's special educational needs".

Why is that "may" rather than "must"? Once the need has been defined, why should it not be a duty on local education authorities to maintain a record of those needs?

The Scottish experience is of some relevance. Some time ago, I asked the Minister's Scottish counterpart, the Under-Secretary of State for Scotland, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton) what was the statutory requirement in Scotland for identifying needs and maintaining a record. I then asked what was the practice in each of the education authorities. The answer disappointed me a little. Although it said, accurately, that the LEA may keep a record of needs from the age of two, it said that the information on what the education authorities actually did was not held centrally.

It did not seem unreasonable to expect that, having set out what local authorities were expected to do, the Government would keep a check on what a dozen education authorities did in practice. So I wrote to the 12 education authorities in Scotland. With great courtesy, all 12 replied. My point is that the practice differs widely, even among the small number of authorities covering Scotland.

In Tayside, most records of needs are opened at 11 to 13. The reply continued:

"The next largest significant activity is at the point of entry to primary school at age 4-5."

The third largest significant activity in opening records for pupils was at age two. So age two is the third largest group. The reply from the director of education of Lothian states:

"In practice, very few children are recorded pre-school."

The reply from Shetland was

"I cannot say that the Record of Needs is initiated at age 2."

In Borders regional council records are most commonly initiated between the ages of three and five. However, Central region said:

"we would anticipate identifying children with learning difficulties by the age of 2."

Grampian similarly said:

"Referral can take place at any age from 0-6 years but most such children attend initially at between 2-3 years."

Strathclyde said:

"this authority opens Records of Needs for children with special educational needs from age 2."

I have rushed through those examples. The point is clear that, despite provisions on the statute book that the education authority may keep a record of needs from the age of two, the practice is widely different even among the dozen education authorities in Scotland. In many cases, the practice is resource-driven. I have no doubt that in others it is the product of a judgment by the education authority that that is the best thing to do. What concerns and surprises me is that there is not a well-defined national view on what is the best practice drawn from international research and experience of what is the best thing to do for such children.

I agree with hon. Members who have said that the passage in the code of practice on speech therapy is vague and disappointing. My hon. Friend the Member for Bridgend (Mr. Griffiths) referred to the Scottish experience. It is not quite so rosy as that. Possibly the formula is right—the education authority purchases from the health authority—but unless the resources are there, the provision will not be there either. I emphasise the importance of the availability of speech therapy to pre-school children, who are my particular concern. Undoubtedly, it is one of the most important facilities with which children with Down's syndrome can be provided.

I do not want to introduce any note of controversy into an otherwise harmonious debate. However, the Minister had something to say on the matter and I am sure that he knows better than I do that he was taken strongly to task for his words in an article in *Therapy Weekly*, which stated:

"The remarks made by a government minister on the provision of speech therapy for children have been slammed by the College of Speech and Language Therapists. The CSLT has described as 'appalling' comments made by junior education minister"—

the Parliamentary Under-Secretary of State for Schools.

The Minister called into question whether pre-school speech therapy was an educational provision and whether it had educational value and should therefore be considered in the context of education. The College of Speech and Language Therapists found the draft code disappointing in that it missed an ideal opportunity to state whether health or education services should provide speech and language therapy.

[Mr. Brian Wilson]

If nothing else comes from my contribution to the debate I hope that it will at least have been made clear that it would be unthinkable for my little boy and many children like him not to have access to speech therapy from the youngest possible age. So much of the progress that he and others in his position have made is due to the availability of speech therapy as of right. That availability is relevant to their education and educational prospects.

The headline of the article in *Therapy Weekly* is "Therapists reject minister's claims". I hope that the Minister will make it unequivocally clear that he recognises the need for speech therapy for children with special educational needs from the youngest possible age.

In the purchasing relationship, whereby an education authority buys services from a health authority, a difficulty is arising because unless a record of need is kept, purchasing may not take place. Purchasing is based on the existence of such a record and if it does not exist, children are in danger of losing out. It is even more essential, therefore, that such a record is kept from the age of two or the earliest possible age. Certainly, with Down's syndrome children there is not the slightest doubt, from the day of birth, that they will have special educational needs. Such records must be opened in every authority.

In deference to other hon. Members who want to speak in other debates I shall limit my remarks to that. I sympathise with the problems in England and Wales. Pray God we are never dependent in Scotland on the decisions of hundreds of boards of governors and small committees here and there rather than on the decision of 12 education authorities. Each will have many competing priorities and for many people this priority plays no part in their calculations. Patchwork provision is bound to result. We have to have the muscle of Government and of large education authorities with the resources behind them if the proper facilities and provisions are to be made available to a relatively small number of our fellow citizens.

I have no doubt that enormous good will exists in the House. Every hon. Member has experienced similar problems in his or her surgery, as I said at the beginning of my speech. Everyone is in favour of the best possible provision for children with special educational needs. As attendance here today shows, however, it is not exactly a high political priority. Someone has to make it a high priority, and it will be one only if the Government take the lead and put in the necessary resources to back up that commitment.

5.33 pm

Mr. Peter Thurnham (Bolton, North-East): I wish to intervene but briefly and apologise for not having been here for the entire debate.

I thank my hon. Friend the Minister for the great interest that he has taken in the subject and for coming to my constituency to address a meeting of parents of children with special educational needs. He was able to encourage them to press their cases more strongly.

The emphasis of the Government's document is that local authorities will have the responsibility for deciding priorities and should make such decisions. Parents should get together and put pressure on councils.

Councils need to press ahead promptly with the preparation of statements. Is my hon. Friend the Minister aware that Bolton council has been reported to the ombudsman and criticised for excessive delay that occurred in the preparation of statements? I hope that my hon. Friend will remind local authorities of the need to act more promptly. The document calls for the identification of special needs as promptly as possible.

There is much to be gained from parents getting together to form action groups so that they can bring more pressure to bear on councils to review their priorities and give them the proper emphasis.

At a local level, there is a constant call for the Government to decide matters centrally rather than leave such difficult decisions to be decided locally. I believe that these priorities should be decided locally. Substantial amounts of money are provided in local authorities' education budgets and they should decide the priorities in the light of local needs and of listening to parents.

I welcomed the contributions made by my hon. Friends and Opposition Members. I am glad that we have had this debate and I add my praise to that of other hon. Members for the document that my hon. Friend the Minister prepared.

Question put and agreed to.

Resolved,

That the draft Code of Practice on the Identification and Assessment of Special Educational Needs, which was laid before this House on 13th April, be approved.

NATO Headquarters

5.35 pm

The Minister of State for the Armed Forces (Mr. Jeremy Hanley): I beg to move,

That the draft Visiting Forces and International Headquarters (Application of Law) (Amendment) Order 1994, which was laid before this House on 13th April, be approved.

Mr. Deputy Speaker (Mr. Michael Morris): I understand that with this it will be convenient to discuss at the same time the following motion:

That the draft International Headquarters and Defence Organisations (Designation and Privileges) (Amendment) Order 1994, which was laid before this House on 13th April, be approved.

Mr. Hanley: As you said, Mr. Deputy Speaker, it would be appropriate to consider the two orders together.

The first of the orders amends a 1965 Order in Council, which designates headquarters and a defence organisation for the purposes of the International Headquarters and Defence Organisations Act 1964, while the second amends a 1965 Order in Council, which provides for the application, to visiting forces and international headquarters, of law applicable to home forces.

Before I describe the effect of the orders, it may be helpful if I explain the background to the changes in the North Atlantic Treaty Organisation command structure which make them necessary.

The area covered by the North Atlantic treaty is divided among three major NATO commands or MNCs—European, Atlantic and Channel—and a regional planning group for Canada and the United States. Below that structure is a hierarchy of subordinate commands: major subordinate commands, or MSCs, principal subordinate commands, or PSCs, and sub-principal subordinate commands. Hon. Members will be aware that the NATO organisational structure lends itself to the adoption of many acronyms, and I will try to avoid quoting too many of them this evening.

A number of adjustments to that structure are being made to reflect the profound changes that have taken place in the strategic environment during the past few years, and to meet the changing needs of the alliance in the mid to late 1990s. As a first step, NATO Defence Ministers decided in December 1991 that the major NATO commands should be reduced from three to two—European and Atlantic. It was agreed that arrangements in the Atlantic command should be left largely unchanged, since they remained appropriate to the alliance's continuing maritime task.

Ministers also decided to reduce the number of major subordinate commands in Allied Command Europe—ACE—from four to three. Those would be responsible for the southern, central and north-western regions.

Those decisions paved the way for detailed planning during 1992 and subsequent implementation. Last year saw the completion of the changes in central region. Under the old structure, the boundary between Allied Forces Central Europe—AFCENT—and Allied Forces Northern Europe—AFNORTH—passed through Schleswig Holstein. The boundary has been moved north, and the central region now includes all of Germany and Denmark. The Allied Forces South—AFSOUTH—structure has been agreed, and is being implemented. Hon. Members may wish to note that I am placing in the Library of the House some maps and an organisational chart outlining these structures.

Later this year, the command changes affecting the United Kingdom will come into being. The post of Commander-in-Chief Channel—CINCHAN—lapses on 30 June, and the headquarters of Allied Forces Northern Europe in Kolsaas, Norway, closes. The following day, reorganisation of the major subordinate command structure in Allied Command Europe will be completed, when the headquarters of the new north western area is activated. That area will comprise the land mass of the United Kingdom, for the first time, and Norway and the sea and air areas surrounding them.

The new NATO headquarters for this area, to be designated headquarters of the Commander-in-Chief Allied Forces North Western Europe—HQ CINCAFNORTHWEST—will be situated at High Wycombe, and will be commanded by a British officer. At the same time, two new principal subordinate command headquarters will be activated in the UK: the headquarters of the Commander Allied Air Forces North Western Europe—HQ COMAIRNORTHWEST—also at High Wycombe, and the headquarters of the Commander Allied Naval Forces North Western Europe—HQ COMNAVNORTHWEST—at Northwood, which will assume Commander-in-Chief Channel's current responsibilities. Some 330 alliance personnel will be located at the new headquarters in the United Kingdom, of whom 130 will be from the United Kingdom.

To reflect those changes, it is necessary to amend the International Headquarters and Defence Organisations (Designation and Privileges) Order 1965 to designate in United Kingdom law the new headquarters. We are also taking this opportunity to designate the NATO airborne early warning force headquarters in Mons, Belgium, and the NATO E-3A component in Geilenkirchen, Germany, whose visiting staff are treated as members of an international military headquarters, but have not yet been formally recognised as having that status under United Kingdom law. The purpose of the first order is therefore to establish the status of the various headquarters and visiting forces.

The second order, amending the Visiting Forces and International Headquarters (Application of Law) Order 1965 provides for the application to the visiting forces and the headquarters, of the law applicable to home forces.

The changes I have described will effectively complete the restructuring of NATO's command structure agreed at the end of 1991. They will help meet our objectives for a lighter, more flexible, command structure, which will enable the alliance to respond more quickly and effectively to the increasingly challenging and diverse demands of the European security situation.

The changes have already led to considerable savings in manpower. In particular, they have allowed the United Kingdom to reduce its overall contribution by more than 30 per cent., mainly from the headquarters in Allied Command Europe.

There are clear advantages to the establishment of a new major subordinate command—MSC—in the United Kingdom. We will retain significant influence at an increasingly important level of command within the alliance's military structure—a level which we expect to play a leading role in NATO's new force structure.

[Mr. Hanley]

There will also be cost savings from home basing for the United Kingdom complement of staff and economic benefits to the High Wycombe area from the presence of visiting forces. Furthermore, United Kingdom firms have benefited from work on the construction and fitting out of the new headquarters, the cost of which will be some £12 million from NATO funds.

The NATO summit in January charted the next steps for the adaptation of the alliance, and we can expect the new headquarters in the United Kingdom to play an important role in giving practical effect to the initiatives agreed there. This will help to keep the United Kingdom at the forefront of work to ensure that the alliance remains centre stage in European security arrangements in the years ahead.

I commend the orders to the House.

5.42 pm

Mr. Donald Anderson (Swansea, East): I thank the Minister for his clear exposition of the reason for, and significance of, the two orders. I accept that they are linked, and that it makes sense to examine them together. Orders of this nature would normally be considered upstairs in Committee, and it is only the ending of the parliamentary cold war that allows us to have the opportunity to examine them in the House.

As the Minister has said, the orders are consequential and of no great significance. What is significant, however, is what they tell us about the context of the adaptation of NATO to post-cold war realities, and what they reveal about the changed status of the United Kingdom within the alliance. The weight given to our role in the immediate post-war settlement in 1949, at the time of the formation of NATO, has evolved into its current status. I shall dwell briefly on those changes, and pose certain questions to the Minister.

In terms of NATO and post-cold war realities, the organisational chart, which existed in 1949, has already been set out by the Minister. The current integrated military command structures under the military committee stems, largely unchanged, from the 1949 structure with the three major commands, Allied Command Channel, Allied Command Atlantic, and Allied Command Europe. As the Minister has pointed out, they are divided into major subordinate commands, and, within those, principal subordinate commands.

The current MSCs of ACE, which are commanded by Supreme Allied Commander Europe, are Allied Forces North, Allied Forces Central, Allied Forces South, and the United Kingdom Defence Region.

The end of the cold war led to the need for a new NATO strategy, and, in turn, to the need for a rationalisation of the NATO military command structure. The criteria of that review were economic and political. As the Minister has said, financial and personnel savings have been made, perhaps as part of the peace dividend and because the lower alliance force levels reflect the pressure throughout the alliance for less expenditure on defence.

The political significance of the changes stems from the united Germany, which is no longer split between two MSCs—Schlewsig Holstein in AFNORTH and the rest of Germany within AFCENT. One consequence is that all NATO forces on German soil will be under German command.

The history of the NATO review, which has led to the two orders, has been set out by the Minister and is well known, but the dates are significant. In May 1991, Defence Ministers met in Sicily to examine the package of changes, and in December 1991, the Defence Planning Committee agreed the consensus package.

The chief casualty of the rationalisation is the elimination of Allied Command Channel, a major command led by a British admiral and based at Northwood. I am not wholly convinced by the Minister's argument that British weight in terms of personnel will remain in tact. In the new context, ACCHAN obviously had to go once its new responsibilities were divided.

What is significant is that, after reorganisation, the two remaining senior command posts are now held by Americans. Is that wholly consistent with the current spirit within the alliance? I understand, however, the need to ensure the full commitment of the United States to the alliance. General Joulwan of the United States has only recently been appointed.

On the weight and the role of the United Kingdom within the alliance, the second key change is the extension of ACE to include the United Kingdom mainland for the first time. That makes sense when judged according to the time of the original settlement, but it is a significant change, as it reflects the different significant role that Britain played in the late 1940s. In turn, the number of MSCs within ACE has been reduced from four to three, with the replacement of UKAIR and AFNORTH by AFNORTHWEST.

The headquarters of AFNORTHWEST is at High Wycombe; hence the need for the order. Will the Minister confirm that it is the Government's intention to ensure that, so far as possible, there will always be a United Kingdom commander of the United Kingdom's land or air forces within the United Kingdom? I understand that there are to be roughly 250 posts at High Wycombe, but I note that the figure that the Minister now gives for the costs of the operation—I think it was £12 million—is slightly greater than the sum that was given to the Defence Committee.

I shall end with a number of questions for consideration by the Minister. One is the relevance of those changes to, and their consistency with, the broad thrust of current NATO thinking, especially as set out in the NATO Brussels communiqué in January—the new move towards a European defence identity and the way in which the new United States administration is more prepared—indeed, seems to be almost enthusiastic—for a greater European contribution.

The changes that led to the orders stem from before May 1991. Indeed, one can probably go back more than three years. The Defence Ministers who met in Sicily in May 1991 reflected the view at that time of the post-cold-war changes and the institutional framework that was relevant to those changes. There has now been, as I have mentioned, a greater evolution, especially under the new administration in the US.

It would be interesting for the Government to reflect on the extent to which the current package of proposals reflects the new thrust of policy as it was enshrined in the Brussels communiqué in January, or whether what the House is now presented with is part of a time warp—that which appeared relevant and appropriate three years ago.

I shall not detain the House by discussing the proposed structure for the Baltic, but it is obviously a compromise, based more on political than military needs. There is an

artificial division of responsibility between land and maritime forces—two different commands. That makes no sense, at least in managerial terms.

The inclusion of the NATO airborne early warning force in the two orders presumably also relates to the reorganisation of the NATO commands. For legal reasons, the extension of Allied Command Europe to cover mainland Britain may mean that its executive agency, the NAEWF, may require a new status in the UK. I wonder whether there is another reason—the history of the change—but that may effectively be caused by the need to remedy a legal omission.

It would be wrong to survey the unfortunate decision to proceed, not with a jointly funded airborne warning and communication system squadron, but with a national AWACS squadron with the early warning version of Nimrod, a project that was cancelled in 1986 and which was disastrous for the British taxpayer. As I understand the position, from the mid-1980s the NAEWF was regularly deployed to the UK to help provide early warning cover for UK airspace until the RAF Boeing E-5 squadron became operational in 1991. That is, the early warning system used RAF airfields, even though not covered by the Visiting Forces Act 1952 and the International Headquarters and Defence Organisations Act 1964, so that is in any event putting right a legal omission, bringing into legal form what was already the practice, for a period at least.

Finally, it is fair to say that the reorganisation of NATO headquarters, which is due to be implemented at the beginning of July, may already, to some extent, have become outdated because the merger of AFNORTHWEST and AFCENT might now be possible. I note that, in the "Statement on the Defence Estimates", which was published last month, the Government said:

"In the longer term, it may also be necessary to look again at NATO's higher military structure to ensure that it remains suited to the new forces and the new tasks."

Finally, I pose the question whether, not in the longer term but in the shorter term, as we adjust to the position in the cold war with the new views of the US administration, we might need to consider a structure which, in spite of those orders, may already be somewhat outdated.

5.55 pm

Mr. Bruce George (Walsall, South): I apologise for not being here at the beginning of the debate, but I was attending another meeting. I shall not detain the House for long.

The wonder of the alliance in 1949 was that it was formed at all. In spite of the threat, Europe and America were, with rare exceptions, if not adversaries, at loggerheads. There had been in Europe a strong tradition of neutralism. Countries such as the United Kingdom were used to being alone.

As a result of wise statesmanship and Ernest Bevin—who was probably one of the wisest of the statesmen—and as a result of a little bit of skullduggery on the part of the State Department and the US Congress, the Americans were committed to a presence in Europe and committed to NATO in such a way that probably very few congressmen and senators who signed up for the agreement were aware of what they were letting themselves in for.

In spite of the vicissitudes of the cold war—one suspects that the internal problems in NATO were in many ways greater than the external threat—the alliance held together. The deal was not an equal partnership between the United States and Europe, because the US was immensely strong militarily and economically, and Europe was prostrate economically and had very few armed forces available to meet a potential threat from the Soviet union.

Nevertheless, in that initial bargain, we had one of the major NATO commands. We had Allied Command Channel, on a par virtually, although not entirely, with the other two major NATO commanders, both American. Therefore, organisationally, if there was not a balance between Europe and north America in terms of senior military personnel, at least Europe was able to say that we had a major commander, alongside an American admiral and an American general. That situation prevailed until quite recently.

Following the cold war changes, many critics in the House hoped that NATO would disappear. When the Warsaw pact collapsed, there were people who wished that NATO would collapse in empathy with the Warsaw pact. They thought that NATO was no longer relevant in the new peace environment that we were entering.

However, NATO showed that it had longevity; that it was not simply a military alliance but a political alliance. It made fundamental changes to strategy and reduction in forces and in the command structure, which I generally support. The changes of creating a new command structure, a rapid reaction corps and the North Atlantic Co-operation Council and, more recently, in the summit in January, the establishment of the partnership for peace and the combined joint task forces, show that NATO has resilience.

What worries me slightly—I do not wish to appear too partisan at this stage in what is obviously if not a bipartisan approach, at least major agreement between both Front Benches—is that in some ways I very much regret the downgrading of the British contribution. Northwood is no longer to be regarded on a par with Mons and with Norfolk, Virginia.

Europe as well as Britain has been downgraded. It is wrong that the two senior military commanders of NATO—SACEUR and SACLANT—are American. I am a committed Atlanticist and desperately hope that the European Union will develop further. Although I want greater co-ordination in foreign policy and perhaps a common foreign policy, greater co-ordination in security and perhaps a common security policy, I shall need persuading that, at this stage in its history, Europe is capable of developing a common defence policy, especially if it is to the detriment of NATO.

When discussing future command arrangements, I hope that, as the Western European Union and the European Union grow closer, they will not see as part of their new macho status the requirement to supplant an alliance which has held us in safety over the decades and will play a considerable role in the future. In the new international environment, NATO will be as important in the future as it has been in the past.

The downgrading of the British dimension is a consequence of the downgrading of our armed forces. If, in the space of a decade, the number of Royal Navy frigates and destroyers will drop from between 50 and 60 to between 30 and 40, we shall cut less of a dash in NATO. Is that a reason why we no longer occupy a major position within NATO's command structure and Allied Command Channel? That relates directly to what we are discussing.

Is the fact that we can no longer provide adequate forces the reason why the command structure was altered? I am

[Mr. Bruce George]

worried that Northwood no longer has a British admiral who meets on a par with his American counterparts. If defence expenditure falls further, we shall lose, if not our primacy, our position in other NATO commands, which will diminish our influence in the transatlantic alliance and NATO.

NATO has made considerable changes to its command structures. The way in which the United Kingdom's headquarters are altered reflects the drop in defence expenditure and the need for greater efficiency. I fear that the goal of greater efficiency will not be achieved by reducing forces.

At some stage in the near future, as the balance of the threat moves from the northern and central regions to the old southern region, the southern flank, the southern guard and the southern arc of crisis, Naples will be infinitely more important in dealing with problems in the Maghreb, the Balkans, the middle east and the Gulf. At what stage will NATO consider re-establishing a command on a par with Norfolk and Mons, concentrating not on a command in NATO subordinate to SACEUR, at AFSOUTH Naples, but on a separate and equal command?

I welcome the legal changes that must be made. The Select Committee on Defence considered them in 1992. It is ironic that the House should be considering them more than two years later. Clearly, the changes must be supported. I am grateful for the opportunity of raising this important issue, although it may have been slightly tangential to the subject in hand.

6.4 pm

Mr. Hanley: With permission, I shall answer briefly a few of the points that have been raised.

In answer to the hon. Member for Swansea, East (Mr. Anderson), the Commander UK Land Forces will always remain the UK commander. But the Commander-in-Chief of AFNORTHWEST could come from another nation at some subsequent time.

On the United States' MNCs, there is increasing European representation throughout the alliance's command structure. I do not have the relevant figures to hand, but I am willing to write to the hon. Member for Swansea, East and explain the numbers.

He also queried the cost of £12 million for High Wycombe. The cost of the military budget is expected to be some £7.6 million, and the UK share is fixed at just under 22 per cent., which is some £1.7 million. The cost to the infrastructure budget is expected to be some £4.2 million, and the UK share is some £900,000. The difficulty may have been the fact that the total cost to NATO budgets of establishing the headquarters is £12 million. I am not sure whether the Select Committee received different figures, but those are the definitive ones.

The hon. Gentleman also referred to the Baltic overlap. It is sensible to allow SACEUR the operational flexibility to select the MSC best suited to control joint operations on a case-by-case basis. That is the position that we are in. I shall not comment on some of the other points that he made.

The hon. Member for Walsall, South (Mr. George) made an important contribution. The White Paper made it clear that the UK's defence is based on NATO. It also clearly set out decisions reached at the NATO summit, which are shaping our defence and security policies. The summit reaffirmed our commitment to the transatlantic link, which is the bedrock of NATO, but it also supported the development of the European security and defence identity to strengthen the European pillar of the alliance.

May I refer back to the speech of the hon. Member for Swansea, East? We are now catching up to 1991, and a lot of water has gone under many bridges since then. This, at least, is now the command structure, and we must let it bed down. In the meantime, the combined joint task force concept was introduced at the last NATO summit. That is designed to allow European countries to act under the auspices of WEU in circumstances where they perceive a need for action, but the north Americans, for whatever reason, choose not to be involved.

The new headquarters at AFNORTHWEST is a good example. The European or British commander and strong European representation in the headquarters will mean that it will be capable of undertaking NATO and/or WEU operations.

The description of the multilateral dimension of our security in the White Paper is not a departure, but rather a reflection of the response of the allies to the changing strategic environment. I am therefore pleased that the House welcomes the motion.

Question put and agreed to.

Resolved,

That the draft Visiting Forces and International Headquarters (Application of Law) (Amendment) Order 1994, which was laid before this House on 13 April, be approved.

Resolved,

That the draft International Headquarters and Defence Organisations (Designation and Privileges) (Amendment) Order 1994, which was laid before this House on 13 April, be approved.
—*[Mr. Hanley.]*

Ro-Ro Passenger Ships

6.8 pm

The Minister for Transport in London (Mr. Steve Norris): I beg to move,

That the draft Merchant Shipping (Ro-Ro Passenger Ship Survivability) (No. 2) Regulations 1994, which were laid before this House on 28 March, be approved.

The regulations extend the requirement of higher survivability standards to all existing ro-ro passenger ships when operating to or from ports in the United Kingdom. Similar provisions are already in force for new ships—those built after 29 April 1990, by virtue of the Merchant Shipping (Passenger Ship Construction and Survey) (Amendment) Regulations 1990.

The draft regulations are required to be made by affirmative procedure by the terms of section 21(1)(c) of the Merchant Shipping Act 1979, the enabling power, and by section 49 of that Act which sets out the parliamentary procedure for section 21 orders; both sections were modified by section 11 of the Safety at Sea Act 1986. In summary, the requirements of the enabling legislation are that orders applying to foreign ships must be made by affirmative procedure unless the requirement is the subject of international agreement.

Conclusions of an extensive research programme, sponsored by the Department of Transport following the Herald of Free Enterprise disaster have confirmed that the standard of survivability introduced for new ships provides adequate protection against rapid capsize, after sustaining collision damage, while operating in moderate seas.

A steering committee set up to monitor the ro-ro ferry safety research programme, and made up of representatives from all sides of the shipping industry, recommended that the higher standard of damage stability imposed for new ships should be applied to all existing ro-ro ships. To that end, the committee recommended that agreement be sought in the International Maritime Organisation; if that proved unsuccessful, European maritime administrations should be approached with a view to a regional solution. The committee suggested that if both approaches failed, the United Kingdom should consider unilateral action.

Accepting the committee's recommendations, the Department proposed that the higher standard to be applied to existing ships should be the standard introduced internationally for new ships. The recognised procedure for introducing international safety measures is to submit proposals to the IMO; it is fully supported by the United Kingdom. Despite lengthy discussions in the IMO, however, the application of that higher standard to existing ro-ro ships was not accepted.

Having exhausted all the avenues for international agreement, my Department—with officials from the European Commission and member states of the European Union, together with Norway and Sweden—opened discussions that have led to a regional agreement. The introduction of the regulations upholds the United Kingdom's obligation to comply with that agreement, and will ensure that ro-ro passenger ships travelling to and from United Kingdom ports comply with the standard of survivability that was previously restricted to new ships. The regulations also provide for the imposition of penalties for contravention.

6.10 pm

Ms Joan Walley (Stoke-on-Trent, North): I will be brief: time is limited, and an important debate follows.

The Opposition welcome the new regulations, and the fact that they are to be applied retrospectively. None the less, they may well not apply to ships until 14, or even 17, years after their introduction. That is particularly important in the context of ferry safety. Let me ask the Minister a question: as Minister for shipping, does he intend to require ferry operators to state which ferries will operate on which crossings, so that people can choose whether to travel on ships that meet the safety standards? We feel that that choice is important, and that travellers have a right to know and to make a considered decision.

6.12 pm

Mr. Barry Field (Isle of Wight): I am sorry to take issue with my hon. Friend the Minister, but he confirmed an anxiety that I expressed when I met his officials some time ago. I told them then that they were trying to impose higher standards on British ships and the routes to and from our shores than were acceptable to the IMO.

As far as we can see from the map of the area covered by the regulations, the line is drawn off Ushant, which means that ferries sailing from the United Kingdom to the bay of Biscay might not be covered at the bay of Biscay end; moreover, if we look at the top right-hand corner of the map, we see that Norway is practically excepted.

We all recall the tragedy of the Herald of Free Enterprise, and I know that a price can never be placed on safety. I fear, however—especially as one who represents the Isle of Wight—that we are straining to approve regulations that may go a little too far. The compliance cost assessment submitted by the Department of Transport along with the regulations estimates the running costs for ships on domestic routes at some £2 million per annum. Paragraph 4, which deals with typical costs, actually mentions the Isle of Wight; it estimates that the capital cost of modification of existing ships will be between £10,000 and £2 million, with additional running costs of approximately £100,000 a year. Those costs are not analysed in the context of routes, however, and the comparison made is with the Isle of Wight and/or Scottish islands.

As far as I am aware, Wightlink, with its Portsmouth-Fishbourne ferries, already complies with the regulations. The Southampton-Cowes route, operated by Red Funnel, has a brand new ferry, the Red Falcon: I assume that it also complies, given that it was launched only recently. The second ship to replace existing vessels on the route has now been launched, and will come into service in October; we hope that it, too, will comply. That leaves the ships that serve the Lymington-Yarmouth route, which—once the new ship is introduced on the Southampton-Cowes route—will be the oldest ferries serving the Isle of Wight.

When people hear the term "roll on, roll off vessel" —or, as we used to say in the Transport Regiment, "roll on, roll off and roll about"—they have a vision of a ship rather like the Herald of Free Enterprise. The Isle of Wight vessels, however, are really just platforms quite close to sea level, not enclosed, with a small amount of passenger accommodation over the vehicle deck. Compartmentalisation is quite alien to ferries serving the

[Mr. Barry Field]

Isle of Wight—although that does not apply to ferries serving the Scottish islands, which have enclosed ro-ro vessels in the conventional sense.

Will my hon. Friend give me a breakdown of the compliance cost assessment relating to the Isle of Wight, as his officials see it? If he cannot do that now, will he undertake to write to me? My constituents will be concerned to learn that the cost may add to that of travelling to and from the Isle of Wight, and we do not wish to impose an undue burden on our economy.

Anyone listening to the debate, however, should be reassured: it is our proud boast that, throughout the long history of ferry services to and from the Isle of Wight, there has never been a major accident causing considerable loss of life at sea. I am sure that that will continue, but my constituents would want me to cast an eagle eye on any proposal that would add to the expense of travel to and from the Isle of Wight. I must look to my hon. Friend for reassurance.

6.17 pm

Mr. James Hill (Southampton, Test): My hon. Friend the Minister would not expect a Southampton Member to miss a debate about cross-channel ferries. It does not matter whether I have just walked in or just rowed in; that does not affect my enthusiasm for the regulations.

The cross-channel ferries are ahead of the game. In Southampton, we have had several new ferries, which are doing excellent trade. They are also going through the bay of Biscay: no one can hazard a guess at the difficulties that they encounter there, but the fact remains that they are coming through some of the worst storms.

There is a tendency to over-correct in terms of safety. We all remember the Herald of Free Enterprise disaster. That happened because the crew were asleep—it had nothing to do with the quality of the ship or of its management. The problem has been straightened out, and nowadays there is a great deal of internal discipline. I have crossed the channel many times since and have observed that the crews are assiduous about safety—they all seem to be on the car decks, which is where the dangers can arise.

We need not take a large sledgehammer to this problem; there is a great deal of good will in the ferry companies. I do not think that they would resist any measure that the Government might want to introduce, and I hope that the Minister will consult them extensively so that there is no unnecessary expenditure on safety which, in turn, could mean a loss of profit, and redundancy for some of the ships and their crews.

6.20 pm

Mr. Norris: My hon. Friend the Member for Southampton, Test (Mr. Hill) has summed it up: there is a price to be paid for safety; it is important that it should be reasonable and that we should set the risks in perspective.

Of course I understand that no one wants to impose additional costs on the Isle of Wight to the detriment of those who live there and who generally transport goods there by sea. Still, my hon. Friend the Member for Isle of Wight (Mr. Field) himself referred to the Herald disaster, and we are bound to seek the right trade-off between increasing the safety of vessels and reasonable expenditure on them. I think it unlikely that the conversion costs for Isle of Wight vessels will be at the top end of the scale.

As for the point made by the hon. Member for Stoke-on-Trent, North (Ms Walley), we have to some extent traded the time scale for a standard that was higher than the IMO was prepared to accept, and have sought a regional agreement. I agree that it is regrettable that the time scale is so long, but it is still a reasonable one. All we are doing is declaring that the standards that we set for ferries as from 1990 shall be applicable to older vessels, too. Recently built vessels serving the Isle of Wight post-1990 will already be of safety-of-life-at-sea—SOLAS—1990 standards and will not require any upgrading; they are already safe enough.

I will ensure that my officials discuss any difficulties to do with costs that may be faced by operators to the island, to see whether it is possible to mitigate them. I stress, however, that the regulations will have statutory force. There is no great opposition to them in the industry.

I have no great difficulty with the right to know. I hope that the hon. Member for Stoke-on-Trent, North believes in the need to support British industry and enterprise, and in particular the British shipping industry. I am sure that she, like me, wants to ensure that information of this sort is obtainable from all vessels that ply to and from the United Kingdom, including those carrying the 50 per cent. of passengers not carried by British vessels. If we can arrange for this information to be available throughout Europe and from all the nation states whose vessels are likely to serve these islands, I will have no great difficulty urging the British shipping community to comply.

Question put and agreed to.

Resolved,

That the draft Merchant Shipping (Ro-Ro Passenger Ship Survivability) (No. 2) Regulations 1994, which were laid before this House on 28th March, be approved.

Immigration

6.23 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Charles Wardle): I beg to move,

That the draft Immigration (European Economic Area) Order 1994, which was laid before this House on 21st March, be approved.

The purpose of this Order in Council is to incorporate into United Kingdom immigration law the provisions of all the various European Community directives dealing with freedom of movement and rights of residence for European Economic Area nationals.

The earliest of these directives, relating to the free movement of EC workers, were already in force when the United Kingdom joined the Community. These and later directives have been implemented since by way of the immigration rules, but, as a consolidating measure, they are now to be covered by the order, to provide a separate legislative instrument dealing with the rights of residence of European Economic Area nationals.

In spite of that legal change, the order will make little practical difference to the treatment of EEA nationals in the United Kingdom, because those directives not already covered by the immigration rules are being implemented administratively. The order is thus largely a technical measure.

The three most recent directives relating to students, retired people and others—

Mr. Andrew F. Bennett (Denton and Reddish) *rose*—

Mr. Wardle: I will give way, but I hope that the hon. Gentleman will appreciate that I want to get through my speech so that the Opposition Front-Bench spokesman and his hon. Friends will have a chance to speak.

Mr. Bennett: I appreciate that, but, on behalf of the Joint Committee on Statutory Instruments, I should like to ask the Minister to explain the fact that it is rather unusual of the Government to press ahead with an order when there is a clear suggestion that there might be problems with its vires. Would it not have been better to take the instrument away and bring it back when it is right?

Mr. Wardle: It is the Government's clear view that it does not need amending. I shall deal later with the hon. Gentleman's point.

As I was saying, the three most recent directives relating to students, retired people and others who are financially self-sufficient have been implemented administratively since they came into force in June 1992—and the latest students directive, in December 1993. Likewise, the extension from 1 January 1994 of all the rights of residence directives to the European Economic Area—that is, to Austria, Finland, Iceland, Norway and Sweden in addition to the 12 EC states—has been implemented administratively.

The order will discharge our commitment to implement formally the latest rights-of-residence directives. At the same time, it provides a distinct legal framework for EEA nationals who come to the United Kingdom, by covering also the six earlier directives which date back to the 1960s and 1970s and have already been implemented through the immigration rules.

By consolidating these directives, which have already been long in force, together with the latest three directives, which have been implemented administratively, the order is a necessary technical measure and it will not introduce any significant change in the entitlement of EEA nationals to reside here with their families. These, of course, are the same rights of residence which enable British citizens to work and reside anywhere within the European Economic Area.

The concept of free movement within the European Community is long standing. When the United Kingdom joined what was then the European Economic Community in 1972, we acceded to the provisions that were already in place allowing the free movement of EC workers.

Further measures were introduced subsequently allowing the free movement and residence of self-employed people and of providers and recipients of services. Three more directives came into force in 1992 and 1993 concerning the rights of residence of retired people, students and of any EC nationals not already covered by existing EC measures.

The main condition for anyone benefiting from the three latest directives is that he must be financially self-supporting. The cumulative effect is to provide all EC nationals with a right to reside in any member state, regardless of whether they are economically active, provided that they are working or can otherwise support themselves.

The European Economic Area Act 1993 enabled the United Kingdom to ratify the European Economic Area agreement which came into force on 1 January 1994. The agreement extends most of the provisions of the single market to five of the member states of the European Free Trade Association—to Austria, Finland, Iceland, Norway and Sweden. That is why, although we are speaking about Community entitlements arising from directives made under the treaty of Rome, the order refers to nationals of states that are parties to the European Economic Area agreement. The order is being made under the powers conferred by the European Communities Act 1972, as amended by the European Economic Area Act 1993.

The immigration rules already contain a general statement to the effect that they apply only to EC nationals —now extended to EEA nationals—and their families to the extent permitted by Community law, and that such persons are entitled to exercise their rights of residence as provided in Community law.

The order carries no implications for the maintenance of immigration controls at our frontiers with other member states, on which the Government's position is well known. However, on 1 January, to coincide with the entry into force of the European Economic Area agreement, the separate immigration channels for EC passengers arriving at our major ports and airports were extended to all EEA nationals. Arriving EEA nationals are thus treated in a similar way to British and other EC citizens and no longer require any "leave to enter" stamped in their passports.

The reality is that EEA nationals, including British citizens, are now free to work or reside anywhere within the European Economic Area. Showing a passport or identity card at the frontier as evidence of nationality cannot be said to interfere with the fundamental rights of free movement and residence.

The wording of the order is in part complex as it follows closely the wording of nine separate directives. It sets out the rights of residence of EEA nationals who fall into the following categories: workers; self-employed people,

[Mr. Wardle]

including those who have ceased economic activity in the United Kingdom; providers and recipients of services; retired persons; self-sufficient people; and students.

The order confirms that any EEA national may enter the United Kingdom on production of a valid passport or identity card. I should add that this wording comes from the EC directives that link the right of entry to the production of an EEA passport or identity card.

As long as they continue to qualify under the order in one of these categories, EEA nationals are free to remain in the United Kingdom without any further formality. I should make it clear that in some other member states, where there is a compulsory system of registration, residence permits are obligatory, but in this country there is no obligation to apply for a residence permit. If an EEA national does so, of course, subject to proof of their entitlement, a residence permit confirming this status will be issued. The residence permit is a card with the holder's photograph available to EEA nationals residing here. It is issued free of charge and, with certain exceptions, is normally valid for five years,

For example, workers who are to be employed in the United Kingdom for more than three months, but less than 12 months, are issued with a residence permit valid for the period of employment. Students' residence permits are valid for the duration of the course of study or, where the course lasts for more than one year, the validity of the permit may be limited to one year.

Mr. Max Madden (Bradford, West): The Minister will know that the primary concern of the Joint Committee on Statutory Instruments involved students. Will he give information on the procedures and the evidence that the UK authorities will require, first, to assure themselves that a student has the resources to support himself or herself and, secondly, to satisfy the validity of a spouse and family?

Mr. Wardle: I understand the hon. Gentleman's concern and I shall come to that point, as is my wont, at a fair gallop to allow as much debate as we can reasonably have.

The order also confirms the right of appeal to the independent immigration appellate authorities for any EEA national or family member who is refused a residence permit or residence document or has one withdrawn.

Those rights of residence are qualified by the important power to refuse admission to, or to remove from, the United Kingdom any EEA national whose exclusion or deportation could be justified on grounds of public policy, public security or public health.

The order provides that EEA family members of EEA nationals benefit from the same rights of residence as the EEA principal. They are not required to apply for a residence permit, but may do so if they wish and, so long as they remain members of the family of an EEA national who is exercising residence rights in the United Kingdom, they benefit from the same entitlements.

Any family member who is not an EEA national and who is coming to the United Kingdom to install himself with an EEA national exercising rights of residence will need to be in possession of an EEA family permit. That family permit is an entry clearance issued by British diplomatic posts overseas to those who can demonstrate that they are family members of an EEA national who is resident, or is about to become resident, in the United Kingdom.

No charge will be made for the issue of such a family permit. We have chosen the name "EEA family permit" to distinguish it from a visa issued under the immigration rules. The power to demand such an entry clearance is contained in article 3(2) of directive 68/360/EEC.

Mr. Neil Gerrard (Walthamstow): Will the Minister clarify the status of a non-EEA national who does not have such a document? Will it be regarded as one of the documents that are necessary under section 10 of the Asylum and Immigration Appeals Act 1993? If so, that will have an impact on the rights of that person to have an appeal.

Mr. Wardle: I shall seek to clarify the hon. Gentleman's point in a few moments.

Non-EEA family members of EEA nationals who are coming to the United Kingdom for other reasons—for example, a short visit—will not be required to hold an EEA family permit, but family members who are visa nationals will need to obtain a visa or an EEA family permit, depending on the purpose of their stay, before travelling here. That answers the hon. Gentleman's question.

The definition of "family members" in the order covers all those family members of EEA nationals with an entitlement to reside here with the EEA national in accordance with the various directives—the spouse, dependent children, parents or grandparents. I should add that any children under 21 years of age are regarded in EC law as being entitled to accompany their parents; that provision dates back to 1968.

In addition, we allow for the admission of other dependent relatives of EEA nationals as provided for in EC regulation 1612/68. That provision, however, is not contained in the order, first, because it is not an absolute entitlement to entry and, secondly, because EC regulations have direct effect in United Kingdom law and, therefore, do not require separate transposition.

Hon. Members will have noticed that the order contains a provision in article 2(2) that precludes non-EEA nationals from any entitlement to enter or remain in the United Kingdom by contracting a marriage of convenience to an EEA national. We recognise that EC law does not enable us to apply all the provisions of the immigration rules, such as the primary purpose test, in EEA marriage cases, but we do not accept that a party to a marriage of convenience has any right to benefit from EC law relating to the admission and residence of family members. We intend to maintain a strong line against bogus marriages and we will ensure that non-EEA nationals are not able to use marriages of convenience as a way of obtaining residence in the United Kingdom.

I understand that the Joint Committee on Statutory Instruments has expressed its doubts about the vires of the reference in the order at article 6(2)(h)(ii) to the adequacy of the financial resources available to an EEA student. We take a different view from the Joint Committee over the drafting of this article, the wording of which comes directly from the students directive. The article states, among other things, that a student for purposes of the order means a person who

"has sufficient resources to avoid him becoming a burden on the social assistance system of the United Kingdom."

The term social assistance, rather than social security, is

used here simply because that term is used in the directive. Although not defined in EC law, it is regarded as covering income-related benefits such as income support.

The order does not specify by what means a student may demonstrate that he has adequate resources. We do not consider that it is necessary to set out that evidence of means may be provided by way of a declaration, or such alternative means as are at least equivalent, or that the absence of any such detailed procedural reference creates any doubt about the transposition of the students directives by the order.

When an EEA student applies for a residence permit, we only ask for only reasonable evidence of funds, and a declaration including letters indicating financial support from parents or other sponsors would be regarded as sufficient.

In parallel with the order, we shall bring into force section 7(1) of the Immigration Act 1988, which removes the requirement on EEA nationals to obtain leave to enter the United Kingdom.

I should mention an administrative change relating to the non-EEA dependants of Irish nationals, which is linked to the order. Until now, given our close links with Ireland, it has been our practice to regard the non-EEA spouse and dependants of an Irish national as settled as soon as they arrive in the United Kingdom. This practice is different from the treatment of non-EEA spouses of other EEA nationals, who would normally be issued with a five-year residence permit. There is some evidence, moreover, of non-EEA nationals contracting marriages of convenience with Irish nationals.

We have decided, therefore, that, following the entry into force of the order, the non-EEA dependants of an Irish national who apply under EC law will be treated under the order in the same way as the non-EEA dependants of all other EEA nationals. Irish nationals, in such circumstances, will be issued with a residence permit, normally valid for five years, and their non-EEA spouse or other dependants will be issued with a residence document of the same limited validity. Irish nationals with a non-EEA spouse will not, however, be obliged to apply for residence permits and the non-EEA spouse may choose to apply under the immigration rules in the same way as a non-EEA national who marries a British citizen. Furthermore, the change will affect only Irish nationals with non-EEA dependants. Accordingly, it will not cause any inconvenience for the great majority of Irish nationals living here.

Mr. Keith Vaz (Leicester, East): Will the Minister assure the House that additional resources will be made available to the immigration service to enable it to deal speedily with these changes?

Mr. Wardle: The hon. Gentleman knows that, as soon as the changes come into force, that will be attended to. It has been taken into account under the normal procedure in our negotiations with the Treasury.

In the context of EEA nationals more generally, the order will not result in any fundamental change of treatment. It will enable us to discharge our commitment to implement formally the latest directives in United Kingdom law and will thus enable us to maintain one of the best records within the European Union for transposing EC law into domestic legislation. The United Kingdom is second only to Denmark in its rate of transposition of single market measures.

I hope that the order will go some way towards clarifying the effects of EC law on rights of residents by consolidating in this one document the key provisions of the nine separate EC directives on which it is based. Time is short because of the earlier debates, but, if I have the opportunity, I will seek to answer some of the points that I suspect the hon. Member for Nottingham, North (Mr. Allen) and other hon. Members will raise. If I do not get the opportunity to do that before 7 o'clock. I assure the House that I will write to hon. Members. I commend the order to the House.

6.40 pm

Mr. Graham Allen (Nottingham, North): Out of courtesy to hon. Members and those outside, I hope that in the not-too-distant future the House will timetable its business so that our debates on immigration and other matters can be heard by those who regard such issues as significant. We often get, at best, one and a half hours quite late, and on this occasion we have only 30 or 40 minutes to debate the matter at the end of other business.

It is sad to see a great Department of State in trouble and out of political control, but that is what has happened over the past few months in the Home Office, especially on immigration and nationality matters. Immigration policy was never much more than an add-on to Conservative thought, a way to supplement playing the race card at general elections, and it was never taken seriously as a significant policy matter.

In the past few months, there have been a number of banana skins and some deliberate miscalculations. It started at Christmas with the fiasco over Jamaicans coming to our country. About 160 people were detained for no good reason and not one person was charged as a result. We still do not know whether the Minister had agreed to that or whether it was a freelance operation at Gatwick airport by immigration officers who were perhaps not under proper political control.

There was the fiasco of the Campsfield detainees. At one point, about 150 political asylum seekers were on hunger strike. Was that fiasco a weapon deliberately designed to put off people seeking asylum in our country or did it have its own momentum and get out of hand because of lack of control from the top? Hon. Members could pepper the Government's record with examples from their casework relating to immigration and asylum matters in which discretion has not been used in the way that it should. That applies especially in the context of the abolition of the right of appeal for student or other visitors. Thousands of people are denied the right of appeal that was used successfully until last year.

We could add to the catalogue. There was the tragedy of Joy Gardner, the present banana skin of identity cards or border checks and the "when the music stops" nonsense that is being played with the European Commission. We are right up to date with the pantomime surrounding the order. The Government have had six years to prepare the instrument, but it is unclear and deeply confusing and confused. I challenge hon. Members to read it if they have the time. It may not even conform to EC directives.

Just over a week ago, the order was debated in the other place and so many discrepancies were found by my noble Friend Lord McIntosh of Haringey and by Lord Bonham-Carter that the Minister responsible for the order,

[Mr. Graham Allen]

Lord Annaly, felt unable to put it to a vote. It is amazing that the order has not been withdrawn or rewritten in a form that would be acceptable to both Houses.

Mr. Charles Wardle: I am used to the hon. Gentleman's normal delivery, but he has raised a couple of issues to which he and the House would expect me to reply. The Joint Committee made one point in its report that we saw no reason to change.

The hon. Gentleman spoke about the order being withdrawn in the other place, but that did not happen. The debate was adjourned and my noble Friend undertook to look into a number of points raised in the debate and follow them up by writing to the noble Lords. He gave no undertaking that the order would be amended before being reintroduced and we have no intention of so doing.

Mr. Allen The debate was adjourned in the other place, and it is unusual for a debate on such an affirmative order to be adjourned there or in this House. If it is a familiar process, I should be happy for this debate to be adjourned so that hon. Members could have more than 15 minutes during which they can seek to intervene on my speech. It is an unusual procedure, but I should be happy to see it repeated in the House if the Minister thinks that it is appropriate.

It is evident from the recent record of the Home Office, from Joy Gardner to the Jamaican incident and to the order placed before the two Houses, that the Department is a complete shambles. Someone inside or outside the Home Office needs to get a grip on the Department and restore its political primacy so that, instead of blaming officers at Gatwick or Heathrow, we can call Ministers to account at the Dispatch box.

The Home Secretary has attempted to steer clear of immigration matters and keep to law and order, which has given great pleasure to my hon. Friend the Member for Sedgefield (Mr. Blair). We all know from recent opinion polls the outcome of that battle.

The order puts into UK law parts of nine different EC directives which, as the Minister said, will give the rights conferred on nationals of European Union member states to nationals of the European Free Trade Association. The measure was enthusiastically backed by Conservatives during proceedings on the European Economic Area legislation, but a few weeks ago those same people, bereft of any sense of purpose in Europe, sought to appease their Europhobes with puerile antics in the Council of Ministers on the issue of enlargement. That put at risk the chance for colleagues in Austria, Norway, Sweden and Finland to become members of the European Union.

That shows how lacking in importance are European and immigration matters to the Government and the Home Office. Having deliberately created that difficulty over enlargement, Conservatives had to back down in humiliation. I do not mind the Conservative party ritualistically inflicting humiliation on itself over Europe, but I do object when my country has its good public image and good European image dragged down into the mire alongside the internal battles of the Conservative party.

Despite our broad and necessary support for the measure, I wish to raise a number of general points, some of which the Minister touched on and others that he sidestepped. In view of the time constraints, it may assist the House if I put those points as a series of questions. Colleagues who wish to intervene may take the opportunity to do so.

Is the Minister aware that the rules for EEA nationals throw into sharp relief the lack of corresponding rights for resident third country nationals in the United Kingdom —notably, settled Commonwealth country citizens? Although the order did not need to include them, as it is designed to implement a European agreement only, will the Government resolve the anomaly whereby an Austrian citizen, for example, will now have more rights in the European Union than an Indian citizen who has lived here for 30 years? The European Commission recently proposed improving the rights of resident third country nationals throughout the union. Will the Government support its proposals?

Will the Minister further define the reference to "a marriage of convenience" in paragraph 2(2)? Who is to decide what is a marriage of convenience? Couples have been questioned by Home Office officials in a way that suggests that it is treating applications as though people must meet the requirements of British immigration law on marriage. European law gives automatic rights to the spouses of people who have moved for a treaty purpose. British immigration rules could mean no right of appeal against refusal and deportation.

If a person has been in the UK less than seven years, he or she has no full right of appeal against such a decision. European Union nationals and their family members have extra safeguards against deportation under EU law. The Minister must be aware of fears that the measure is an attempt to export Britain's primary purpose rule to all other EEA member states. Is that his intention? Does he realise that there are no domestic powers to overrule rights defined under European law? The Minister is creating a lawyers' bean feast, with the possibility of judicial review and cases being taken to the European Court.

Will the Government delete the rider to the definition of spouse in paragraph 2(2), so that it has its customary and normal meaning? If the Home Office believes that the marriage is one of convenience and therefore that it is not conducive to the public good that the person be given a residency permit, it has the power to refuse a permit or to deport on that ground—as provided in sections 17 and 18 of the 1972 Act—and justify its allegation before the immigration appellate authorities. That is the course that the Home Office should take.

Does the Minister acknowledge concerns about paragraph 3(1) and (2) which require proof of family membership? How is that proof to be provided? Who will make the decision, and what means of redress will be available to those whose claims are refused? In that context, what is meant in paragraph 3(3) by a "family permit"? That conflicts with paragraph 5(2), which in turn conflicts with paragraph 19. Those differences are hard to understand and virtually impossible to reconcile. They are yet another example of drafting that almost defies comprehension.

In the other place, my noble Friend Lord McIntosh raised a number of other issues that require further explanation, which one hopes will be forthcoming when debate is resumed there. Contradictory definitions of "family member" and of the immigration status of a family member who reaches the age of 21 are to be found in paragraph 2.

Mr. Gerrard: Paragraph 4(2) deals with a person who ceases to be a family member of a qualified person. Does my hon. Friend agree that under existing immigration rules, a person who is a foreign national and the spouse or family member of a UK national, would normally acquire residence rights after one year's probationary period. It is far from clear whether that would be the case under the order.

Mr. Allen: My hon. Friend raises an important point. I shall be glad to give way to the Minister if he wishes to put his comments on record. Otherwise, I hope that that aspect will be put right in the other place because it is a source of great confusion. What will happen to such individuals? There seems to have been little preparation, even though the Government had six years to pull the order together. I hope that they will re-examine that issue and will put on the record in the other place what will happen in such circumstances.

Their Lordships also queried the definition in paragraph 6(2)(h) of a student as a person on a vocational course. That was highlighted by my hon. Friend the Member for Stockport (Ms Coffey). The Joint Committee on Statutory Instruments commented that the matter was ultra vires, and even wrote to the Home Office to point out that provision was so contradictory and conflicting that the Committee felt that it might prevent the order progressing in its present form. Although only a passing reference to that was made in another place, the Minister should give clearer assurances.

Does the order's definition of a student mean all students, or are the Government sticking to the words of the European Union, to mean only students who are on a vocational course? If so, that would be highly restrictive.

We seek further clarification of the difference between social security and "social assistance", in paragraph 6(1)(f). The provisions covering involuntary unemployment seem designed to exclude as many people as possible and also demand further clarification.

Further assurances are sought in respect of paragraph 12, dealing with residence permits. Is it the Government's intention to get rid of or to limit the concept of settlement and permanent stay, and to replace them with time-limited residence permits that are subject to periodic review? The order goes only as far as absolutely necessary.

My hon. Friends who have dealt with the Home Office in seeking written answers will know of the mentality that produces a lack of openness and generosity in its definitions. Nowhere is that more evident than in the order's failure to tackle third country nationals. The appalling treatment of domestic servants wholly dependent on employers has been passed by—another opportunity missed. Equally, there is nothing in the order to help unify split families of third country nationals.

The order is a dog's breakfast and will produce a rich seam of cases for judicial review and the attention of the European Court. Unless it is withdrawn or substantially amended, it will pass tonight without the support of the Opposition.

As an aside, it is nonsense that under the affirmative procedure, even when it is obvious that an amendment is necessary, it is not procedurally possible to amend an order in this House or the other place. Either the order must be withdrawn and resubmitted or the House must pass a resolution stating that it acknowledges that the order is faulty.

I hope that the Minister will refer to our detailed criticisms of the order and those of my noble Friend Lord McIntosh and the Lord Bonham-Carter, as well as to the views of knowledgeable pressure groups. It is evident from the order that a more mature and professional approach needs to be taken to Europe than the Conservatives—riven by internal differences—are capable of providing. The order is the product of a tired, directionless Government who do not know what they want from Europe. I hope that the electorate will put the Government out of their misery, at least in respect of the European issue, on 9 June.

6.59 pm

Mr. Charles Wardle: With the permission of the House, I will reply. The preamble of the hon. Member for Nottingham, North (Mr. Allen) was entirely predictable. It was a chorus that we have heard again and again. The only thing is that it sounded more tired on this occasion. He raised a number of points. I said earlier—like him, I regret the shortness of the debate—that I would provide answers in writing, which I will make available to hon. Members.

The first point that I will address is about a marriage of convenience: a marriage entered into solely for immigration purposes, with neither partner having the intention of living permanently with the other as man and wife in a settled and genuine relationship. The hon. Gentleman referred to the primary purpose test. That test is contained in UK immigration rules, but not in EC law on free movement, which simply refers to a "spouse"—who may or may not be a EEA national—

It being Seven o'clock, MR. DEPUTY SPEAKER *proceeded to put forthwith the Question necessary to dispose of proceedings on the motion, pursuant to order [29 April].*

Question agreed to.

Resolved,

That the draft Immigration (European Economic Area) Order 1994, which was laid before this House on 21st March, be approved.

Mr. Madden: On a point of order, Mr. Deputy Speaker. It is clear that the time available for the debate has been wholly inadequate. Hon. Members on both sides of the House wish to participate. May I move, therefore, That the Question be not put, to enable debate to take place on another day?

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): No. I comply with the order of the House.

Italian Steel Industry

[Relevant documents: European Community Documents Nos. 6472/93, relating to the privatisation of the German steel company Sachsische Edelstahlwerke GmbH, Freital/Saxony, 9098/93, relating to the restructuring of the Spanish integrated steel company Corporacion de la Siderurgia Integral (CSI), 10074/93, relating to the future of the European Coal and Steel Community Treaty, 10167/93, relating to the restructuring of the Portuguese steel company Siderurgia Nacional (SN), 10276/93 and 10359/93, relating to the restructuring of the German steel company EKO Stahl AG Eisenhuttenstadt, SEC(93) 1434, relating to the restructuring of the Spanish steel company SIDENOR, and 5473/94, a Commission Report on state aid to the steel industry.]

7 pm

The Minister for Industry (Mr. Tim Sainsbury): I beg to move,

That this House takes note of European Community Documents Nos. 10166/93 and 11317/93, relating to the Italian state iron and steel industry; endorses the Government's decision to support the agreement reached on the package of state aid cases discussed at the Industry Council on 17th December 1993; notes with approval the undertakings secured at the Council regarding the stringent monitoring of approved aids, which will help to ensure that they are not used to disadvantage unaided competitors, the commitment to the strict application of ECSC state aid rules to end subsidisation, the recognition that there will be no further aid to these companies if viability is not achieved, and the early privatisation of most of the companies involved; and endorses this agreement as a useful step towards ending the distortion of state subsidies in the steel industry.

The debate is a welcome opportunity to comment on recent developments in the European steel industry and in particular on the package of proposals for state aid to restructure six steel companies, including the Italian company Ilva, agreed at the 17 December Industry Council. The other companies concerned are EKO Stahl and Freital in Germany, CSI and SIDENOR in Spain and Siderurgia Nacional in Portugal.

The House will be aware that the proposals were made under article 95 of the treaty of Paris, which requires the unanimous assent of the Council. Several of the proposals have been under discussion for more than a year, during which time some of the companies had continued to receive state support. The continued operation in the Community of inefficient companies propped up by massive illegal state aid has been directly responsible for preserving over-capacity and allowing uneconomic pricing, both of which have put great pressure on our own unsubsidised and highly efficient steel industry.

I should like to emphasise straight away that, throughout the lengthy and complex negotiations on the proposals from the Commission, I, and my officials, kept in close touch with the British Iron and Steel Producers Association and our leading steel producer, British Steel. I can assure the House that we shall continue to consult them, particularly on any reports or proposals that come from the Commission. The Government and the industry have a shared aim: a level playing field with fair trading in steel in the Community. It is, however, much easier to identify and agree on that aim than it is to achieve it.

For the Council on 17 December, the industry and I had four main objectives. First, we wanted an agreement that there should be an immediate end to running cost subsidies. The industry was prepared to draw a line under past unauthorised subsidies, if that was the price of agreement to strict observance of state aid rules in the future. Secondly, we wanted to see adequate capacity reductions at the companies concerned. Thirdly, we looked for explicit acceptance that there would be no "second helpings" for those companies, so that if the planned restructuring failed to restore them to viability, no further aid would be allowed, and further capacity cuts—or, indeed, total closure—would follow. Finally, we were determined to get far more rigorous arrangements for monitoring how the approved aid is spent. We wanted, for the first time, a role for the Council, rather than, as in the past, supervision of the aid being given left entirely to the Commission.

As I have already said, throughout the negotiating process we maintained close contact with the industry. Because the proposals had been brought under article 95, which requires the unanimous assent of the Council, I was able to take a firm line on the conditions that Britain would attach to any agreement. During the negotiations, I had to take account of the support for our proposals from fellow member states and the extent to which we could achieve each of our objectives. I had constantly in mind the consequences for our industry of failure to obtain agreement in the Council of Ministers. It was, I regret, clear that, if there were no agreement, illegal subsidies would continue, probably for at least another year, and we would have made little or no progress on essential capacity reductions.

As a result of our tough stance, our four objectives were substantially agreed. Working with industry advice, we were also able to negotiate the tightening up of aspects of a number of the specific cases, notably EKO Stahl, CSI and SIDENOR. However, I will not pretend to the House that the agreement reached on 17 December was ideal—far from it. I have to say that, during the final stages of the negotiations, we had much less support from our partners in the Community for a better deal than I would have hoped.

The terms finally agreed for Ilva, the Italian company, were not as good as we would have liked, especially on capacity reduction, but they do commit the Italian Government to total privatisation of the company at an early date. Privatisation should help to ensure that its future operations are carried out on a proper commercial basis. The Council did accept other points for which we had pressed—an agreement to end subsidies, no "second helpings" of aid, and stringent monitoring of authorised aid. So we achieved three of our four objectives. As to the industry response to the decision, I can do no better than quote Brian Moffat, chairman of British Steel, who said that the agreement reached in December was

"the best in the circumstances."

I attach particular importance to the agreement that we reached on stringent and effective monitoring—the text owes a lot to our proposals and is an important step forward. It is much stronger than those in previous restructurings. That monitoring will include visits to the plants to see what is really happening. With the involvement of the Council of Ministers, we can ensure that the views of our industry are taken into account.

The conclusions of the 17 December Council set out in some detail the rigorous monitoring procedures. For the first time, as I have said, the Council of Ministers has a role in the monitoring process. The Commission is required to report on its findings to the Council at regular intervals. Indeed, at the industry council on 22 April, the Commission gave an oral report on the first monitoring period—up to 15 March. The first formal written monitoring report was presented on schedule and discussed at an ECSC working group meeting on 3 May. It was

prepared by a small team—established within the Commission—that has the assistance of specialist consultants as necessary.

The Commission describes the first report as providing, in effect, the base line against which future developments can be measured, as well as covering some developments since December. Our initial analysis is that, while it represents a useful starting point for future work, it is clear that much more needs to be done. It is evident from the report that, by late April, the Commission had still not received all the information requested from the six companies. There is a particular lack of information from Ilva.

Of at least equal concern, the report also shows that what information has been provided demonstrates that the financial position of some of the companies, notably CSI, SIDENOR and Siderurgia Nacional, has deteriorated further since their restructuring plans were drawn up. It is, however, encouraging to report that, at the ECSC working group meeting last week, Commission officials undertook to take infraction action against countries and companies that transgress the terms agreed.

The Commission has also confirmed that its monitoring team will do more than just examine its member states' regular returns on progress and report them to the Council —the Council previously did not have the benefit of such reports. The team will take, according to the Commission, a proactive role by seeking additional information that is relevant, inspecting plants and verifying—this is particularly important—the information provided and the financial performance of the companies.

At the working group meeting, my officials took a firm line on the need for full information and insisted that failure to meet agreed conditions should be punished. They also insisted that, in accordance with the agreement reached in December, there must be no attempt to provide additional aid to companies with worse-than-forecast results, even if that means further capacity cuts or, as I said earlier, even the total closure of a company.

My Department will also carry out some independent monitoring through our industry contacts and our embassies in the relevant countries. We shall watch carefully to ensure that the Commission team examines all the information that it receives with a critical eye and that any necessary action is taken to ensure that the terms of the article 95 decisions are observed in full.

The December agreement is not the only state aids issue occupying the British steel industry at present, and I took the opportunity of the Council on 22 April to raise two other cases, Klöckner and Saarstahl, which are causing grave concern and which I had already taken up personally with Commissioner Van Miert. The Government regard those cases as important tests of the commitment of the Commission and the Council to apply the rules of the treaty and the steel aids code against state aids to steel producers. I am pleased to report that I had strong support for our views on those cases from a number of colleagues in the Council chamber in April.

The 22 April Council also received an interim report on the progress of voluntary restructuring of the steel industry, as envisaged in the Braun plan. I expressed my disappointment at the slow progress of that exercise, but said that I understood the reluctance of the private sector, unsubsidised industry to commit itself to closures until it is certain that member states and the Commission have shown the political will to enforce the treaty and steel aids code and until it is clear that the conditions attached to the 17 December agreement are being observed.

The Council agreed to an extension of the supporting measures first agreed in February 1993 to facilitate voluntary restructuring until September of this year, but I made it clear that we would want to see firm evidence of restructuring by that time. Any decision to participate in the voluntary restructuring process, either by offering capacity cuts or by helping to finance closures elsewhere in the Community, is entirely a matter for the company concerned.

The United Kingdom steel industry is now universally recognised to be highly efficient and capable of competing successfully anywhere in the world. It is the envy of many other countries. That is an achievement of which the industry can be justifiably proud, although it has sadly meant closures and job losses. It is now the turn of other countries and companies to take their share of the pain.

To conclude, I can assure the House that the Council and the Commission are in no doubt about the importance that the British Government attach to rigorous implementation of the enhanced monitoring procedures agreed in December. I am not assuming that the battle has been won, but I see evidence of progress towards the creation of a fairer single market in steel, a market in which our highly efficient industry will be able to compete effectively and fairly. I commend the motion to the House.

7.12 pm

Mr. Derek Fatchett (Leeds, Central): I fear that the Minister's speech could have been made on several occasions over recent years. I suspect that if we were to go back and examine copies of Ministers' speeches and ministerial press releases, we would find the same words and sentiments.

There is agreement about two points. First, it is abundantly clear that there is over-capacity in the European steel industry. Secondly, it is plain that the British steel industry is now Europe's most efficient steel industry. It is clear from the figures that our efficiency compares well with that of the steel industries of other countries.

According to figures published in "World Steel Dynamics" in February, Britain has a competitive advantage over the Japanese of nearly 42 per cent., over the Germans of 30 per cent., over the French of 17 per cent., over the Koreans of 17 per cent. and over Taiwan of 23 per cent. It may be relevant to the debate to note that "World Steel Dynamics" could not produce figures for the Italian steel industry. While the Minister may find that amusing, it is the heart of the problem because those figures are simply not available.

The British steel industry is efficient, but it has not enjoyed the support of its Government in recent years. It is clear from the figures that the British steel industry has borne the lion's share of capacity and employment cuts over the past decade.

It is odd for a Minister of a Government who believe in free markets and competition to come to the House on behalf of the British steel industry to argue that the most efficient industry in Europe should be the industry that, in recent years, has been forced to lose jobs and capacity. That has occurred not because of the failure of the management or the work force of the British steel industry. According to all criteria, efficiency and productivity in the

[Mr. Derek Fatchett]

industry have increased. The deep problem facing the British steel industry is that the Government have not offered their support for the industry in the way in which other Governments have offered support to their steel industries.

If something is going to happen in the way that the Minister described it, and if real action is to be taken to deal with the subsidy problem, the British steel industry should not lose jobs or capacity. However, what does the Minister say? He says that on 17 December he and the Council of Ministers set themselves four objectives, but those objectives are simply not being met.

As I said earlier, the Minister's comments today could have been made at any time over the past few years. They clearly show the extent to which the Government have failed to deliver to the British steel industry. Let us consider those four objectives—the end of running-cost subsidies, capacity reductions in other countries' steel industries, no "second helpings" and no further aid, and rigorous arrangements for monitoring. The simple fact is that the Minister's speech shows that not one of those objectives has yet been achieved.

Brian Moffat said that the Minister achieved the best deal "in the circumstances" when he went to negotiate on behalf of the British steel industry last December. However, I wonder what that really means. I suspect that it means that the Minister came back with exactly the same set of promises that he has returned with on every other occasion.

Does not the responsibility for the dilemma now facing the British steel industry rest wholly at the Government's door? How can steel managers and steel employees be expected to improve their productivity and efficiency when they know that if they become more competitive in the marketplace, they will be undercut by companies and industries that are operating on a subsidised basis? At the same time, they know that the British Government are so weak and so incapable that they are not delivering on promises to cut subsidies in other countries.

The Government are in a dilemma. We have a strong steel industry, but we have a weak Government. Our real problem is the weakness of our Government. The Government spend their time fighting and arguing among themselves instead of fighting and arguing in Europe for Britain's interests. If more energy, effort and commitment were devoted to fighting for the British steel industry instead of fighting for position within the Conservative party, those working in the British steel industry might have a better deal.

When the Minister goes to the Council of Ministers, he finds himself on this issue—as I suspect on many others—alone and without allies. Is that not surprising given that this Government, under this Prime Minister, claimed that they were going to be at the heart of Europe? They are marginalised on each and every issue. When the Minister was trying to negotiate a tough new regime to remove subsidies, his Government were alienating every other European Government on the issue of qualified majority voting.

Mr. Sainsbury: I wonder whether the hon. Gentleman was listening earlier when I clearly said that it was welcome to hear the strong support that I received from Ministers in the Community at the meeting on 22 April. One might say that I led the charge on Ilva but I had strong support around the table, which was welcome. That does not seem to reflect what the hon. Gentleman is saying.

Mr. Fatchett: My fear for the British steel industry is that the Minister, as the general leading the charge, will remind many of the first world war. I fear that it will be yet another general who takes his troops into a loss of jobs and a loss of capacity. The simple fact is that the Minister has made the same promises and commitments for years, and they simply have not been delivered.

Britain's way of playing issues and policies in Europe is to find itself in isolation and without friends. The key point of the Minister's speech—I know that many of my hon. Friends want to speak in the debate because they have key constituency interests—is that, despite all the words that he used tonight, all the promises and all the suggestions that he has come back with a better deal, there is a simple question that he must answer: how will this be enforced? Despite all those words, there is no evidence of the rigorous monitoring that will lead to enforcement.

I dare say that in 12 months or two years—if the Government and the Minister survive that long, which is highly improbable—the Minister will come back and say yet again that he has an agreement that will lead to cuts in subsidies and cuts in capacity. While that is happening, further British steel industry jobs and capacity will be lost.

It is time that the Government showed some real commitment to our manufacturing base, recognised the importance of our steel industry and did for our steel industry what other Governments are doing for their steel industries—protect jobs, protect capacity and fight in Europe. We are fed up with Ministers coming back with wishy-washy statements. Now is the time for action and now is the time to protect the British steel industry. We shall be voting against the motion tonight because we believe that the Government have had too long and they have simply failed on the issue.

7.21 pm

Mr. John Morris (Aberavon): The House is grateful for the opportunity of drawing attention to the progress—or lack of progress—in cutting subsidised steel capacity in the EC, particularly in Italy. I endorse some of the remarks of my hon. Friend the Member for Leeds, Central (Mr. Fatchett); we have been waiting too long for progress.

Nearly 30 years ago, as a young Minister in the Ministry of Power, I visited Italy to look at IRI, the Istituto per la Riconstruzione Industriale—Italy's mechanism to finance industrial development. If I remember correctly, it is one of Italy's inheritances from Mussolini. I visited Taranto, its subsidiary steelworks—today, it is one of our problems. It was an enlightening visit. There was hardly a worker in sight, and it was held up to us as a model.

In the United Kingdom, we have gone through, and paid dearly for, the process of restructuring our steel industry. In my time, I have seen the numbers of workers walking through the gates of the plant at Port Talbot come down from 14,000 to 15,000 a day to fewer than 5,000 now. We have survived.

I should be profoundly dismayed if our highly competitive steel industry, of which we are proud, should, through no fault of its own—it is able to compete with anyone in the world—suffer because of the failure of other parts of Europe to weed out their dead wood and, indeed, to continue to subsidise that dead wood at our expense. I

yield to no one, having lived through an awful period of redundancies, in my concern for redundancies themselves. But the funds are there to be utilised. I was glad to read of a decision at last by the Italian Government to deal with more than 10,000 redundancies reported only a few weeks ago in Ilva.

First, we all recognise that there is a huge problem of over-capacity. According to BSC, that over-capacity is in the order of 30 million tonnes of crude steel or 19 to 25 million tonnes of hot rolled products. The Council has agreed to the Commission's plan to reduce the figure by 19 million tonnes. As Commissioner Bangemann confirmed in his letter to the president of the Council on 14 April:

"The Community's steel market has deteriorated seriously since November 1992 . . . The Commission accepts that capacity reductions already decided upon are insufficient."

That is an indication of my concern and that of my hon. Friend as to the effectiveness of the present arrangement to meet the decision made at the December meeting or in the discussions that continued in April.

The agreement reached in December was extremely disappointing from the viewpoint of non-aided companies such as British Steel. We have all noted the careful words of Mr. Brian Moffat—they were careful because there was nothing else that he, or, indeed, the Minister could accept. The meeting in December was not a success, and the sooner we recognise that the better. The closure timetable will have a negligible effect on supply in 1994 and 1995. The highly subsidised flat product mills of Italy and Spain increased their deliveries to the United Kingdom market in 1993. That is the position.

The balance sheet of proposed closures shows that 2.3 million tonnes are to be closed in the Basque region of Spain. However, the Spanish authorities intend to replace that with a new mill of 1 million tonnes—or possibly two—as soon as possible. That is an intention which the Commission will not resist if at least 51 per cent. of the capital is from private sources. Secondly, there will be a restriction of 1.2 million tonnes at the Taranto strip and plate mills. That will not affect current output.

Thirdly, there will be the demolition or sale of a strip mill at Bagnoli in Italy which has not operated for two years. That accounts for 0.3 million tonnes. The real effect is in fact zero. It is a theoretical capacity reduction in Italy, but it will have no effect on real production potential. To offset that, a new mill will be created with state aid at EKO Stahl in east Germany. It will be limited to 900,000 tonnes per annum—for the moment, I suspect. That is the economics of the madhouse. It is obvious that the great bulk of the desired capacity reduction is to be effected by unaided steel producers.

As for reducing capacity in loss-making, inefficient subsidised companies, the Council meeting on 17 December was not a success. The inevitable result—this is where it affects my constituents—is an effect on the unaided companies which must influence their restructuring and decisions.

There were two good results from the December meeting. I commend the Minister because it was the Government's pressure that brought about the hoped-for improved monitoring system. A great deal is expected from that. I also welcome the fact that the Council resolved that the exceptional measures that had been taken to authorise subsidies would not be repeated in the future—what the Minister described as second helpings.

Two other important matters were not in the discussions in December. I tried to follow what the Minister said—as I understand it, he raised the matters at the April meeting. This is significant. The bankrupt German company, Saarstahl, continues to operate at full capacity under German bankruptcy regulations. It has done so for more than a year and the Commission appears to be powerless. The pricing policy being pursued by the company producing rods and bars is seriously disruptive. The Minister said—I have received reports on this—that complaints were made only at the April meeting. Obviously, no decision was taken, or he would have reported it.

The Commission has approved a sort of act of forgiveness—the Klocknerstahl company of Bremen. Last year, the company persuaded its creditors to cancel 40 per cent. of its debts. I draw the attention of the House to what is happening there. That was conditional upon the company undertaking to close one of its blast furnaces. The Commission recently agreed that the closed furnace should be reactivated, as the remaining furnace had technical problems. I am sure that the Minister knows about this and I am sure that he will want to inquire further about whether the Commission is willing for the Belgian company Sidmar, as a condition of its participation in the equity of the company, to be allowed to maintain both blast furnaces and the full capacity of the hot coil mill if compensating capacity reductions can be found elsewhere in the Sidmar/Arbed group.

That is a sorry tale and it appears that the Commission abandoned its responsibility once it agreed to the reopening of the mill. Therefore, we are deeply concerned about the future.

In closing, I shall deal with what the Minister has emphasised is monitoring. It must be adequate and, whether it is by the committee of the Commission or not, it must be able. I would have preferred independent auditors to be employed to ensure that there were regular reports on the physical and financial restructuring.

I was glad to note in today's *Metal Bulletin* that the Commission is moving in respect of monitoring Ilva, EKO Stahl and Freital. Italy is believed to have withheld its full 1993 balance sheet for Ilva, and refused at the May meeting of the Commission's committee to provide further details. I am glad that there is movement in that respect.

As Commissioner Van Miert said:

"The credibility of the whole plan for restructuring . . . depends on compliance of conditions laid down and agreed to."

Obviously, there should be no new subsidies and, where there is privatisation, it should be for the full and fair market value. Those are the problems which affect us and we are deeply unhappy about them. They have a much wider significance than to the steel industry alone, because subsidiaries of some of those companies have been able to tender successfully from Italy and Spain to secure public contracts here—including, for example, the Severn bridge approach roads—by under-bidding United Kingdom contractors. That will go on until there is a level playing field.

Those who have paid the price of reconstruction—my constituents—are entitled to a fair chance to produce steel and to become as competitive as anyone else. We want also to be able to sell it in markets that are available.

7.32 pm

Sir Russell Johnston (Inverness, Nairn and Lochaber): I am sensitive to the fact that there are many hon. Members with direct steel interests in their constituencies who wish to speak, and I shall limit myself to some short remarks.

I shall make two preliminary points. First, I wish that the Government would stop congratulating themselves on their motions. I suppose that they think that if they did not do it, nobody else would. The Government motion says that the House

"notes with approval the undertaking secured",

as though all Council meetings consisted of the British Government telling the other 11 what to do and getting them to respond to it. It is not always like that at all.

Secondly, it is worth remarking in passing—we are approaching the European elections and our place in Europe is being questioned—that the ECSC treaty, by subsidies and industry levies, has helped a great deal to ease the pain of the closure of steel mills and the loss of nearly half a million workers in the past 20 years in the Community, and that is worth saying.

The Minister must recognise that there is a great deal of scepticism about whether that will work, whether the latest round of subsidies will be the last or whether the capacity cuts will be real. That scepticism is against the background which the right hon. and learned Member for Aberavon (Mr. Morris) spelled out, of a painful time all over the United Kingdom. In Scotland, the closure of Ravenscraig was a tragic and painful experience for everybody. It is an expensive package and it works out, I am told, at about 1,250 ecu per tonne of cut capacity. In the case of Portugal, it goes up to 2,183 ecu. I am not complaining about that if it works, but it is essential that it works. The Minister talked about "no second helpings". He could also say, "Stick to the diet" as a complement.

The hon. Member for Leeds, Central (Mr. Fatchett) made most of the arguments cogently and I shall add only one supplementary. The Minister said that monitoring reports would be produced by the Commission and will go to the Council of Ministers. As I understand it, those may not necessarily be made publicly available. The Council of Ministers is not a notoriously transparent and open organisation and I do not think that that makes accountability terrible easy. I would like the Minister to remark on that.

I repeat what the right hon. and learned Member for Aberavon said about the Bremen factory, the Klöcknerwerke, which went bankrupt last year. It discovered somehow that the Bremen Land can subsidise that and that it is not against German law. The Commission seems not to be sure whether it should be against European law or not.

My last point is that there is a problem with regard to the countries of central and eastern Europe. We are all agreed that we should do as much as we can to help those countries which emerged from communist totalitarianism. Everybody says that the great thing is not only aid, but trade. What can those countries trade in? They can trade in textiles, agricultural products, armaments and steel. We all know—it does not need me to spell it out—that there are difficulties in all those sectors, but most particularly in steel. What will the Government, and perhaps the Commission, do about that problem, which is boiling away and which one day soon must be faced?

Dr. Robert Spink (Castle Point): Before the hon. Gentleman sits down, will he explain what his party's policy might be to secure a level playing field for steel in Europe and to secure the necessary capacity reduction? The Government have been fighting for that successfully. Is his party's policy to go belly-up on steel in Europe as they go belly-up on everything else in Europe?

Sir Russell Johnston: I am not trying to be terribly controversial—it is not in my nature. I shall simply say that we will not vote against the motion, as we see no point in doing so. If the Opposition felt that they wished to do so, they should have tabled an amendment spelling out alternatives. We accept that it is a difficult area, but I think that the Government can be questioned and criticised on certain aspects.

7.37 pm

Mrs. Helen Jackson (Sheffield, Hillsborough): I am grateful for the opportunity to mention the special steel sector, which is of particular relevance to United Engineering Steels, the plants in my constituency and the associated industries in the Sheffield area. That sector of the steel industry provides no less than 70 per cent. of all the special steel supplies for manufacturing industry in the United Kingdom.

There is no question but that, if that crucial sector of the steel industry goes, the UK's manufacturing base will be left without a UK special steel supplier, and that will have a significant effect on the United Kingdom manufacturing base. Therefore, we are not just talking about the steel industry, but about the welfare of the overall manufacturing sector of the United Kingdom.

I remind the Minister—if he needs any reminding—that the special steel sector has retained its profitability through the recession. During the past year, it has suffered from a variety of problems including the rise in the price of scrap metal for electric arc furnaces and the failure of the Government to control satisfactorily the price of energy for major manufacturing enterprises, such as those with electric arc furnace production. That has resulted in an electricity cost which is half as much again as that in the French electric arc steel-making industry.

I remind the Minister that jobs have gone: 200 jobs at UES Aldwarke and 200 jobs at Stocksbridge Engineering Steels in my constituency last year. Significantly, 190 jobs were lost at UCAR Carbon in my area, which is the only United Kingdom manufacturer of graphite electrodes, which are used in the electric arc steel-making enterprise. Special steel no longer has a United Kingdom manufacturer of graphite electrodes, so it has to import them. A drip-by-drip decline is taking place in the special steel capacity. It will have a major effect on the capacity of the United Kingdom manufacturing base.

I see our vote against the Government tonight as one that says that we have no confidence in the Government's policy. Their policy of the past two years has failed. It is one of being the odd man out in Europe. Britain is one country against the Eleven saying that everyone else is acting unfairly and that only we have the right policy for special steel. We say that everyone must come into line. The Opposition feel that the Government have failed to support the steel industry and manufacturing in research, in investment in new environmental technology, in action on energy costs and in action on training.

The Minister must realise that the jobs that are disappearing now in my constituency and the surrounding area are those of technicians and engineers. At a time when we are trying to boost our manufacturing base, to put on the dole those highly skilled, highly trained technicians and engineers who have the skills to bring the industry around again must be economic madness. My guess is that our European competitors and partners believe that a policy that allows that to happen in this country is one of economic madness.

All that I have heard today is a promise that more monitoring of the situation in Europe will reap results. We have no confidence that that alone will be enough and we look to a Government who will take major action to support this core element of our manufacturing industry.

7.42 pm

Mr. Barry Jones (Alyn and Deeside): I support the arguments of my hon. Friend the Member for Sheffield, Hillsborough (Mrs. Jackson) and particularly those of my right hon. and learned Friend the Member for Aberavon (Mr. Morris), who always speaks with great insight into one of Wales' greatest industries—steel.

The debate is about cheating on the continent and the need for fair play for Britain's steel industry. It is fundamentally about manufacturing in Great Britain. Manufacturing is wealth and wealth gives us our national health service, to name but one of the provisions that we expect in a civilised society. I conclude that we must ensure that we in Britain promote and further support our remaining steel plants. We need and we want a powerful and strong British steel industry.

Above all, I want to see Britain great again as an economic power. To be great again as an economic power, we must have a powerful, developing and modern manufacturing industry. Looking back at the period of disastrous stewardship of the then Chancellor of the Exchequer, Sir Geoffrey Howe, and the then Secretary of State for Industry, Sir Keith Joseph, I recall that almost 2.75 million manufacturing jobs in Britain were allowed to drain away. Britain lost its ability to create many of its manufactured goods. We will pay a very heavy price for that in the years ahead.

I know steel to be a bedrock industry. We have made sacrifices in the steel industry and it is as well to consider some of them. Since 1975, 142,000 jobs have disappeared in Britain. That may be a conservative estimate. Certainly there has been a 77 per cent. reduction in the number of jobs in the steel industry. Until four years ago there was a steel works in Clwyd called Brymbo, which had about 1,400 employees. Overnight it was closed. Months later near there I saw a series of heavy, powerful motor trailers taking the remains of Brymbo steelworks—the furnaces and all—to the docks at Birkenhead, there to be transported to the Republic of China. The former Brymbo steelworks is now in part in China producing steel. That is a salutary tale.

There were enormous steel job losses in Wales at the still-great plants of Llanwern and Port Talbot. They are two of the finest steel plants in the world, but they have had their blood and their sacrifices. In my constituency, Shotton steelworks once supported a town or large village of some 14,000 or 15,000 steel workers. Now there are but 1,300 at the works. That again was a grievous blow to manufacturing in Wales.

The great plant at Ravenscraig no longer exists. There is no steel making in Scotland at Ravenscraig. It is fair to say that our steel communities have made enormous sacrifices and have taken terrible redundancies. In Deeside there are still more than 3,000 people out of work. Streets, estates and communities suffer long-term unemployment. Such communities throughout Wales and Britain have lost development area status and access to structural funds and they no longer have the iron and steel employees readaptation benefit scheme.

For what have those sacrifices been made? Why have those tens of thousands of redundancies rained down on the British steel communities, with all their grievous social and economic consequences? In Britain, in Wales, in Scotland, in England, and on Deeside there have been sacrifices, closures and redundancies. The debate must send a message to Brussels. It must tell the continental nations who are not playing fair that we want fair play, we want justice, and we want a future. The British steel industry must have backing. We want to see further capacity cuts in Germany, Spain and Italy or else the end of subsidies to inefficient continental plants.

Are Ministers indifferent? I do not want to say that they are, but we have to say that the steel work force in Britain has to be rewarded for its efficiency, its sacrifices and its productivity. The Government have given the coal industry the kiss of death. British steelworkers are not impressed by the Government's handling of the steel industry's problems. We want to enhance, not to curtail, the British steel industry. We do not want more redundancies or any more cuts in our capacity. We do not want any more plant closures.

7.49 pm

Mr. Roy Hughes (Newport, East): These European Community documents are something of a contrast. Essentially, they concern Italian steel companies and companies in other countries, such as Germany and Spain, which seem to be transgressing EC rules.

I am concerned about their possible effect on British Steel. What has happened in the Italian steel industry has been a direct threat to our domestic steel industry. I have no wish to make a racist attack on the Italians, but they seem to have scant regard for EC rules. As far as I have been able to make out from the documents, Ilva, the Italian steel producer, is wholly owned by IRI, the Italian state holding company which, as my right hon. and learned Friend the Member for Aberavon (Mr. Morris) reminded us, goes back to the days of Mussolini. Like my right hon. and learned Friend, I visited some of those operations more than 20 years ago.

I also learned from the documents that Ilva's debts exceed the value of its assets, which is rather extraordinary. Furthermore, the Minister for Industry tells us that the European steel industry is suffering from substantial over-capacity and depressed prices. I fail to understand why action was not taken earlier to deal with the Italian steel industry. The British steel industry was rationalised well over a decade ago, with all the hardship that that caused. The Government's motion is altogether too smug.

In recent months, I have been pursuing the request by the illegally subsidised Italian steel company Arc-Sipra, which has asked the Department of Transport to put it on its list of approved suppliers. Asset International—a steel company in my constituency—was most concerned about

[Mr. Roy Hughes]

the Italian threat. The Italians wanted to get a foot in our door to dump products in the United Kingdom at prices below cost and to steal our markets. I understand that they have already done so in France. Those tactics could certainly harm Asset International in my constituency, let alone British Steel's Llanwern plant, which is so important to the economy of south-east Wales.

The Department of Transport has acknowledged that approaches have been made, and states that it is considering what action can be taken to exclude companies that are in receipt of illegal state aid.

The Government must take positive action to stop those pirate activities. In those circumstances, is it any wonder that British steelworkers and their trade union are calling on the Government to use their veto to save our steel industry in the same way that the French Government use theirs over agriculture? A campaign is also being launched to urge companies in this country to buy British steel. In the present circumstances, that certainly makes sense.

Unfortunately, the Government have made a difficult situation worse by their decision in January to contract out of the iron and steel employees' re-adaptation benefit scheme—ISERBS. The effects of that Government decision are already being felt in south Wales and other steelmaking areas. Recently, 351 workers were made redundant at Ebbw Vale and Trostre. I know that my hon. Friend the Member for Blaenau Gwent (Mr. Smith) has been very concerned about that.

When those workers requested parity of treatment with other European steelworkers, they were turned down, which means that those 351 redundant south Wales steelworkers will each lose between £10,000 and £15,000. What a disgrace, and what an indictment of the Government's policies. The Minister talks about the industry being successful, but all the workers are getting is a smack in the eye.

Mr. Llew Smith (Blaenau Gwent): Is my hon. Friend aware that trade union representatives have met the Government to find out whether they have reconsidered their decision about ISERBS? Is he also aware that the answer was no, which puts those 300 to 350 redundant people in my constituency and in Trostre in a terrible situation, especially as they are in one of the most deprived areas in Wales—an area with some of the worst unemployment in Wales? The jobs coming into the constituency are low-paid, part-time, menial and non-union, and there is no way that they will replace the jobs lost in the coal and steel industries. The Government's refusal to reconsider their decision is another smack in the face for those workers.

Mr. Hughes: My hon. Friend describes the position very well. Even at this late stage, will the Minister reconsider his position on the ISERBS scheme? Our steel industry is badly in need of it in the difficult times that are looming.

Mr. Michael Bates (Langbaurgh): From recollection, the average cost of ISERBS is £20,000 per steelworker. What advice would the hon. Gentleman give, and what would he say, to a constituent who lost his job but did not work in the steel industry and thus did not qualify for any money? Why should that worker be differentiated from a British Steel worker?

Mr. Hughes: Our steelworkers are entitled to expect parity with steelworkers on the continent. They are asking no more than that, and it seems a pretty fair demand.

Last week, the Conservative party and the Government took a real thrashing in the local elections. They were just about wiped out in Newport, which is a steel-making community.

Our steel communities have suffered greatly. There have been massive redundancies and steel areas in other parts of the country have also been affected. If there is any justice, it is now up to European producers to rationalise their industries and not engage in unfair and illegal trading practices. All our steelworkers are asking for is a level playing field. They are engaged in a lean and fit industry, which can compete in world markets. The Government need to ensure that those workers get proper backing.

7.48 pm

Mr. Elliot Morley (Glanford and Scunthorpe): This deal does not go far enough, and it is totally unsatisfactory in view of the situation of the steel industry in this country and in Europe.

In the early 1980s, more than 22,000 people were employed in the steel industry in Scunthorpe. Now, it is about 7,000. The Scunthorpe works and the ancillary works of the United Merchant bar mill—UMB—and the Allied Steel and wire rod mill are some of the most efficient works in Europe, but that efficiency has been bought by the jobs of thousands of people and has had a knock-on effect on the local community in Scunthorpe and on all communities dependent on steel.

Steel Action was set up for that reason, and was supported by 25 local authorities, because they can see the threat posed to our steel areas because steel has not been restructured in Europe. As my hon. Friend the Member for Newport, East (Mr. Hughes) rightly said, we have had a decade to do something, but there has been precious little action from the Government to deal with that very real problem.

Not one British steelworker's job should be lost as a result of illegal or inefficient subsidies to other European steelworks. We do not want to see other steelworkers thrown on the scrapheap as our workers have been, but the deal struck should have concentrated more on restructuring, retraining and jobs than on capacity.

The Minister's claim that this successful deal has been welcomed is not borne out by an article that appeared in the *Financial Times* on 28 March, which stated:

"Although Mr. Bangemann's entourage insists it is delighted that the industry has apparently met the European Commission's demands for further steel reductions, in private officials admit the deal may have been little more than a face-saving camouflage."

We can see why when we study the details of the deal.

Monitoring is one of the key aspects of the motion, but I have heard nothing from the Minister to reassure me that adequate monitoring will be conducted to ensure that steel companies—particularly Italian ones—make capacity reductions properly. I believe that Ilva hid an entire reheating furnace when the Commission was trying to judge its capacity.

I understand that the whole deal went through because of concessions from the United Kingdom Government. Why did the Minister offer them? It is understandable that countries such as Italy should stick out for the best deal for their steel producers and work forces in depressed areas: nevertheless, they are dependent on the total aid package

available from the deal. Surely that fact gave the Minister some cards that he should have played more skilfully when the deal was struck.

The deal consists of enormous aid packages, but it does not deal with certain anomalies. For example, Ilva received £1.9 million in illegal subsidies through capital injections in 1991-92. Will those illegal capital injections be taken into account in the overall package? I see no evidence to suggest that that will happen.

As a result of the deal, the cut in production from the Bagnoli hot strip mill is being counted as a capacity reduction of 300,000 tonnes per annum, but that mill has been mothballed for two years. If it is counted in the overall package it will not make any major contribution to capacity cuts.

It is not surprising that the Select Committee on European Legislation said:

"The deal struck at the Industry Council was unsatisfactory."

It emphasised that the capacity cuts would have little effect on production capacity. I am not surprised that Mr. Moffat, who used his words carefully, described the original deal as a "sham". A study of the small print explains why.

Although a capacity reduction of 5.3 million tonnes is supposed to be achieved, because of the examples that I have cited, the actual figure will be nearer 2.5 million tonnes. The price of that reduction will be about £5 billion. That enormous amount of money should have been directed at aids to the work force to help them look for new jobs, and at encouraging alternative employment in depressed areas.

The Minister may talk about effective monitoring, but I understand that the reports that the Commission will produce as a result of the deal will not be made public, but will be secret. That hardly represents effective monitoring. Independent groups will be unable to discover what progress has been made towards capacity cuts.

In Bremen, the local council has bought the strip mill at Klockner. Is that subsidy from the local council illegal? I would not want to criticise that local council, because I understand that it has done what it can to save local jobs for local people. It is interesting to note that a local council in Germany has the autonomy, power and skills to do that, whereas our local councils are being neutered by an over-centralising Government.

The deal does not go far enough to protect the work force of the steel industry. It does not offer the kind of support that is needed for our steel industry, which is the backbone of our manufacturing industry. For 15 years, little support or attention has been given to our manufacturing base. Now we are paying the price for that and witnessing the consequences.

To add insult to injury, ISERBS is to be phased out, as my hon. Friend the Member for Newport, East has said. The very same Minister who sits in the Council of Ministers and votes huge sums of money to our European competitors is taking away money that could aid steelworkers who still face redundancy, many of them as a result of Government inaction in the past 15 years.

The Government's policy in Europe has been a complete failure. It is little wonder that we get such bad deals when we have so few friends in Europe. It is little wonder that we have so few friends, when all we get from the Government is a negative response. We have an opt-out, cop-out Government who care little for our manufacturing base, for building alliances and for the future of our communities that depend on steel.

8.5 pm

Mr. Fatchett: With the leave of the House, Mr. Deputy Speaker, I shall reply to the debate.

I congratulate my right hon. and learned Friend the Member for Aberavon (Mr. Morris) and my hon. Friends the Members for Newport, East (Mr. Hughes), for Sheffield, Hillsborough (Mrs. Jackson), for Glanford and Scunthorpe (Mr. Morley) and for Alyn and Deeside (Mr. Jones) on the knowledge and experience that they have brought to the debate. It was clear from their contributions that they have an intimate knowledge of the steel industry and the communities based on it.

Anyone who reads the debate in *Hansard* will be hit by one striking fact; throughout the debate not one Government Back Bencher felt interested enough in the steel industry to speak in defence of the Government's policies. That reflects a deeper—

Mr. Bates: I spoke.

Mr. Fatchett: Only in an intervention. We did not hear a speech from one Conservative Back Bencher, which not only reflects the Government's lack of interest in the steel industry, but their deep lack of interest in manufacturing.

Mr. Bates: Surely our silence reflects our confidence in the Minister's ability to fight our corner in Europe. It was astonishing to listen to speeches from Labour Members who said that they wanted to send a message to Brussels that we want to get tough on subsidies when they will vote against a motion that says just that. What sort of message is that?

Mr. Fatchett: I congratulate the hon. Member, because he must be the only Conservative Back Bencher who can get up and say, with a straight face and without any sense of embarrassment, that he has absolute confidence in his Government. That degree of political skill and sycophancy may do him a lot of good in the future. The underlying fact that has emerged from the debate is that the Conservative party is so inward looking and so deeply split that it does not have time to look up and consider the real issues that face our steel and manufacturing industries.

Mr. Llew Smith: Can my hon. Friend explain why we should feel confidence in the Government and their so-called defence of the steel industry when that campaign resulted recently in another 159 jobs lost in Ebbw Vale and a similar number lost in Trostre? Does my hon. Friend get the impression that other steel-making countries are laughing at us because we are willing to go along with quotas and regulations, when other countries refuse to do so in defence of their industries? Does my hon. Friend believe that the British Government should defend the steel industry as the French Government are willing to defend their industries?

Mr. Fatchett: That important point ran through my hon. Friends' speeches, and I shall refer to it later.

Dr. Spink: Will the hon. Gentleman acknowledge that I have sat through the debate? I have done so because I wanted to hear the Opposition's alternative policy to the Government's successful policies, which have achieved a level playing field and reductions in steel capacity in Europe for the benefit of our industry. Those policies have not yet been forthcoming.

[Dr. Spink]

I hope that we shall hear those policies, so that we may have the opportunity to comment on them in our interventions. Will the hon. Gentleman explain whether he follows the example of his hon. Friend the Member for Livingston (Mr. Cook) in calling for public funds to subsidise that sector of British industry? If so, does he have the shadow Chancellor's agreement to that?

Mr. Fatchett: The hon. Gentleman has an ability to find success where success does not exist. To speak about the success of this Government's policies in relation to protecting the British steel industry very much distorts the truth. *[Interruption.]*

One of the other themes that ran through the speeches made by my hon. Friends was the Government's attitude towards ISERBS. My hon. Friend the Member for Newport, East (Mr. Hughes) made a telling point about the Government's attitude when he referred to the 351 redundancies at Ebbw Vale and Trostre and said that each employee there will lose £10,000 to £15,000. Does it not tell us a great deal about the Government that, at a time when they introduce tax cuts for the very rich, they can still take from redundant steelworkers rights that they have enjoyed in recent years?

When the hon. Member for Langbaurgh (Mr. Bates) says that those rights are not enjoyed by other people and therefore should not be enjoyed by the steel industry, he reflects, does he not, the attitude of the Conservative party throughout history to any social improvement and change? The Conservative party has always been in favour of levelling down rather than improving. The hon. Gentleman wants to take away from the steelworkers in his constituency the rights that they have enjoyed. Will the hon. Gentleman go round his constituency, telling steelworkers there that they should lose £10,000 to £15,000? Is he doing that?

Mr. Bates: The whole House will have heard the hon. Gentleman's statement about the Conservatives being in favour of levelling down, implying that the Labour party is in favour of levelling up. Is he suggesting that all people who lose their jobs ought to have a £15,000 to £20,000 retraining package?

Mr. Fatchett: I wish that I had not given way to the hon. Gentleman for a second time. It was obviously a mistake, because the second intervention was no better than the first.

The nature of Britain's social history is that the Labour party has tried to improve social conditions and the Conservative party has always tried to level down. The hon. Gentleman's comments about the rights of steelworkers were typical of the history of his party and its current ideological position.

The Government's attitude to ISERBS shows a meanness and a weakness on the Government's part.

Mrs. Helen Jackson: Does my hon. Friend agree that the statement by the Government in the autumn of last year that the ISERBS scheme was no longer useful to steelworkers in the area was nothing short of disgraceful? Is he aware that no fewer than 4,000 workers—4,000 people—from United Engineering Steels have benefited in the past few years, and that every one of them would endorse the view that the ISERBS scheme has been a major benefit to them in their tragic situation? It is selling our work force short to say that that is no longer useful, when our European competitors are taking steps to extend the scheme for their workers.

Mr. Fatchett: My hon. Friend is correct, and she makes the argument with telling knowledge about her constituency in the Sheffield area.

The key theme that ran through the speeches of all my hon. Friends and of the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) was the extent to which the British steel industry and the communities based on it have endured significant change and pain in the previous decade. Job losses have damaged communities. My hon. Friends spoke about those communities in Scotland, in Wales, in Humberside and in Teesside, where there have been job losses, great change and great social stress as a result.

All my hon. Friends, and the hon. Member for Inverness, Nairn and Lochaber, said that that pain had not been fairly distributed. It is a pain that has come to an industry which has changed, which has improved, which is now a world leader, but it is a pain that has come disproportionately to British steel, and there is, in the jargon, as my hon. Friends have said, no clear level playing field in terms of competition.

That is the crucial argument that the Minister has to answer. All my hon. Friends said that we had been here before. The debate has taken place before; the issues have been aired in the House and outside before. The British steel industry cazn compete, but it cannot compete against subsidies and unfair competition. What will the Government do to ensure that the agreement that was reached in December, and has been further monitored and discussed subsequently, will be kept and implemented? That is the crucial question.

The words that came through from my hon. Friends were words of scepticism, because they wanted to know exactly what the Government intend to do if there is no delivery in terms of surplus capacity in other countries. My fear is that there will be no change in other countries: as my hon. Friend the Member for Newport, East said, this is not just a debate about the Italian steel industry; it affects each and every steel industry and steel community in the country. If the Government do not get it right, there will be more job losses, in Sheffield, in Wales and on Humberside, which will be a direct result of the Government failing to protect the British steel industry.

My final question to the Minister is as follows. We have little faith in the agreement. We have little faith that it will be implemented and enforced. What we want to know is, what happens if that agreement fails, as other agreements and other words have failed in the past?

This is an important debate. Opposition Members are saying tonight that the British steel industry is important to our manufacturing base. It is the essence of our wealth production in the future. That is why we take the position that we do. We want our industry, a world leader, to be able to compete fairly and openly with similar industries in other countries. We do not believe that that chance is there, and we believe that it is the responsibility of the Government to ensure that that opportunity is available. So far, the Minister and the Government have simply failed to deliver that level playing field. It is not words we want, but action from the Government.

8.17 pm

Mr. Sainsbury: The hon. Member for Inverness, Nairn and Lochaber (Sir R. Johston) asked the Opposition to spell out alternatives. I thought that he made a fair argument. He said that his party would not vote against the motion and I wondered why Labour Members were planning to do so. He, I feel, should not have been surprised at the failure of the hon. Member for Leeds, Central (Mr. Fatchett), with two opportunities to do so, to spell out the alternatives.

My hon. Friend the Member for Castle Point (Dr. Spink) also noticed that lack of alternative. He probably shared my lack of surprise, however, at the failure of the hon. Member for Leeds, Central to produce an alternative, for the simple reason that he has no alternative. He blustered away, but he has no alternative.

Perhaps I am not being fair to the hon. Gentleman. Perhaps there is an alternative that he did not want to tell us about. He made one revealing remark. He said that the Government have not offered their support in the way in which other continental and European Community Governments have. Other Opposition Members made it clear that they were well aware—even if the hon. Member for Leeds, Central was not—of the type of support that some European Community Governments had offered their steel industries. They had offered their steel industries massive subsidies. It was not clear to me whether the hon. Member for Leeds, Central was succumbing once more to that road to ruin.

Mr. Hughes: The Government have been in power for 15 years, and our steel industry suffered badly more than a decade ago. Why have not the Government ensured parity of treatment between our steel industry and others, particularly in Italy? They have given our steelworkers a smack in the eye by getting rid of ISERBS.

Mr. Sainsbury: I am astonished that the hon. Member for Newport, East (Mr. Hughes) insults our steelworkers by suggesting that they should have parity with Italian steelworkers. The Italian steel industry is the most overmanned, inefficient and uncompetitive in the world. As a result of the Government's policies, our steel industry is as competitive and efficient as any in the world.

Under the last Labour Government, it took more than 13 man hours to produce a tonne of steel, and the steel industry absorbed massive subsidies and lost a great deal of taxpayers' money, whereas under our policies the steel industry requires fewer than five man hours to produce a tonne of steel. In spite of what the hon. Member for Leeds, Central said, our steel industry is the world's fourth largest, and is as efficient as any in the world.

The Opposition have failed to justify opposing the motion. The hon. Member for Newport, East suggested that we should veto the deal. I thought that, like the Liberal Democrats, the Labour party wanted to abandon the veto. That would be very helpful in those circumstances.

Mr. Llew Smith: The Minister asks why we oppose the Government's line on the steel industry. Two examples of recent weeks concern Ebbw Vale and Trostre, which have resulted in a further 350 redundancies. The steelworkers in those communities are arguing that, were the Government willing to stand up for the steel industry as the French stand up for their industries, those 350 redundancies would not be necessary. Also, we are not supporting the Government also because they are too mean to give those 350 people, who will now be on the scrap heap, the ISERBS they deserve to relieve their position. They represent and are living in some of the most deprived communities in the United Kingdom.

Mr. Sainsbury: The motion is not about ISERBS and, as far as I can gather from what the hon. Gentleman and some other hon. Members have said, the Opposition want the extension of subsidies not only to encourage overmanning and inefficiency in the steel industry but to provide massive and unhelpful aid.

May I explain to the hon. Member for Sheffield, Hillsborough (Mrs. Jackson) that that aid is unhelpful because it does not help redundant steelworkers to return to employment. The Opposition want to give such unhelpful aid to everybody who loses his or her job. Will the hon. Member for Blaenau Gwent (Mr. Smith) work out what that would add to the burden of public debt?

Mrs. Helen Jackson: Has the Minister any idea of the difference between subsidies and support for a major manufacturing industry? I speak of support in terms of research and European grants for environmental technology. The Government have done nothing along those lines to support the key overheads of that core industry. Does the Minister have an answer to that type of support, which other European Governments successfully give their steel industries?

Mr. Sainsbury: I do have an idea. Those European Governments now realise that they can no longer afford those large subsidies. As a result of pouring subsidies into their industries, they have overmanned and uncompetitive industries, on which they must now cut back. Changing the name from "subsidy" to "support" does not change the nature of the beast. A rose by any other name smells just as sweet, and a subsidy is just as wasteful.

The right hon. and learned Member for Aberavon (Mr. Morris) expressed a welcome to the points agreed at the December council. I thank him for that recognition. It may be another split in the Labour party—another disagreement between those with experience on the Back Benches and those without it on the Front.

The right hon. and learned Gentleman asked about Saarstahl. I find the position there as unsatisfactory as he does. It was made clear not only by me but by other Ministers at the last Industry Council that we did not regard it as acceptable that the German Government should shelter behind their bankruptcy laws effectively to provide subsidies to allow their company to continue in operation when it was losing large sums of money.

The right hon. and learned Gentleman also asked about Klocknerstahl. Our complaint, supported by other Community Governments, about Klocknerstahl is still under investigation by the Commission. Some reports have said that the Commission will allow Klocknerstahl to retain the steel-making capacity which it had earlier demanded be closed as part of the original debt restructuring plan.

When the company first filed for bankruptcy protection, the Commission, in the shape of DG XVIII, was among its creditors. The Commission agreed to restructure the debt in exchange for the definitive closure of one blast furnace and the reduction of 500,000 tonnes of hot strip capacity. A date was not set for the definitive closure, but the company has been held to the production limits.

[Mr. Sainsbury]

Negotiations are now at an advanced stage for another steel company, Sidmar, to participate in the restructuring. The Commission has said that it would accept the reduction of alternative closures if that would help to rationalise the merged companies. But it has insisted that any replacement capacity cuts must be in the same product sectors, and affect plant in current use.

I agree with the hon. Member for Glanford and Scunthorpe (Mr. Morley) who referred to the Italians counting the reduction at Bagnoli as a reduction in current capacity. We should not like to have agreed that. However, in respect of that, as of other matters that were less than satisfactory in the agreement, the alternative to reaching that agreement, which could be brought about by using the veto which Opposition Members want us to abandon, would have been the continuation of those subsidies for a considerable time and no capacity reductions.

Moreover, we would not have obtained the most satisfactory feature of that agreement, which is a monitoring arrangement that is stricter, more rigorous and more capable of being overseen than anything that we have had before.

Mr. Morley: Will the Minister give way?

Mr. Sainsbury: No, I must complete my speech.

It is a major step forward that the agreement requires a report to the council. There is a good reason for not making the monitoring reports public: they contain a lot of sensitive commercial information. For the first time, however, they will be made available to the Council of Ministers, which also means to my officials, who can scrutinise exactly what is happening.

That has never happened before. It gives us a much better prospect of achieving what we set out to achieve, which is a level playing field for an efficient British steel industry that deserves our support, rather than the criticism that it has received from the Opposition.

Question put:—

The House divided: Ayes 295, Noes 212.

Division No. 231] **[8.27 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Allason, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beith, Rt Hon A. J.
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Campbell, Menzies *(Fife NE)*
Carlile, Alexander *(Montgomry)*
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushf)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Eggar, Tim
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harvey, Nick
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Hendry, Charles
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Janlin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Lynne, Ms Liz
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maddock, Mrs Diana
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mellor, Rt Hon David
Merchant, Piers
Michie, Mrs Ray *(Argyll Bute)*
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Page, Richard

Paice, James
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Rendel, David
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Soames, Nicholas
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Sydney Chapman and
Mr. Irvine Patnick.

NOES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Betts, Clive
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(Lpool Bdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McWilliam, John
Madden, Max
Mahon, Alice
Mandelson, Peter
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Rt Hon John *(M'ld'ds E)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. John Cummings and
Mr. Jon Owen Jones.

Question accordingly agreed to.

Resolved,

That this House takes note of European Community Documents Nos. 10166/93 and 11317/93, relating to the Italian state iron and steel industry; endorses the Government's decision

to support the agreement reached on the package of state aid cases discussed at the Industry Council on 17th December 1993; notes with approval the undertakings secured at the Council regarding the stringent monitoring of approved aids, which will help to ensure that they are not used to disadvantage unaided competitors, the commitment to the strict application of ECSC state aid rules to end subsidisation, the recognition that there will be no further aid to these companies if viability is not achieved, and the early privatisation of most of the companies involved; and endorses this agreement as a useful step towards ending the distortion of state subsidies in the steel industry.

Equal Pay and Equal Treatment

Mr. Deputy Speaker (Mr. Michael Morris): Madam Speaker has selected the amendment in the name of the Leader of the Opposition.

8.45 pm

The Minister of State, Department of Employment (Mr. Michael Forsyth): I beg to move,

That this House takes note of European Community Document No. 6703/88 and the Supplementary Explanatory Memorandum submitted by the Employment Department on 21st October 1993, relating to the burden of proof in the area of equal pay and equal treatment for women and men; endorses the Government's view that the draft Directive breaches the principle of subsidiarity and would have a disproportionate impact in the United Kingdom; shares the Government's view that the proposed Directive is wrong in principle and unnecessary for the proper determination of cases; agrees with the Government that the United Kingdom's arrangements for deciding complaints of sex discrimination and equal pay are fair to both parties, and take proper account of the problems of evidence and the need to reach fair decisions with due regard to the interests of both parties; and supports the Government's view that the draft Directive should not be adopted.

I find it simply incomprehensible that the Community is now considering yet again the directive on the burden of proof. The directive was laid to rest as unworkable and unacceptable as long ago as 1988. It lay dead for five years until the Belgian presidency resurrected it last July as one of three Lazarus directives that it wanted to bring to life. Now, when it looks like being consigned to the tomb once more, the Burke and Hare tendency on the Opposition Benches wants to prevent a decent burial by trying to breath new life into the body.

The simple fact is that the directive has nothing whatsoever to do with the real priorities facing the 12 member states. Unemployment is now at record levels across the Community, and in all countries except the UK the figures for unemployment among women are higher than those for men.

Whenever we consider the social agenda in the Community, we must put questions of unemployment at the top of the list. Europe needs to stop adding to the regulations for people in employment and to start helping the people who are without employment of any kind. What we want is action which supports, not hinders, the efforts of member states to return to sustainable economic growth and provide real employment opportunities for men and women alike.

Despite the resurrection of measures such as the directive, things are beginning to change in Europe. The debates about growth and competitiveness in the Community stemming from the Commission's white paper last year show that the distinctive UK message is beginning to hit home. All member states recognise that Europe's labour markets are simply not delivering the jobs we need. That is good; Britain has long been saying that.

Member states are recognising that labour costs are too high and damage the growth in jobs. That is good, too—again, a British message. Member states are recognising that employers must be given the flexibility to compete with the rest of the world. Britain has always said that a policy of Fortress Europe would spell disaster for our prospects.

All proposals from the Community therefore need to be measured against three fundamental principles if they are to meet the needs of a changing Europe. The directive fails against all three.

Mr. Geoffrey Hoon (Ashfield): If everything the Minister says is true, why do the other 11 member states all support the directive?

Mr. Forsyth: I am surprised at the hon. Gentleman: he usually takes care to read these texts. If he reads the text of the directive, he will find that other member states have managed to opt out of the provisions. There are exemptions covering those countries because of their differing legal systems. So they are quite happy to support a measure that lumbers Britain with the problem. Unfortunately, Opposition Members do not fight for Britain, do not speak for Britain and will sign up for anything.

Mr. Bernard Jenkin (Colchester, North): Is not Britain pursuing its historic role of vetoing a measure that is unpopular in other member states, which pretend to be in favour of it knowing that we shall do so?

Mr. Forsyth: No, that is not so. My hon. Friend will know that we have used our veto, which Opposition Members would throw away, and the Eleven will proceed with the directive as Eleven. If Opposition Members had had their way, we would have signed up for the social chapter and would not now be in a position to resist this ridiculous measure, which fails all three tests.

All action taken by the Community should not damage but promote Europe's competitiveness; the directive is a distraction from that. Community social policy needs to recognise Europe's diversity—the very different traditions, institutions and practises of 12 very different member states. The directive ignores our differences by trying to move to a single statutory model.

Community policy needs to be consistent with subsidiarity. Nothing shows that this issue requires action at Community level. No evidence has been produced to show that differences in the way in which legal systems operate affect Community obligations. On the contrary, Heads of Government have made it clear that the legal systems of member states should not be called into question.

What is all too predictable, however, is that the Opposition are now giving the directive their support. Here we go again. Labour would sign anything, whatever its cost or whatever damage it would do. Let us think what we would have been saddled with in recent years if the Opposition had had their way: a working time directive, which would have banned work on Sundays.

Mr. John Prescott (Kingston upon Hull, East): Yes.

Mr. Forsyth: The hon. Member says yes, but that directive would have banned work on Sundays and robbed 2.5 million people of the chance to earn overtime pay.

A young workers' directive would have threatened the long United Kingdom tradition of allowing children to earn pocket money by delivering newspapers or by doing a Saturday job.

Mr. Prescott: What would the working time have done for the doctors?

Mr. Forsyth: The hon. Gentleman, who, as a Front-Bench spokesman, should know better, says, "What would the working time have done for the doctors?" If he had read the text of the directive, he would be aware that there is a specific exemption.

Mr. Prescott: The Government are the employer.

Mr. Forsyth: The hon. Gentleman says that we are the employer. It is a matter for the House and the Government to decide; it is not for others outside the House to dictate working time or conditions in our country. That is the difference between the Government and the Opposition.

If the Opposition had had their way, a part-time work directive would have priced many part-time jobs out of the reach of employers.

A European works council directive would have given the unions the whip hand in 330 major UK-based multinational companies. United Kingdom employers and employees alike can be grateful that they have a Government who fight for their interests and do not surrender them at the first call from Brussels. That is what would have happened if the United Kingdom had accepted the social chapter at Maastricht and my right hon. Friend the Prime Minister had not been successful in securing an opt-out, which Opposition Members would throw away.

Equal opportunity measures such as this directive would have been subject to qualified majority voting, despite the fact that the directive is aimed almost exclusively at the British system. A British Government would have been unable to protect themselves from this directive being imposed over their head. We used the British veto against the directive once before in 1988 and we can do so again to protect vital national interests. The Opposition would cast that veto aside.

Dr. Robert Spink (Castle Point): Will my hon. Friend confirm that Britain attracts almost half the total inward investment in the European Community, the other half being shared among the other 11 members of the Union? Does he think that the directive would almost certainly damage our ability to attract that investment and would therefore damage jobs in this country?

Mr. Forsyth: I agree with my hon. Friend that Britain is as successful as all the other member states put together in attracting inward investment, which is vital for jobs. The man to whom we should look for the explanation is that well-known socialist, Jacques Delors, who said that, because the Prime Minister had secured the opt-out from the social chapter, Britain would become a paradise for inward investment. He was right—not even Jacques Delors is wrong about everything—and my hon. Friend is right to point out that we have benefited from the success of our policies.

The directive is completely irrelevant in addressing the fundamental issues facing the Community. The Commission says that it is necessary because women are at a disadvantage in bringing sex discrimination claims. It says that women cannot prove their case because employers have all the evidence and that tribunals are reluctant to draw inferences from the facts: bunkum and balderdash, I say to that.

If the Commission had taken the trouble, which it did not, to inquire about the United Kingdom system, it might have thought twice before proposing this silly measure. It did not do so. Instead, it wants to put British employers in

[Mr. Forsyth]

the dock, condemned guilty of sex discrimination unless they can prove themselves innocent. That is what the text of the directive means.

Mr. Alex Carlile (Montgomery): For those of us who are trying to look at the issues in this matter, will the Minister explain, so that we can understand what the Government are saying, the difference between the directive and decisions such as Chattopadhyay *v.* Headmaster of Holloway school, which I am sure he will have considered? How does the directive differ from the state of the law as it is now?

Mr. Forsyth: What the country needs to know—[HON. MEMBERS: "Answer."] I shall answer—is that the hon. and learned Gentleman and his friends in the Liberal party would sign away the veto and the House would have no say in whether the proposals applied to this country. The answer to his question—the hon. and learned Gentleman is a lawyer and should know it—is that there is all the difference in the world between the impact of a judgment in the courts and a directive such as this, which would apply the universal principle of reversing the burden of proof.

Mr. Prescott: What case law?

Mr. Forsyth: The hon. Gentleman should focus on what the directive says. I can understand the Liberals supporting it, but I am surprised that Labour supports a measure that reaches this level of absurdity.

The Opposition amendment seeks to set aside the centuries-old principle that is central to our system of justice. No evidence has been presented to show that there is a problem. Lord Slynn of Hadley has made it clear on behalf of himself and the all-party sub-committee in the other place that the Government's opposition to the directive's central purpose remains valid. Unfortunately, but unsurprisingly, the hon. Member for Kingston upon Hull, East (Mr. Prescott) and his hon. Friends appear less clear-headed. They have become deeply infected by the Commission's enthusiasm for this measure. The amendment supports—

Mr. Alex Carlile: Will the Minister give way on that point?

Mr. Forsyth: In a moment, if the hon. and learned Gentleman can contain himself; if he persists, I shall not give way.

Mr. Oliver Heald (Hertfordshire, North): Will my hon. Friend give way?

Mr. Forsyth: I will happily give way to my hon. Friend after I have given way to the hon. and learned Member for Montgomery (Mr. Carlile) and when I have completed the point that I want to put to the Opposition. Opposition Members do not want to hear it spelt out.

They are taking an astonishing position which suggests a complete lack of appreciation of the strength of the United Kingdom's system for dealing with complaints about sex discrimination and equal pay.The UK has a strong and comprehensive framework of law which goes far beyond what other member states provide. There is no need for the directive or for us to abandon the principle of innocent until proved guilty.

Mr. Alex Carlile: The hon. Gentleman appears to turn our understanding of the law on its head. What is the difference in effect on the Government between decisions by the employment appeals tribunal, which is a superior court of record, and the directive, if its provisions were brought into force, and decisions of the courts of the European Community?

Mr. Forsyth: The hon. and learned Gentleman knows that, if the House agreed to such a directive and produced legislation, the burden of proof in every sex discrimination case would be reversed. It would be universal. The hon. and learned Gentleman is right to say that there are limited occasions on which the reversal of the burden of proof will apply, but, as he knows, the directive is about applying it universally. It is wrong for him to seek to fudge that. If he had his way, the House would have no say on this and many other matters, because he would have sold out our veto and the sovereignty of this place.

Mr. Heald: Does my hon. Friend agree that, although there were references in Chattopadhyay to where inferences could be drawn, in case after case since Chattopadhyay the courts and the employment appeals tribunal have stressed that in British law the burden of proof does not shift.The hon. and learned Member for Montgomery (Mr. Carlile) is not listening. The directive seeks to do something totally different.

Mr. Forsyth: I am grateful to my hon. Friend for his free legal advice. It is much appreciated. I suspect that the hon. and learned Member for Montgomery knows the position perfectly well. It is that Britain has effective frameworks such as ACAS, the Equal Opportunities Commission and industrial tribunals to establish the facts and apply the relevant law. They operate on the principle that the applicant has to prove his or her case on the balance of probabilities. That principle has been whole-heartedly accepted by all parties until now, but now we know where the Opposition stand. They are prepared to ditch an important principle for a great leap in the dark.

The Opposition want confusion instead of common sense, and it is common sense that guides industrial tribunals. They have received guidance from the Court of Appeal about the burden of proof. An industrial tribunal simply looks at the evidence as a whole and decides whether a complaint has been established. Sometimes clear evidence of discrimination will not be available, but tribunals are perfectly capable of dealing with that by drawing inferences from the facts. That is a common-sense approach that works perfectly well and tribunals apply it every day.

The Government will fight to ensure that employers remain innocent until proved guilty. *[Interruption.]* The hon. Member for Kingston upon Hull, East scoffs as if this were some minor matter. That shows why he will remain on the Opposition Benches and will not be in government. We will simply not accept a measure that seeks to put every employer in the position in which, on the flimsiest of evidence, an aggrieved party can force him to prove his innocence.

Mr. Hoon: If we accept what the Minister says about the state of the law, what does he say about the Law Society's observations—*[Interruption.]*

Mr. Deputy Speaker: Order. There is so much noise from the Opposition Front Bench that I cannot hear the hon. Gentleman's intervention. *[Interruption.]* Order. Hon. Members must respect the courtesies of the House.

Mr. Hoon: What does the Minister say about the Law Society's observations on the directive? It says that the directive would help to clarify the law and that such a change would produce greater consistency in decisions of industrial tribunals.

Mr. Forsyth: I have not seen the reasoning behind that. The Law Society says many things. The hon. Gentleman will have heard what I said about Lord Slynn of Hadley and the all-party sub-committee which agreed with the Government. That is a fairly authoritative source. I look forward with some enthusiasm to hearing the explanation by the hon. Member for Cynon Valley (Mrs. Clwyd) of the Opposition policy which Opposition Members must try to defend. I dare say that that is the strongest argument they can produce.

Sir Teddy Taylor (Southend, East): While I wish to convey my enthusiasm for the splendid sentiments expressed by my hon. Friend the Minister, will he make it clear that, if we followed the Law Society's recommendations and changed our law, we could change it back next year if it did not work? If we allowed the European people to alter our law, we could not change it. That is terribly important.

Mr. Forsyth: I think that I should be where my hon. Friend is, and that my hon. Friend should be here. [HON. MEMBERS: "Hear, hear."] He puts the argument clearly and precisely—I could not have put it better myself. I want the House and the country, if it is listening, to know what Opposition Members would hand over.

Let us get down to brass tacks. How would the proposal work? An employer would advertise for someone to fill a vacancy and a man and a woman would apply. On this occasion, the employer chooses the man because he is the best candidate. That ought to be the end of the matter. Not so under the directive. If the woman could show that she had the minimum qualifications necessary, her case would be made in the eyes of those who drafted the directive. Never mind the employer's judgment that she was not the better candidate. Simply by not being selected, she would establish a prima facie case under the directive and the entire burden of proving no discrimination would shift to the employer. Unless the employer could produce convincing evidence that the complainant was not discriminated against, she would win. That is amazing and totally unacceptable.

As if that was not reason enough to consign the measure to the dustbin, there are others to show how misguided is the Opposition's support. The directive would have an uneven impact across the European Union because it exempts procedures based on inquisitorial systems of justice that are common in most other member states—for example Belgium, France, Italy and Luxembourg. Other countries whose systems are a mixture of inquisitorial and adversarial—Netherlands, Ireland, Portugal and Greece—could also claim exemption. The directive would bear heavily on the United Kingdom's adversarial system. France, Italy, Greece and Spain have all secured their lifeboats while the Opposition are scuppering a British system that stands scrutiny alongside that of any member state.

The vagueness and ambiguity of the directive would introduce confusion into an important area of the law. I am too kind and honourable to give way to the hon. Member for Cynon Valley so that she could explain exactly how an industrial tribunal would apply article 4. Has she studied article 4? What does it mean? Does the hon. Lady know what it means? The plain fact is that the directive is confused and not needed.

Our record of providing employment opportunities is the best in the European Union.

Mr. Prescott: Oh!

Mr. Forsyth: The hon. Gentleman scoffs. Why does he not examine Britain's success? In Britain, more and more women are working. The number of women in employment here has risen 16 per cent. since Labour Members were last in office. That represents more than 1 million extra jobs for women under this Government. Opposition Members have nothing to teach us in that regard. There are now more women in paid employment in Britain than in any other European member state except Germany.

Mr. Eric Illsley (Barnsley, Central): The Minister suggests that the British system works and does not need change. Is he aware that the National Union of Mineworkers has been pursuing a claim for equal value for canteen workers for 16 years, but it has still not been resolved and has yet to go before the Court of Appeal? Surely the Minister does not believe that the system is foolproof.

Mr. Forsyth: I agree that there have been problems in pursuing claims, in terms of timing and so on. That is for the House to put right. My right hon. Friend the Secretary of State for Employment is addressing some of the proposals made by the Equal Opportunities Commission, but that has nothing to do with the directive. If there is a Division, I hope that the hon. Gentleman will join us in the Lobby. He should recognise that it is for the House to decide the systems that operate in this country and that his party would sign all that away and give up our veto—which the Government are maintaining. We will use to ensure a system that reflects the interests of the United Kingdom and employment opportunities here.

Since 1979, women's average weekly earnings have risen in cash terms 300 per cent. and in real terms 55 per cent. faster than those of men. That impressive record has been achieved because the Government steadfastly pursued the right policies, leading to a dynamic and flexible labour market, underpinned by an effective framework of law. Under this Government, the UK labour market is able to offer a wide range of opportunities, and women have taken advantage of them. The Government will continue to pursue those policies and to make more opportunities available. We will not accept damaging proposals such as the directive.

9.9 pm

Mrs. Ann Clwyd (Cynon Valley): I beg to move, To leave out from "men" to the end of the Question and to add instead thereof:

"refutes the assertion by the Government that the United Kingdom's arrangements for deciding complaints of sex

[Mrs. Ann Clwyd]

discrimination and equal pay are fair to both parties: supports the principle of reversing the burden of proof in this area; condemns the pressure, mostly from the UK Government resulting in the original draft Directive being diluted; is perturbed that the wider definition of indirect discrimination contained within the original draft has been removed and that Article 4 of the new draft introduces the concept of 'objective justification' into cases of direct sex discrimination; and calls for the redrafting of the Directive to reflect the proposals outlined in the original version."

I imagine that the Minister's bluster over the past 20 minutes has been more to do with his dislike of the European Union than of the directive. I recall that, when I last debated European legislation that promoted the rights of part-time workers, in Committee upstairs, the Minister was at pains to distance himself from his Christian Democratic colleagues in the European Parliament, describing them as too socialist for the liking of the "party opposite". I suspect that if we are looking for a stalking horse, we could do no better than promote the Minister's chances in the race ahead.

I cannot accept the Minister's bluster when we are discussing a directive that is of supreme importance and offers an opportunity to discuss the undervaluing of the contribution that women make to the economy and society. The deficiencies in the Sex Discrimination Act 1975 and the Equal Pay Act 1970 are all too obvious to the eye of any objective observer.

I cannot accept the Minister's crocodile tears over jobs. The Conservative party has just deprived 200 men in my constituency, who work in a highly profitable and productive industry, of jobs. The Conservatives did not shed any tears over making sure that those men lost their jobs. In fact, by pursuing a deceitful argument and programme, they eventually pushed them out of their jobs.

It is not up to the Minister to give the Labour party any lessons on the importance of employment to people in our constituencies, because we have seen the effects of the Government's policies in every single one of them. So please give us no lessons on the importance of jobs; we have seen the effects of long-term unemployment, not only on those who have lost their jobs, but on their families as well, and no jobs have come to areas that have lost thousands of jobs, for example, in the coal and the steel industries in the past 15 years.

Despite the Sex Discrimination Act and the Equal Pay Act, women continue to be undervalued and underpaid. They still face unnecessary barriers at work. They fail to gain equal treatment at work and are denied equal pay. Again, the Minister boasted about women and their pay. The figures show that pay differentials between men and women are greater in the United Kingdom than in any other European country. For manual workers in industry, female earnings represent just over two thirds of average male earnings. For non-manual workers in that sector, female earnings represent only 58.3 per cent. of average male earnings—lower than any in other country shown except Luxembourg. If the Minister wants to make any claims about pay, he should address himself to those tables, which are available in the Library if not to the Department of Employment.

Mr. Ian Bruce (South Dorset): I wonder whether the hon. Lady has looked at the statistics on men and women's pay, moving up towards and including 1970 when the Equal Pay Act was introduced. They show that women's pay was getting closer and closer to men's pay until the Equal Pay Act; then, for more than two decades, it went in the opposite direction.

Mrs. Clwyd: That is a very interesting argument indeed. I suggest that the hon. Gentleman looks at the table in the Library, which shows that, since this Government came into office, the gap between men's and women's pay has grown wider instead of closer. That is nothing to do with the Equal Pay Act; it is to do with the Government and their policies towards women.

The right to equal treatment is a fundamental right for all workers in the European Union. There is a legal duty on all member states to provide effective measures to ensure that those principles are applied. Yet, since 1979, the United Kingdom Government have paid only lip service to attempts to reduce discrimination.

Despite having a woman Prime Minister for 11 of the past 15 years—[HON. MEMBERS: "Hear, hear."]—only one woman was appointed to the Cabinet, and she was sacked after a year. I am interested in the support for the previous Prime Minister. If that support were available from the Conservative Benches for the present Prime Minister, he would not find himself in his present vulnerable position.

I must say one kind word about the present Prime Minister: he is a leader in one respect. He was the first person holding that office since 1964 to appoint an all-male Cabinet. As the Minister was happy to acknowledge, this Government have blocked European directives on part-time work and parental leave. Indeed, the Government find a reason to oppose any progressive European social legislation. They did that when I was a Member of the European Parliament. Of all the countries and parties represented on the Social Affairs and Employment Committee, the only party to block effective social legislation was the Conservative party.

The Government's latest act was to abolish wages councils which provided for the equalisation of pay rates for men and women. Nearly 2 million of Britain's lowest-paid women now have no effective remedy against unequal pay. The Trades Union Congress has made a formal complaint to the European Commission arguing that, by abolishing the wages councils, the United Kingdom Government are failing to comply with their legal obligations.

Mr. Michael Forsyth: Of course we have abolished wages councils. However, will the hon. Lady confirm that wages councils had nothing to do with equal pay? Until the passing of the Equal Pay Act 1970, was it not the case that, under a Labour Government, wages councils set different rates of pay for men and women?

Mrs. Clwyd: The disparities have grown since the wages councils were abolished.

The Minister did not welcome a recent House of Lords judgment which gave part-time workers the same rights as full-time workers with respect to unfair dismissal and redundancy payments. Instead, he said that he was still taking legal advice. He did not even bother to say that tonight. The Minister's comments tonight seemed to convey the fact that it was never the Government's intention to implement legislation that the other place has said that this House must implement.

Clearly, the Government have no intention of moving on the protection of part-time workers. That is another

example of the Government's reluctance to support working women when 88 per cent. of part-time workers are women.

I was very interested in the Minister's comments on the draft directive on the burden of proof. The draft directive was first published in 1988 and, predictably, it was opposed by the United Kingdom Government. It was revised and amended by the Belgian presidency in July 1993. If the Minister is unaware of the evidence given to the Committee in 1988, I suggest that he examines it. The Law Society, the TUC, the Equal Opportunities Commission and others gave very detailed evidence and they all supported the directive.

The purpose of the draft directive is to enable alleged victims of sex discrimination to pursue their claims more easily and more speedily in the courts. It is not clear from the memorandum submitted by the Department whether the United Kingdom Government agree that that purpose is important and desirable. From what the Minister has said tonight, it is highly unlikely that the Government believe that such a purpose is important.

Government opposition to the original draft directive in 1988 put them at odds, as was said earlier, with the Law Society and the Equal Opportunities Commission. Both those bodies believe that the reforms in the draft directive were sensible and practical and would eliminate areas of doubt from complex legislation. The proposals would ensure greater consistency in application of discrimination legislation in industrial tribunals and, where appropriate, the county court.

As noted in the supplementary explanatory memorandum, the United Kingdom opposes the shifting of burden of proof in principle, and it is the only member state to do that.

Not surprisingly, I cannot find anywhere in the Government's written evidence any statement about the importance of eliminating discrimination in employment. Indeed, quite the contrary, from what the Minister said tonight. There is no mention—and the Minister has not acknowledged it anywhere—of the undisputed fact that sex discrimination remains prevalent in employment and in many other areas of British life.

It is brazen impudence for the Government to argue that the law is fair and accessible when both the TUC and the Equal Opportunities Commission have complained about its operation. The EOC has also called for a major overhaul of sex discrimination and equal pay laws in this country. It seems that everyone apart from the Government acknowledges that the laws are complicated and obscure.

In the Minister's written evidence, the United Kingdom also opposes the draft directive on the grounds of subsidiarity. We know from other debates that we have had with the Minister that the Government use subsidiarity as an argument when they do not like some European measure; then they say that we should decide the matter at home. In the area under discussion, the Government want to argue subsidiarity on the one hand, but on the other hand they are not prepared to do anything about the issue.

Since 1981, the EOC has been pressing for legislation to bring United Kingdom law into line with that of the European Union. Each time the Government adopt a minimalist response, and that is their idea of subsidiarity. If anyone is to take the argument of subsidiarity seriously, surely there must be common minimum standards on which European Union member states can build. What women in Europe need are easier and speedier ways to win basic rights. The apparently technical draft directive is about making European equality law work in practice for women in all the member states.

The Government's motion argues that the draft directive would have a disproportionate effect on the United Kingdom. Yet as the EOC pointed out, broadly speaking, United Kingdom case law already provides for the shifting of the burden of proof. The directive therefore would for the most part establish that position.

Mr. Heald: In the most recent case, Camara, the employment appeals tribunal made it clear that the suggestion in earlier cases had been misunderstood and the burden of proof had not shifted. Does the hon. Lady disagree with that?

Mrs. Clwyd: I should be grateful if the hon. Gentleman read the rest of the judgment.

The main relevance of the directive to the United Kingdom would be its effect on sex discrimination proceedings. Everyone can quote cases and pick out lines, as we could from Enderby and others, which show that there are still some arguments on these points. It is to clarify the points that we are trying to persuade the Government to be progressive in their approach to the directive.

Ms Jean Corston (Bristol, East): Does my hon. Friend agree that study after study over the past 16 years has shown that women have failed to succeed at tribunals, partly because there is no legal aid? Also, it is impossible for women to prove discrimination if they have no access to records. That is also applied to race discrimination cases such as that of West Midlands Passenger Transport Executive *v.* Singh—as we are all citing cases. In that case, it was held by the Court of Appeal that—

Mr. Deputy Speaker: Order. There is no female precedent in that.

Mr. D. N. Campbell-Savours (Workington): They are all precedents.

Mr. Deputy Speaker: I am grateful for that remark from a sedentary position; at present, I am in the Chair.

Ms Corston: Time and again, it has been shown that women have failed to prove sex discrimination because they have no access to records. The only way in which that can be done is for the burden of proof to shift, and that is why it is so important for the directive to be enforced.

Mrs. Clwyd: I am grateful to my hon. Friend the Member for Bristol, East (Ms Corston). She is a most eminent lawyer who has much experience in the matter, and we are all grateful for that intervention.

Interestingly enough, the Government conceded that point in the explanatory memorandum of 12 July 1988 relating to the earlier drafts of the directive. They said that the directive proposed in sex discrimination cases that the burden of proof should be shifted from the complainant to the respondent, once a rebuttal presumption of discrimination had been established. They added that case law in the United Kingdom provided for the burden of proof to be shifted in that way already.

It is therefore nonsense to suggest now that the draft would disproportionately affect the United Kingdom. The Government surely are making a mountain out of a molehill. The Opposition have, of course, always been

[Mrs. Clwyd]

staunch supporters of the original draft. In particular, we supported the wider definition of indirect discrimination that it contained. Under current law, that is extremely difficult to prove, and the draft directive would make it easier for people to claim indirect discrimination, since it allows more general practices to be examined for discriminatory behaviour. That would have been a major advance in the fight for equal treatment in the workplace.

The original draft contained many other worthwhile proposals—far too many for the Government to countenance—but the Government's pressure to wreck a worthwhile European initiative eventually bore fruit. When the Belgian Government, who were seeking a compromise, brought the directive back to the table, it had been considerably watered down. That was mainly due to the efforts of the Government.

In addition, article 4 of the new draft was rewritten. It begins by stating that the respondent—that is, the employer—must prove that the principle of equality has not been violated. It goes on to say that member states may decide that the respondent complies with that point if he or she can prove that there are objective reasons not concerned with a person's sex which justify a difference in treatment.

That clause has apparently sprung from nowhere, and it may introduce so-called objective justification into cases of direct sex discrimination. An implication of that may be that employers will be able successfully to justify a refusal to take on a pregnant woman because of the costs of staff cover during maternity leave. That, according to the Equal Opportunities Commission, would be a major departure from the current position in United Kingdom law, and that is one of several reasons why it does not support the draft directive in its present form.

Labour's position is entirely clear. Unlike the Government, we support the principle of reversing the burden of proof. That has been established in practice in the United Kingdom, and we support the extension of the principle, and of laws to support it, throughout Europe. Along with our allies in the European Parliament, we have consistently supported the extension of best practice for working men and women throughout the Union.

Mr. Jenkin: May I draw the hon. Lady's attention to the letter in the Vote bundle on this issue from Lord Justice Slynn of Hadley—

Mr. Alex Carlile: Lord Slynn.

Mr. Jenkin: I beg your pardon. The letter refers to his belief that the measure would lead to

"more protracted litigation rather than a higher ratio of success for applicants seeking to prove unlawful discrimination".

Is the hon. Lady aware that Lord Slynn is hardly a Euro-sceptic? He has served extensively in employment appeal tribunals, judged extensively in sex equality cases and served in the European Court, both as Advocate-General and as a justice.

Mrs. Clwyd: I am grateful to the hon. Gentleman for giving me Lord Slynn's curriculum vitae. However, I prefer to take account of the view of the Equal Opportunities Commission's considerable and extensive experience of these matters. It has more experience than Lord Slynn, despite his extensive CV, which the hon. Gentleman read out. The hon. Gentleman is entitled to his opinion.

Mr. Alex Carlile: Does the hon. Lady think that it is perhaps worth making the point that the Government have rejected the opinion expressed by the distinguished lawyer and judge Lord Slynn and have given reasons for rejecting the directive which are different from those given by Lord Slynn in his letter?

Mrs. Clwyd: I am grateful to the hon. and learned Member. Perhaps he would explain the matter to the hon. Member for Colchester, North (Mr. Jenkin) as soon as he can.

Mr. Michael Forsyth: In the spirit of helping the hon. Lady, if we could leave Lord Slynn for the time being, may I ask her what she would say to the Court of Appeal, which has taken the view that changing the position on the burden of proof would not be helpful and is not necessary?

Mrs. Clwyd: I do not think that the Minister got the phraseology right. Would he like to phrase the question again?

Mr. Michael Forsyth: I was simply making the point that not only Lord Slynn but the Court of Appeal has said that reversing the burden of proof would be unnecessary and unhelpful. Is the hon. Lady saying that we should take the views of the Equal Opportunities Commission before those of the Court of Appeal?

Mrs. Clwyd: Obviously, there are many opinions on the matter. I am not saying that anyone has the complete answer. We do not support the directive as it is currently drafted. We ask the Government to go back and rewrite it. If the Minister had read our amendment—he clearly has not—he would have seen what we were asking him to do. We are not calling for support for the directive. We want to see it rewritten. We want to bring back many of the positive features of the original version. We also want to see article 4 redrafted so that there is no prospect of objectively justified direct sex discrimination creeping into United Kingdom law.

If the Government claim that they are committed to the elimination of sex discrimination and oppose the draft directive on principle, which is what I understand the Minister to argue, as well as for technical reasons, what other steps are they planning to take—*[Interruption.]* I am addressing the question directly to the Minister and I hope that he will respond to it when he replies.

What steps do the Government plan to take to speed up and increase the success rates in sex discrimination and employment cases? If the Minister rejects the directive and wants to see it buried, what does he propose to put in its place to improve the current position?

As we all know, the Government have fought tooth and nail against any extension of Community competence in equal opportunities legislation. I have not seen any evidence that the Government want to make it easier and quicker for applicants to win sex discrimination cases. In fact, the opposite is the case.

The original draft directive was a modest attempt to improve the status and position of women in society. In opposing the amended directive, the Government once again are showing their complete lack of concern about the growing gap between the position of men and women in our society. Whatever progressive social legislation is proposed by the European Union to eliminate inequality, the Government are guaranteed to fight it tooth and nail. In

the coming European elections, as in last week's local elections, the electorate will once again kick the Government where it hurts.

9.34 pm

Mr. Ian Bruce (South Dorset): I was not planning to speak until I saw this incredible amendment—[HON. MEMBERS: "What about your notes?"]. They are all blank; I am making it up as I go along. The Opposition tabled this incredible amendment—[*Laughter.*] Opposition Members may scoff but I am trying to address my remarks directly to the motion.

I was starting to warm to the hon. Member for Cynon Valley (Mrs. Clywd) during her final remarks because she rightly said that she wants something positive to happen to redress the balance between men's and women's earnings. I certainly agree. The question that we should ask is whether that balance can be redressed by legislation either in this House or in Europe. I contend that it cannot.

Before 1970—before we legislated—employers were starting to recognise that women were valuable members of the work force, and the differential between men's and women's earnings was becoming less. For one year after the Equal Pay Act 1970, the momentum carried that trend forward, but, in all but a couple of years since then, the differential has widened. Therefore, legislation has not been effective.

Hon. Members have mentioned the Law Society often enough this evening, saying that it wants us to legislate more. I am looking at the lawyers who are present in the House, because one finds that almost all those in lawyers' offices who are doing the really valuable work are women and they are on the lowest salaries paid in virtually any profession. All those legal secretaries who make all the money for the business and keep it going by doing the conveyancing get virtually no money.

Mr. Geoffrey Hoon (Ashfield): Will the hon. Gentleman give way?

Mr. Bruce: Very briefly. Obviously the hon. Gentleman is a lawyer and I have insulted his sensibilities.

Mr. Hoon: On a straightforward political point, if the hon. Gentleman's argument is correct, why did the Conservative Government not repeal the Equal Pay Act 1970 between 1970 and 1974? That Act was fully implemented in the Sex Discrimination Act 1975.

Mr. Bruce: If I had been in the House, I certainly would have urged the Government to do precisely that. Hon. Members should learn that, if legislation that was put in place more than 20 years ago has completely failed, we should kick against it instead of trying to tinker with it in the ridiculous fashion that this European directive requires.

When I earned an honest living, as they say, carrying out work studies, as a work study manager—I cannot even remember my job title now—I was a good job evaluation person. One thing that we had to do was to demonstrate why job evaluation was a useful tool in a workplace. We had to make it clear to people, however, that there never has been and never will be a situation in which one can say that a job of work has a particular financial value.

Job evaluation was set up to ensure that, within a workplace, differentials could be justified in terms of the types of jobs people had to do. Clearly, if it is impossible to give work a specific value, it is also impossible for anyone who does a job in a different company at a different rate of pay to prove that his or her work is equally valuable. When people take employers to the sex discrimination courts to try to prove that case, they find it impossible. They are trying to prove an impossibility.

There is no clear relationship between the value of what someone does and the amount that they are paid for it. I touched on the example of solicitors' offices. Hon. Members should consider where the money is earned and who does the conveyancing work, and the fact that the solicitors are paid a large amount of money because they have a particular qualification.

It is a value judgment to decide that someone who has had the privilege of going to college for six years and all the fun of student union rags and the rest of it should get extra reward for their work. Opposition Members may scoff at that, but I have an even better example to cite that is much closer to home. They should think twice about scoffing, especially when they read *Hansard* tomorrow, because my other example concerns the differential between the salaries of Opposition Members and their secretaries.

If one compares the work of Opposition Members with the productivity of every secretary in the House it becomes clear that there is absolutely no case for those hon. Members to earn more money than their secretaries and research assistants. They get all the perks and the money but, in terms of skill levels, qualifications and knowledge, their secretaries stand far higher: they do all the work, but they earn much less. Those Opposition Members would have the greatest difficult in proving that they are worth more money. They are paid more just because of custom and practice. There are also far more men than women doing their job.

Mr. Illsley: The hon. Member started by arguing that comparisons are invalid and that no comparisons can be made between the equal value of one type of work and another, but he is now seeking to make such a comparison between hon. Members and their secretaries. Which way does he want it?

Mr. Bruce: The hon. Gentleman has just made my point. I was simply saying that one cannot make such value judgments. The marketplace and those in power make the decision. One of the few occasions on which the House can be assured of a good turnout from Labour Back Benchers on a one-line Whip is when they are called upon to vote through a pay rise. They are very good at justifying that. That is the way of the world and that is reality.

I am not kicking against reality; I am telling legislators that they cannot simply tell the House or the European Parliament or the Commission that they want to reverse the laws of reality. There is no point in their deciding that there is a strict relationship between the amount of money that someone is paid and the value of his work. The directive is seeking to change the burden of proof, which means that the impossible, which cannot be proved, will be proved by the employer. The employer will be unable to do that and the case will therefore fail.

The Government are totally justified in rejecting this ridiculous directive. If the European Parliament fights against our Government and the sensible measures that they put forward after the European elections, we will rue the day on which anyone voted for socialist or Liberal Democrat candidates to serve in that place.

9.42 pm

Mr. Alex Carlile (Montgomery): It was interesting to see the cloak of sackcloth and ashes worn by the hon. Member for South Dorset (Mr. Bruce), as he talked about equal pay for equal value. The Register of Members' Interests reveals that he is the chairman of Ian Bruce Associates Ltd., parliamentary adviser to the Telecommunications Managers Association and parliamentary adviser to Trevor Gilbert and Associates, personal injury employment advisers, which is a division of Recruitment Network Ltd. The register also states that he has received a gift of satellite equipment, two fax machines from Southern Electricity plc and a mobile telephone from Talkland International, and that he has had the use of a Nissan Primera. [HON. MEMBERS: "Oh."] He also visited Elveden forest holiday village. And so it goes on.

What a disreputable performance we witnessed from the hon. Gentleman.

Mr. Ian Bruce *rose—*

Mr. Carlile: If the hon. Gentleman would like to confirm that he does not take his full parliamentary salary, for which some of us voted, I should be happy to give way. Does he take that money or not?

Mr. Bruce: The hon. and learned Gentleman has just proved the point, because although my staff work much harder than I do, I can command more in the marketplace for doing certain things. If the hon. and learned Gentleman thinks that that any of my staff should simply be able to go to the European Parliament or wherever and prove that he should be paid that money instead of me, that is ridiculous.

Mr. Carlile: I am afraid that the hon. Gentleman's brain works like a jigsaw puzzle with half the pieces missing.

There are some important and serious arguments to be made. As I listened to the Minister's speech, I was reminded of the memorable occasion in the House on which Mr. Alan Clark spoke about the same subject. In his diary, Mr. Clark is frank about that occasion. He says, in effect, that on that evening he was playing the part of Bacchus after earlier bibulousness; his speech then was at least as coherent as that of the hon. Gentleman playing the part of ignoramus here tonight.

For example, the Minister sought to rely on the right hon. and noble Lord Slynn of Hadley. I have read Lord Slynn's letter. I have an immense admiration, as I think have most lawyers in the House, for the intellectual ability of Lord Slynn and his experience in the European Union. If Lord Slynn had objected to the directive on the same basis as did the Minister tonight, the Minister might have some credibility; but he has chosen to rely on two entirely different points. One related to subsidiarity, and has been adequately discussed by the hon. Member for Cynon Valley (Mrs. Clwyd), and the other related to the basis of the labour market.

The hon. Gentleman was eventually tempted by the hon. Member for Hertfordshire, North (Mr. Heald) to remember the case in the Court of Appeal of Camara. I would remind him that his hon. Friend was a little bit selective—I am sure more selective than he would be in court—in citing from the case of Camara. In court, one has to tell the judge not only the good things but the adverse points when making one's submissions. I remind him especially of that part of the judgment in Barking and Dagenham London Borough Council *v.* Camara, in which it was said:

"Thereafter bearing in mind the burden of proof upon the applicant the Tribunal should apply their findings to each element necessary to establish the type of discrimination alleged, and finally decide whether the applicant has established direct or indirect discrimination or victimisation as the case may be."

If one analyses those words and the rest of the Court of Appeal's judgment in Camara, one realises that the Court of Appeal was doing its best to apply the same evidential standards without reversing the burden of proof in jurisprudential terms. If it were to reverse the burden of proof it would be overruled by the House of Lords, because that would be judicial law making, which is not permitted. By taking a very clever, intellectual approach, the Court of Appeal achieved almost exactly what is in the directive in any event.

It is plain that the Government do not understand what article 4 of the directive says. Indeed—I know that there is a great shortage of time tonight, so I shall make the argument as quickly as I can, but it is important—it seems clear that the Minister has never read article 4 of the directive, in its present or its previous form.

Paragraph 1 of former draft article 3 would have required persons who considered themselves wronged by failure to apply to them the principle of equality to establish before a court or other competent authority a presumption of discrimination. So immediately, before the burden of proof—if it be the right word—shifted, the complainant would have to establish that there had been discrimination. There is a clear burden of proof on the applicant.

Paragraph 2 of the same draft stated:

"A presumption of discrimination is established where a complainant shows a fact or a series of facts which would, if not rebutted, amount to direct or indirect discrimination."

Those words could not have a plainer meaning. I say to the Minister that they and the subsequent version made it crystal clear that the applicant under the directive has to establish something that would amount to direct or indirect discrimination unless it is rebutted. What is the difference between that and what the Minister claims to be the alternative, which the Government seek to present to the House as the answer to the directive?

The Government do not understand the directive. They seek simply to find yet another stick with which to beat the European Union. At the beginning of the debate when the Minister was making his opening remarks, it was plain that most of the Conservative Members who had come in to listen to him belonged to the Prime Minister's illegitimate tendency. There were so many of them that the Minister looked like the old woman who lived in a shoe.

It is time that the Government showed a little intellectual honesty in European matters and recognised that the directive represents a fair statement of what should be the law in this country and the fact that it is close to our existing law.

9.50 pm

Mr. Oliver Heald (Hertfordshire, North): I confess that when I heard the hon. and learned Member for Montgomery (Mr. Carlile) twitting my hon. Friend the Member for South Dorset (Mr. Bruce) about his interests, I chuckled because I thought of all the remunerated employment that the hon. and learned Gentleman must have as a silk. He must make a good few bob—

[Interruption.] I confess to being a lawyer. However, in addition to being a Queen's counsel, a recorder and a lay member of the General Medical Council, the hon. and learned Gentleman also has the loan of a word processor and software from Tandem computers, which is no doubt useful when considering briefs.

I was hoping to make three points in the debate. First, the burden of proof is an important principle. It is a right of the individual that should not be attacked except where it is essential in the interests of justice. The principle that he who asserts a right must prove it is vital. It is wrong for Opposition Members to say that, simply because it is difficult to prove a case in particular circumstances, we must change the whole basis of proof and how it is achieved.

The House of Lords Select Committee looked at the proposal and reached that conclusion. It said that, if we pursued that approach, more cases would be proved but at the risk of proving cases that should not be proved. It made the cogent point:

"a Directive which clearly did reverse the legal burden of proof would undoubtedly assist complaints in this area. The Committee do not, however, believe that such a change would be right in principle . . . It is not obvious that there is any unique justification for making a change as sweeping as reversing the basic rule on burden of proof in favour of victims of sex discrimination".

Once that barrier is breached, where does the matter end? A case that is difficult to prove can always be found, but, if the burden of proof were reversed in every such case, an extremely dangerous principle would be established.

Mr. Hoon: Does the hon. Gentleman see a difference between equal pay cases and product liability cases where the burden of proof is reversed?

Mr. Heald: Yes, I certainly see a distinction. We could have an interesting legal argument about that.

Mr. Hoon: What is it, then?

Mr. Heald: I have only a short time in which to speak. Given our years of debating law together, the hon. Gentleman will accept that we could discuss that area of law for many a happy hour.

Secondly, if there are objective reasons and one can point to, for example, a difference in pay, I accept that the burden should be reversed—and it is. But in a case where such direct evidence does not exist, the balance struck in the case of Chattopadhyay and later cases is right: that if one person has better qualifications than another but that person has not been appointed, an inference should be drawn. But the burden of proof should not be changed because it is an important protection for the individual.

In the Chattopadhyay case, the court made it clear that the inference should be drawn only in circumstances that were consistent with the treatment's being based on racial grounds. In later cases—in particular, the case of Barking and Dagenham London Borough Council *v.* Camara, of which we have already heard a good deal—the courts made it clear that

"the guidelines in earlier cases permitting inferences to be drawn in favour of an applicant were not to be taken to mean that the burden of proof itself shifted."

That principle was still clearly enshrined in the words read out by the hon. and learned Member for Montgomery: the burden of proof, which is important in English law, should not be interfered with in such a way. The fact that an inference can be drawn is a way of providing proof, but that is not the same as changing the burden of proof.

The Commission has not taken adequate account of the procedural safeguards in English law. There is a statutory questions procedure, whereby—if inferences are not to be drawn—an employer can be forced to answer a range of sweeping questions relating to the way in which he has dealt with the choice between two applicants. Documents can be required, and the employer can be forced to give them up if that can be justified. Those protections, together with the burden of proof, are important in protecting the interests of the employer, while also ensuring that the plaintiff has a reasonable chance of succeeding in a case of this sort.

I believe that the burden of proof should be protected. I think it right, in clear cases, to shift the burden as we do; but, given the protections that already exist in English law, I do not consider that we would be right to introduce the directive. Interestingly, the hon. Member for Cynon Valley (Mrs. Clwyd) criticised Conservative Members, saying that we argued for subsidiarity because it would allow us to decide at home what should happen. I believe that: I believe that we should fight hard for subsidiarity. It is right for us to decide many such issues at home. One reason is that, over a thousand years, we have developed one of the best legal systems in the world—and I do not want it to be bastardised by the European Community or anyone else.

9.57 pm

Mr. John Hutton (Barrow and Furness): Earlier, we were entertained—his speech was certainly entertaining—by the Minister of State. He made what most of us would describe as a rather raucous speech and a convincing case for being reshuffled into the Foreign Office, where he could display some of his more diplomatic skills in describing our European Union partners. At various points, he described this modest set of proposals as ridiculous and absurd, but anyone examining the details of the directive would reach a different conclusion.

Many of us were left with the impression that the Minister was not actually talking about the directive. He showed contempt for our European partners who, as my hon. Friend the Member for Ashfield (Mr. Hoon) said, support the proposals. His comments about competitiveness were complete gibberish. There is no suggestion that the directive will add any new legal obligations for employers. It is simply an attempt to clarify the emerging European jurisprudence on where the burden of proof lies in cases of discrimination.

The Government's rather flimsy compliance cost assessment, contained in the bundle of documents that they have provided, is also ludicrous. The measure will increase employers' obligations by a minute fraction. As the Government have effectively conceded, it is almost impossible to put a financial measure on any extra costs that British employers will face, and the attempt to do so strikes me as absurd.

The Government's objections to the draft directive have more to do with their current problems over Europe than with the issues raised by this modest set of proposals. The debate is all about their resistance to positive measures to improve the employment protection rights of British workers. That resistance will be shown to have been a mistake. The debate is also largely about appeasing the growing number of Eurosceptics on the Government Back Benches.

[Mr. John Hutton]

There has been some reference to case law tonight and to the burden of proof in discrimination cases, but no one has looked in great detail at the Enderby *v.* Frenchay health authority case. The European Court of Justice, which is the ultimate authority in such matters—not the Court of Appeal or the House of Lords, although the Minister may not like that—has already made the position transparent in respect of that case.

It being Ten o'clock, the debate stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business),

That, at this day's sitting, the Motion in the name of the Prime Minister relating to Equal Pay and Equal Treatment (Burden of Proof) may be proceeded with, though opposed, until any hour. —*[Mr. Conway.]*

Question agreed to.

Question again proposed.

Mr. Hutton: As I was saying, in the Enderby case the European Court made it transparently clear that under the provisions of article 119 and the supporting directives there has already been a shift in the burden of proof. Paragraph 18 of the European Court judgment, which was about a case involving equal pay, reads as follows:

"Workers would be unable to enforce the principle of equal pay before national courts if evidence of a prima facie case of discrimination did not shift to the employer the onus of showing that the pay differential is not in fact discriminatory".

The hon. Member for Hertfordshire, North (Mr. Heald) and others have tried to quote other authorities, but the European Court is the overriding authority, and I have quoted the governing principle that applies to cases in which the onus of proof is the subject of dispute.

The hon. and learned Member for Montgomery (Mr. Carlile) made a point that the Minister did not seem to understand—these are not cases that will land employers with impossible burdens. They will not have to fight cases with both hands tied behind their backs, because applicants will have to make out a prima facie case of discrimination before there can be any argument about the onus of proof moving to the respondent. The Minister cited the case of a man and a woman with equal qualifications, but the woman did not get the job. There, it would still be open to the employer to present the argument that the Minister predicted—that the woman was not appointed because she was not the right candidate for the job.

Mr. Heald *rose—*

Mr. Hutton: The hon. Gentleman has had his opportunity, and time is limited.

The argument about subsidiarity must also be exposed for what it is. The Government are using it to reject and defeat an idea to which they are fundamentally and ideologically opposed.

The Minister also tried to argue that there is no evidence to warrant the changes to the directive. In the research done in 1984 by Jennifer Corcoran and Elaine Donnelly, the problems in many European jurisdictions were clearly shown up. Many applicants face a problem trying to present their cases successfully to an industrial tribunal, and that problem is what the directive attempts to solve.

The Minister rather laboured the point that there is a fundamental objection in the British legal system to anything that reverses the onus of proof and places it on the respondent. As my hon. Friend the Member for Ashfield (Mr. Hoon) has said, we have already done that in a number of other sectors. The burden of proof in taxation law has been moved around. For the product liability directive in 1985, the Government accepted a change in the onus of proof—it was moved to the respondent. So that, too, is a bogus argument. There is no principled objection to the change. If there were, it would have emerged in earlier cases, when the Government did not object to a shift in the burden of proof.

It all comes down to the basic proposition that the Government oppose the draft directive because it would do something positive to advance the employment protection rights of British workers, especially workers who have faced sexual discrimination. The Government's arguments amount to superfluous waffle. They simply oppose the directive because, in its modest way—many of us would say, its limited way—it represents an attempt to improve the employment rights of British women.

I hope that the House will have the common sense and the good judgment to tell the Government that we have had enough of their Eurosclerosis and scepticism. A logical and reasonable case can be made in support of the directive. I hope that the House will take that view.

10.4 pm

Mr. Eric Illsley (Barnsley, Central): In the few remaining minutes of the debate, I want to elaborate on a point that I made earlier about an equal pay case that has dragged on for many years.

A number of women have been unable to plead their case successfully under the legal system, despite the fact that they have been aided by the National Union of Mineworkers, which provided funds so that the women could pursue their case and have legal representation.

As long ago as 1978, two canteen workers at Hem Heath colliery in Staffordshire applied successfully to an industrial tribunal for pay equal to a male working in a surface establishment. The NUM negotiated with British Coal in an attempt to ensure that that principle was applied throughout the industry. British Coal refused and said that each case would have to be proved and considered on its own. That led to a number of equal pay claims on behalf of women employees of British Coal, which unfortunately proved unsuccessful.

The NUM then pursued a case under equal value legislation. In 1983, it made some 1,500 claims to British Coal to secure equal pay for work of equal value on behalf of canteen workers. That claim was successful. An industrial tribunal found in favour of the canteen workers who were supported by the NUM. British Coal appealed, but the canteen ladies' case was upheld and British Coal's arguments were again rejected.

It is interesting to note the differential between the canteen workers' wages and comparable wages of male surface workers. It amounted to about 80 per cent. There was also a differential in concessionary fuel receipts, which were originally the basis of the claim. The preliminary hearing of the industrial tribunal found in favour of the canteen workers and the NUM was again successful at the employment appeals tribunal, yet, many years after the original claims in the early 1980s, British Coal wants to take the case to the Court of Appeal.

The union incurred considerable costs in pursuing those cases at the industrial tribunal and at the employment appeal tribunal. Despite the fact that British Coal has

already lost two cases, it is pursuing the case at the Court of Appeal, and if it loses that case, it threatens to take it to the House of Lords.

It is obvious that British Coal has lost the argument and that it opposes the case because, as a company, it has more resources available to it than the NUM. That is a result of a fault in the legislation. British Coal's deliberations and filibustering, for want of a better word, have resulted in the union spending much money on the case. The membership of the union has, sadly, declined because of Government policy and it now faces difficulties in pursuing the case to the Court of Appeal and then the House of Lords, despite the fact that it has been successful on two occasions.

Our legislation is not good enough and in the absence of Government legislation the directive is the only measure that is available. Perhaps we should consider it to make our legislation more effective. Where a proper and valid claim has been found successful by the employment appeals tribunal, there should be a measure to allow it to go forward.

10.9 pm

Mr. Michael Forsyth: This interesting debate has shown the differences between the Opposition and the Government on Europe. Were it not for the social chapter opt-out which my right hon. Friend the Prime Minister negotiated and which Opposition Members opposed, the House would not be discussing the measure at all because it would have been decided by other member states under qualified majority voting. The hon. Member for Ashfield (Mr. Hoon) nods with enthusiasm because, as the hon. Member for Cynon Valley (Mrs. Clwyd) confirmed in her speech, Opposition Members see Europe as a way of bringing in socialism by the back door and of achieving what they cannot achieve in the House because they cannot secure a mandate for it.

The hon. and learned Member for Montgomery (Mr. Carlile) was hoist by his own high technology. He accused me of not having read the directive but quoted from a version that has long since been superseded. It appears from a study of the Register of Members' Interests that the hon. and learned Gentleman has a computer. It is high time that he had a look at his database and revised his views.

The hon. Member for Cynon Valley said that the Equal Opportunities Commission was concerned about the impact of wages councils on women's pay. As I pointed out, she neglected to mention that wages councils used to set different rates of pay for men and women. There was no mention of that under a Labour Government. Why was it that we had no trouble in Europe and no trouble from the Equal Opportunities Commission on the role of the wages councils when the Labour Government abolished 11 of them?

The measure is unnecessary. As the hon. Member for Barrow and Furness (Mr. Hutton) said, every employer who refused to give a job to a woman with the same qualifications as a male applicant, even though the employer had chosen the man because he thought that he was the best person for the job, would be put in the dock and asked to prove that he had not discriminated against the woman. If that is what the Labour party wants to happen, I hope that people will know about it. *[Interruption.]* We do not want any interventions from the hon. Member for Kingston upon Hull, East (Mr. Prescott). We all know his view on positive discrimination from the shadow Cabinet elections. If his colleagues are to be believed it was not exactly progressive. We know all about his efforts to support his leadership on that matter.

We do not need the directive to decide matters. The House can put in place systems to deal with sex discrimination. The level at which our system has placed women in work is better than that which other member states have been able to achieve. Contrary to what the hon. Member for Cynon Valley said, under our system women's pay has grown and under this Government the pay differential with men has been reduced.

Mrs. Clwyd: That is not true.

Mr. Forsyth: It is true. Since 1979 the differential has been reduced by 4 per cent. and the hon. Lady should know that.

The most fundamental objection to the directive is that it is part of a package of measures that simply misses the point about the principles that are important in the Community. If we want to give women more opportunities and create more jobs we do not need more regulations that will add to the cost of employment and make it more difficult to employ people. Opposition Members would accept the social chapter and give away our veto, leaving our country less able to compete.

The hon. Member for Kingston upon Hull, East has been travelling throughout the country making a lot of noise and the Leader of the Opposition has been busily telling the country that Labour are committed to maintaining Britain's veto and would not get rid of it. Tonight, we have an example of a measure that Britain is vetoing. We are able to veto it because we opted out of the social chapter. If we were in it, we could not veto the directive. Opposition Members would have removed that veto.

Labour Members do not need the veto because they believe in a socialist agenda that would make it more difficult to create the jobs that are desperately needed throughout the Community. As my hon. Friends pointed out, it is no coincidence that half the inward investment in the Community comes to Britain. That is happening because we are able to reject the kind of nonsense that we have heard tonight.

It being one and a half hours after the commencement of proceedings on the motion, MADAM SPEAKER *put the Questions necessary to dispose of them, pursuant to the Order [29 April.]*

Question put, That the amendment be made:—

The House divided: Ayes 232, Noes 285.

Division No. 232] **[10.15 pm**

AYES

Abbott, Ms Diane	Banton, Joe
Ainger, Nick	Barmingham, Gerald
Ainsworth, Robert *(Cov'try NE)*	Barry, Roger
Allen, Graham	Betts, Clive
Anderson, Donald *(Swansea E)*	Blunkett, David
Anderson, Ms Janet *(Ros'dale)*	Boateng, Paul
Armstrong, Hilary	Boyes, Roland
Ashton, Joe	Bradley, Keith
Austin-Walker, John	Bray, Dr Jeremy
Banks, Tony *(Newham NW)*	Brown, Gordon *(Dunfermline E)*
Barnes, Harry	Brown, N. *(N'c'tle upon Tyne E)*
Barron, Kevin	Bruce, Malcolm *(Gordon)*
Battle, John	Byers, Stephen
Bayley, Hugh	Callaghan, Jim
Beckett, Rt Hon Margaret	Campbell, Mrs Anne *(C'bridge)*
Beith, Rt Hon A. J.	Campbell, Menzies *(Fife NE)*
Bennett, Andrew F.	Campbell, Ronnie *(Blyth V)*

Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Ms Jean
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Ilsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Bdgn)*
Khabra, Piara S.
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Speller, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Stevenson, George
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Warsing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Peter Kilfoyle and
Mr. Jon Owen Jones.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcl)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Eggar, Tim
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*

Gryffs, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Hasselhurst, Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Hendry, Charles
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Wavaney)*
Portillo, Rt Hon Michael
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Riffkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Soames, Nicholas
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephan, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and Mr. Derek Conway.

Amendment accordingly negatived.
Main Question put and agreed to.
Resolved,

That this House takes note of European Community Document No. 6703/88 and the Supplementary Explanatory Memorandum submitted by the Employment Department on 21st October 1993, relating to the burden of proof in the area of equal pay and equal treatment for women and men; endorses the Government's view that the draft Directive breaches the principle of subsidiarity and would have a disproportionate impact in the United Kingdom; shares the Government's view that the proposed Directive is wrong in principle and unnecessary for the proper determination of cases; agrees with the Government that the United Kingdom's arrangements for deciding complaints of sex discrimination and equal pay are fair to both parties, and take proper account of the problems of evidence and the need to reach fair decisions with due regard to the interests of both parties; and supports the Government's view that the draft Directive should not be adopted.

10.31 pm

Mr. Nigel Griffiths (Edinburgh, South): On a point of order, Mr. Deputy Speaker, of which I have given notice to the Minister for Energy and the hon. Member for Brentford and Isleworth (Mr. Deva), relating to a parliamentary question that I tabled on 3 May about a report published today, "Competition and choice in the gas market—a joint consultative document". A similar question was tabled by the hon. Member for Brentford and Isleworth three days later. The Minister answered that question today, held a press conference outside the House and notified me of his answer to the hon. Gentleman, despite the question that I had tabled previously. That is a gross discourtesy to the House.

The document, which is effectively a Green Paper and which has been the subject of parliamentary questions, should have been the subject of a statement in the House. It is an insult to more than 18 million gas users in this country.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): The hon. Gentleman may think that, but it is not a matter for the Chair, as he well knows.

Mr. Jacques Arnold (Gravesham): On a point of order, Mr. Deputy Speaker. I wonder whether you recall the occasion when a press release was put out by the hon. Member for Edinburgh, South (Mr. Griffiths) about a speech which he never made in the House of Commons—

Mr. Deputy Speaker: Order. That is not a point of order.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Deputy Speaker. Undoubtedly you will have heard earlier today that the Minister for Social Security and Disabled People misled the House on Friday when he said that he had no knowledge about parliamentary questions—

Mr. Deputy Speaker: Order. As I am sure the hon. Gentleman knows, Madam Speaker told the House that she will consider the matter.

Water Pollution (Worcester)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Lightbown.]*

10.33 pm

Mr. Peter Luff (Worcester): I am extremely grateful for the opportunity to raise a matter of great importance to the people of Worcestershire. I am grateful to my hon. Friend the Minister for the way in which he has approached the issue and for being here tonight to respond to this short debate.

On Friday 15 April, a serious water pollution incident occurred in my constituency, which also affected the water in the constituencies of my hon. Friends the Members for Worcestershire, South (Mr. Spicer) and for Leominster (Mr. Temple-Morris) and caused supply difficulties in Gloucestershire and as far away as Coventry. It was a major incident by any standards, but not a dangerous one, as eventually became clear by great good fortune.

My purpose tonight is to explain what happened, to ask about the questions that the various inquiries which have been established must address and to ask the Government to do three things urgently. When the reports of the inquiries are available, that will be the time to apportion blame, if any, and to ensure that the lessons of this incident are properly learned.

The issues which I will raise tonight, and have done repeatedly since the incident, should not mask my general admiration for the way in which all the bodies and agencies involved have responded, both to the events themselves and to the public debate since. They have been models of openness, which I have found encouraging.

I am also grateful to my hon. Friends whose constituents were affected for their invaluable assistance, and, perhaps unusually, to the two members of the Government Whips Office who experienced similar problems in the past—my hon. Friends the Members for Harrow, West (Mr. Hughes) and for Sheffield, Hallam (Mr. Patnick)—for their advice.

It is generally not my intention to point the finger of blame tonight. Some Opposition Members—I see the hon. Member for Edinburgh, South (Mr. Griffiths) in his place—have been quick to do so. I think they were wrong. Is it just a coincidence that their early-day motion singles out for criticism by name two public servants from the Government-controlled district health authority—two individuals of great personal integrity and professional skill—but does not mention the involvement of a Labour-controlled city council or a Liberal and Labour-controlled county council in the same emergency incident team?

Opposition Members have named names in an irresponsible way, and have risked politicising an important issue. Finding the right responses to the issue will be more difficult in a party political climate. Their attitude contrasts with the highly responsible attitude of the three local authorities in my constituency, each of a different political composition, towards the incident.

Let us turn to the events themselves. Customer complaints began it all at about 8 am on Friday 15 April. They were related to water from the Barbourne treatment works in the centre of Worcester. The reports were of a strong paraffin-type smell and taste to the water coming out of their taps.

The works was shut down within 80 minutes—by any standards, a fast response. The decision to issue the formal warning not to drink water, though, was only made around midday on Friday. Information was provided on local radio, from a police helicopter, loudspeaker vans and letter drops. Bowsers containing emergency supplies began to arrive quickly.

An estimated 126,000 people were affected by the incident, plus thousands of others who were asked to save water as far away as Coventry. Indeed, water was actually cut off in many homes in the midlands.

South Staffordshire Water, upstream of Worcester, suffered a polluted reservoir, but by a miracle that company was not abstracting water for immediate consumption from the River Severn at the time, or the scale of the emergency would have been far greater, as much of the Black Country could have been directly affected.

The source of the pollution was tracked around 1 am on Saturday by the National Rivers Authority, to an industrial plant at Wem in Shropshire. The water was declared safe by 5 pm on Saturday, but the problems of taste, particularly in the more remote areas, continued well after that.

We must learn the lessons, not just for Worcestershire, but for everywhere where water is abstracted from rivers. There is no room for complacency. The worst did not happen, but tens of thousands of people were inconvenienced and alarmed—particularly the elderly, the disabled and those expecting babies, who are naturally very concerned about any possible long-term effects. We owe it to all these people to provide the maximum level of reassurance that those events will not happen again and that there is no long-term health hazard resulting from the pollution.

What, then, are the crucial questions to which public answers—and I stress public—must be given? I will start upstream, at the source of the pollution itself.

The source of the pollution was Vitalscheme Limited, a recycler of industrial solvents, licensed by Shropshire county council waste regulatory authority. It was only licensed on 28 February 1994. Within six weeks, its activities had gone wrong, and pollutants were being discharged.

Mr. James Pawsey (Rugby and Kenilworth): Is my hon. Friend aware that Severn Trent is taking criminal proceedings against Vitalscheme Ltd for the way in which substances have been introduced into Severn Trent sewers? Does he agree that there is now a powerful argument for companies such as Severn Trent to have a much greater input into the licensing of waste companies?

Mr. Luff: My hon. Friend makes a valuable point. I am delighted that Severn Trent has decided to take proceedings against the firm in question, but that limits what we can say tonight on the subject, as the proceedings are sub judice.

Something went wrong, and material was discharged into the river without authorisation, which led to the problems in my constituency. There have been press reports about the nature of the firm which it would be improper to go into in detail tonight. Of course, the company is the subject of those proceedings.

If those reports are accurate, questions have to be asked about the licensing regime, whether there was negligence, and whether access to the right information or whatever would have made it easier for Shropshire county council to

deal with the matter. The system itself may be at fault. I understand that changes under an Act of Parliament introduced on 1 May may have dealt with the deficiency in the system which led to the problem. I am sure that my hon. Friend the Minister will want to deal with those points.

I am sure that my hon. Friend will agree that recycling is a hazardous and skilled business, and that there is room only for the best possible operators in the trade. On the face of it, on this occasion something went badly wrong. To my mind, the answers to those questions are the most important answers to be gleaned. Only by getting the issue right can we be sure that similar pollution incidents will be avoided in the future.

The polluted water passed through the Severn Trent sewerage works, apparently for several days. Unwittingly, Severn Trent became the polluter of the Severn. It must have been for several days, because the polluted water had to travel 70 miles to Worcester before it was detected. I know that sewage works are smelly places, but the National Rivers Authority will have to examine that issue carefully in its investigation.

Talking of the National Rivers Authority leads me to the question of the river itself. How could the National Rivers Authority fail to spot pollution that must have been there for several days? As I say, there are 70 miles of river between Wem and Worcester. Perhaps more seriously, why was the NRA not part of the emergency incident team formed to deal with incident? Did its exclusion from the team delay the analysis and finding of solutions?

What of the Barbourne water treatment works in my constituency? The works is old, and is scheduled for replacement by enlarged works at Strensham at the end of 1995. They have served Worcester well, and the procedures there are thorough, but the fact remains that the noses of my constituents—the customers of Severn Trent—proved better at detecting the pollution than the formal monitoring that was in place there. How could this be?

I have read accounts of a similar incident in Philadelphia in the United States of America, involving the same chemical, which clearly illustrates the difficulties and properties of the particular pollutant involved. It is strange that my constituents' tastebuds were better than all the procedures in place at that treatment works. The puzzle must be satisfactorily resolved. Whatever the answer, I believe that only the superior filtration systems available at more modern plants can provide complete reassurance that the events will not be repeated.

What of Severn Trent's response to consumer complaints? Within 80 minutes of the first calls, the plant was shut. But it subsequently took three and a half hours to issue the warning not to drink the water. We have to ask whether that is genuinely the best that could have been achieved. If a major toxin had been to blame, that delay could have been fatal.

The water smelt strongly of paraffin, yet could not be analysed quickly. Why? Indeed, it took 14 days to work out the identity of the last pollutant—the smelly one. This question was asked in the Philadelphia experience, too, where the analysis took 20 days, but our inquiries must look into the apparent delay. Are the analytical facilities available for such incidents good enough? Do we need to provide more resources to the NRA and make it the central facility for events of this kind?

On the question of the health effects of the pollution, it is important to quote at some length from a report prepared for me by the department of public health medicine of the Worcester and District health authority. It confirms a conversation that I had with Professor Rod Griffiths of the regional health authority, himself an expert in this area. The report says:

"By Saturday afternoon 16th April we knew that Severn Trent had looked for but not found any of the major groups of toxic chemicals including polyaromatic hydrocarbons and pesticides. In addition, "Trihalomethanes" (formed when chlorine reacts with any organic material present in water after treatment and used as an indicator of the possible presence of toxic organic chemicals) were reported to be normal. We also knew that whatever chemicals were present were at concentrations of one part per billion or less. 2-ethyl 4-methyl 1,3-dioxolane had been positively identified at maximum concentrations of 0.02 parts per billion in tap water and was known to be volatile and smelly. The other chemical identified, in maximum concentrations of less than 1 part per billion, was reported to be an amine compound.

Advice was received through Professor Rod Griffiths on the basis of this information from the National Poisons Information Service (Birmingham) and the Health Advisory Group on Chemical Contamination Incidents (HAGCCI) that under these circumstances the chemicals did not pose a hazard to human health and that no other known chemicals as yet unidentified which could also be contaminating the water in trace amounts would be toxic at these concentrations.

The decision, taken jointly by a representative of the Chief Medical Officer at the Department of Health, the Advisors at the Regional Health Authority and by the Emergency Incident Teams in Worcester and Gloucester, was that there was no significant risk to health from drinking contaminated water and this advice was issued to the public."

I agree that questions need to be asked about where the samples that were analysed were taken and when. I accept that the conclusions arrived at by so many experts at the time must now be independently validated. On the basis of the evidence available to me, however, I am confident that the advice to the public was prudently and thoughtfully given, and that no blame attaches to any member of the emergency incident team for giving such advice. That evidence clearly contradicts the claims of the early-day motion to which I referred earlier.

What about the effectiveness and timeliness of warnings? I was living in Worcester, but I did not hear about the incident until about 2 pm on Friday, and then essentially by chance. No letters were received in my road until about 7 pm. The delay in giving the warning not to drink the water is an issue, but how could we have achieved something approaching 100 per cent. awareness among the population more rapidly, once that decision was taken?

There was considerable confusion of message. For example, acting on the same advice from Severn Trent on Saturday morning the two local radio stations offered different advice on the simple question of whether one could brush one's teeth. The letter that came through our door at home at 7 pm contrasted sharply with the reassuring tone of a Severn Trent spokesman on the television news a little earlier.

There was also confusion about the areas affected, although Severn Trent denies that. The lists issued of places affected were confusing, and the names offered seemed to change from list to list.

I appreciate the difficulties caused by the particular circumstances of the event. For example, the need for water conservation in other areas made the message more complicated. I do not believe that that aspect of the crisis was satisfactorily handled, however.

As for the provision of safe water, I have particular concerns about the experience of the rural areas. Perhaps those areas could also have done with better warnings.

[Mr. Luff]

Perhaps the parish council network could have been better used. Could more loudspeaker vans have been deployed in rural areas?

Bowsers were provided quickly in Worcester, but in many rural areas in the vale of Evesham it simply took too long. Some bowsers in Worcester city were vandalised and even stolen, which may also raise questions about the design of the bowsers for future incidents.

I am delighted by Severn Trent's response to demands for compensation. We all now have our cheques for £25. That is a generous and prompt response for domestic consumers, but what about businesses? There may be no strict liability on Severn Trent, but many restaurants and hotels in my constituency experienced very real losses.

What inquiries are being conducted? There are at least five: by Severn Trent, the drinking water inspectorate, the National Rivers Authority, the Worcester and District health authority and the West Midlands regional health authority.

I expect that Shropshire county council, Ofwat, the Health and Safety Executive, Her Majesty's inspectorate of pollution, the Ministry of Agriculture, Fisheries and Food, the Department of Health and others are also taking a very close look at the issues raised by the events.

There is a desperate need for co-ordination. Will all the right questions be asked? Will there be wasteful and confusing overlap? Perhaps a full public inquiry is the only way to deal with those concerns properly. I will be listening to the Minister with particular care on that point.

The fundamental question revolves around the filtration system. The system used at the current Strensham plant would have prevented pollutants reaching the water supply. We must bring forward commissioning of the enlarged plant and the associated water main to Worcester and closure of the Barbourne treatment works.

It is only Severn Trent's massive investment programme—already well under way before the incident—that makes that possible. Worcester city and Wychavon district councils and the district health authority are all clear that that is the single most effective way to restore the confidence of the people of Worcestershire in their water supply. It is also the only way to ensure that the incident cannot be repeated.

I have read accounts of four similar incidents in the United Kingdom and the United States of America. The experience of this latest incident shows that many lessons have clearly been learnt. We have separated the provider of water from the regulator—a direct result of privatisation. We have recognised the need to speed up public notification, which has been dramatically improved, despite my lingering concerns.

The media have become more prepared to play their part—I particularly congratulate my two local radio stations, BBC Hereford and Worcester and Radio Wyvern on their excellent service during the weekend in question. The water company has been much more open than other companies were in the past. Finally, the necessary investment in water is being made.

What do the Government need to do? First, they must do all in their power to stop similar pollution ever occurring again. If history does repeat itself, they must do all that they can to ensure that all drinking water would still be safe to drink. That means two things. The top priority must be a thorough review of the licensing regime for industrial processes, as my hon. Friend the Member for Rugby and Kenilworth (Mr.Pawsey) suggested. That regime enabled Vitalscheme Ltd. to pollute so much water only six weeks after getting its licence.

It is particularly important to establish whether the test of an individual being "fit and proper" is properly defined in legislation and in guidance from the Department of the Environment. It is also essential that the maximum pressure is put on Severn Trent to bring forward commissioning of the expanded Strensham works and the water main to Worcester.

Secondly, as I have already said, we must ensure that each and every lesson from this incident is learned. I am encouraged by the openness and determination of Ministers and all the agencies involved, but can we not co-ordinate their work more effectively? Failure to draw the right conclusions because of confusion between the inquiries would be unforgivable, and could have serious implications for any similar future incident.

I am not one of those who believe that all risk can be eradicated from human life simply by spending enough money—generally, enough of someone else's money, that is. Risk is an integral part of the human condition. On the basis of what I know so far, however, I am clear that my constituents have been exposed to very serious and genuinely avoidable risk. That is why I urge my hon. Friend the Minister to be conscientious and diligent in pursuing this matter. Such events must not be allowed to happen again.

10.50 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): I commend my hon. Friend the Member for Worcester(Mr. Luff) on bringing this matter before the House and on the way in which he reacted throughout to an incident that caused understandable concern to many of his constituents. I also commend the thoughtful way in which my parliamentary colleagues, my hon. Friends the Members for Staffordshire, South-East (Mr. Lightbown) for Mid-Worcestershire (Mr. Forth), for Rugby and Kenilworth (Mr. Pawsey) and for Wyre Forest (Mr. Coombs), who are present tonight, approached the matter throughout.

My hon. Friend the Member for Worcester has raised a number of issues, and I hope that I can cover most of them fully in the time available. If not, I shall write to my hon. Friend and to other hon. Members present who are concerned about the issue.

On behalf of my right hon. Friend the Secretary of State for the Environment, the drinking water inspectorate and the National Rivers Authority are carrying out investigations into this incident. I understand also that the Worcester and District health authority is also carrying out investigations. They are all, of course, liaising with each other. I appreciate that there may be concerns that a number of investigations are involved, but as I am sure will be appreciated, these are separate bodies looking at different aspects of the incident. As my hon. Friend has said, I am sure that they will want to try to achieve the maximum possible co-ordination of their work.

Both the Secretary of State and the NRA are now considering whether prosecutions should be brought against some of those involved in the contamination of the river or in supplying contaminated drinking water. The

House will understand that I can say nothing that could prejudice either those decisions or any subsequent court proceedings. Furthermore, as my hon. Friend the Member for Rugby and Kenilworth made clear, Severn Trent Water has announced that it is to commence criminal proceedings against Vitalscheme Ltd. and its director. I will, however, try to respond as fully as I can to the questions raised by my hon. Friend the Member for Worcester.

I think that there is little disagreement as to the sequence of events. My hon. Friend has mentioned many of the facts, so I will not take up the House's time by repeating what he said. It may be helpful if, for completeness, I made the following points.

Severn Trent Water reported the incident to the drinking water inspectorate at 10.30 am on Friday, 15 April. The inspectorate monitored developments closely throughout that day and over the weekend. On Monday 18 April, the inspectorate sent two inspectors to the affected area to begin a thorough investigation.

On the afternoon of 15 April, Severn Trent detected odour in water being taken from the River Severn, and additionally shut down its Strensham water treatment works and Mythe waterworks. Mythe water treatment works supplies consumers in the Gloucester area, and Strensham supplies consumers in the Coventry area. Supplies were maintained to those areas from other sources, although appeals were made to conserve water.

At just after midnight on Saturday 16 April, the NRA had traced the source of the substance causing the contamination first to a sewage treatment plant operated by Severn Trent Water at Wem some 135 km above Barbourne. It is thought that the substance came to the sewage treatment plant from a waste disposal company in Wem called Vitalscheme Ltd., connected by sewer to the sewage treatment plant.

The NRA took formal samples from the Wem sewage treatment works and from Vitalscheme Ltd., the company on the Wem industrial park from where the discharge into the sewerage system was believed to have come. The circumstances in which the substance reached the sewer and went into the river from the sewage treatment plant are among those matters which may, I suspect, come before the courts.

By the morning of 16 April, knowledge of the character and concentration of the contaminants enabled a decision to be taken to re-start the Mythe works. Customers in Gloucester were advised to boil water before drinking it to minimise taste problems. The Strensham works was brought back into use on Monday 18 April, and supplies substantially restored to normal by Monday 25 April.

As I have said, it is thought that the source of the contamination was Vitalscheme Ltd., a waste disposal company in Wem. Vitalscheme was granted a waste disposal licence under Part II of the Control of Pollution Act 1974 by Shropshire county council. That Act, and regulations made under it, prescribe the procedures to be followed in granting such licences. The aim of these procedures is to ensure the prevention of pollution of water or damage to human health. An authority may attach what conditions it thinks fit to the licence to secure that.

The licence granted to the company was for a waste transfer station and related only to the handling and storage of water solvent mixtures. It did not and does not relate to the disposal of waste to the sewer or elsewhere. Approval of disposal to the sewer would largely be a matter for that part of Severn Trent Water that deals with the sewerage system.

It is the duty of the water supply companies in England to supply water that is fit to drink. They must also meet the requirements of the water quality regulations relating to drinking water quality, and other matters, such as sampling frequencies and methods of analysis. They are also required by law to report to the drinking water inspectorate incidents where drinking water quality is affected or which, among other things, could give rise to public alarm. Water companies must also have in place arrangements to deal with incidents.

Water companies in England and Wales are not left to their own devices in those matters. The drinking water inspectorate inspects the companies to ensure that they meet their legal obligations on drinking water quality. It publishes an annual report on its findings. The inspectorate also investigates incidents where drinking water quality is affected or threatened.

The inspectorate is inquiring into the effects of that incident on drinking water quality and is considering all aspects of the actions that Severn Trent Water took to deal with it, including advice given to consumers and matters relating to sampling and analysis. The inspectorate will also advise my right hon. Friend the Secretary of State for the Environment on whether Severn Trent Water should be prosecuted for supplying water unfit for human consumption. The inspectorate's report will be published, although that may be delayed if a prosecution is pursued.

My hon. Friend asked about treatment at the waterworks and why the substances were not removed by it. At this stage, I am reluctant to go into detail about that. That is one of the matters that are, rightly, under investigation by the drinking water inspectorate. It is studying the adequacy of the facilities and treatment processes at the works affected.

Identifying unknown chemicals present in minute quantities in water is complicated and perforce time-consuming, especially when one has no precise idea what chemicals one is seeking. It involves matching "signatures" with those known and recorded in existing databanks. There are perhaps more than 100,000 such chemicals. The drinking water inspectorate is checking the validity and performance of the methods used during the incident.

My hon. Friend has expressed concern about the time it took to notify consumers of problems with their drinking water. The works at Barbourne was closed at 9.40 am on Friday 15 April, and local media releases were made at 12.25 pm. It takes time to mobilise the authorities and media to contact the large number of consumers involved.

It is of course important that any information given out is accurate and not alarmist. Here again, the drinking water inspectorate is investigating the speed of response of all people involved—of course, if my hon. Friend or any of those people involved have suggestions about the way in which the problem can be further improved, I should be very interested to consider such ideas.

It is important to recognise that, if a water system becomes unpressurised, there is some risk of the water becoming contaminated from the ground. This is a major consideration when considering whether or not to resume piped supplies.

The NRA has an important role in safeguarding river quality, but it is important to appreciate the extent of its

[Mr. Tony Baldry]

responsibilities in fulfilling this role. Anyone who proposes to discharge trade or sewage effluent into a watercourse—including, but by no means restricted to, rivers—needs a consent to do so. If a discharge does not have a consent, or does not comply with the consent, then quite simply, a criminal offence is committed and the discharger is liable to prosecution and if convicted punishment.

Considering applications for discharge consents, and setting and enforcing consent standards appropriate to protecting river quality, is one of the NRA's main functions. However, the NRA as a regulator is not responsible for discharges made by third parties into rivers, whether authorised or not. It is the discharger's responsibility to ensure that his effluent meets the terms of the consent. The NRA carries out regular monitoring of significant discharges to ensure that that is the case, but it is not feasible for the NRA to require or carry out continuous monitoring of every discharge from every source.

Inevitably, the NRA depends to a significant extent on dischargers, water users and members of the public to report incidents where it is suspected that water quality may have been affected by pollution. Such reports are carefully investigated without delay by "on-the-spot" pollution control officers. They then take whatever action is practicable to keep polluting matter from the river, keep it from spreading downstream, or neutralise its effects.

The NRA collects evidence with a view to possible prosecution of the polluter, as its policy is to prosecute in all serious cases. Moreover, the NRA also has the power to recover from the polluter the costs of responding to an incident.

I understand that, once the NRA received reports from Severn Trent Water of possible problems at the Barbourne abstraction, an urgent investigation was mounted into the possible source. The NRA faced the difficulty that there was no on-site visual, chemical or biological evidence of pollution in the river, but merely a slight and barely detectable smell. Portable instruments were simply not capable of detecting the pollution.

As such, working back up the river to locate the source was not a quick or easy task. Those concerned had to monitor and sample approximately 135 km of the River Severn and its tributaries, together with discharge points and other areas of potential risk, before identifying Severn Trent Water's sewage treatment works at Wem, Shropshire, as the source.

The NRA's further response to the incident included, in liaison with Severn Trent Water, releases of water from two river regulation reservoirs in Wales to help dilute the already low concentrations of pollutant in the river and wash them downstream.

The NRA is carrying out an internal inquiry to assess the effectiveness of its response and see whether useful lessons might be learned. The inquiry is being carried out by Grainger Davies, regional general manager of the NRA's Anglian region. He has been asked to report as soon as possible. The NRA's findings will be made publicly available when the investigations are complete, although care may have to be taken to do nothing that might prejudice any prosecutions in respect of the incident, in which case the report would be made public immediately after the conclusion of any such prosecution.

Severn Trent Water has commissioned its own review, which will be under the chairmanship of Professor Kenneth Ives, emeritus professor at the department of civil and environmental engineering at University college, London. Professor Ives has added two other experts to his team: Dr. Ronald Packham, a specialist in drinking water; and Professor Desmond Hammerton, director of the Clyde river purification board.

Clearly, all the organisations concerned are taking the incident seriously. I shall write to my hon. Friend the Member for Worcester about the follow-up which the health authorities are taking. Suffice it to say that the Worcester and District health authority has sent questionnaires to people who are worried that the water may have made them ill and who contacted the helpline. I hope that those who receive a questionnaire will return it. Longer-term studies are planned by the West Midlands regional health authority, because it is determined that there should be the fullest investigation of possible longer-term health implications.

It is clear from the action that has been taken and is being taken that we take seriously any incident that affects the safety of drinking water, and that the most rigorous investigations are being carried out into all aspects of this incident—

The motion having been made after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at three minutes past Eleven o'clock.

House of Commons

Tuesday 10 May 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

CHURCH OF SCOTLAND (PROPERTIES AND INVESTMENTS) ORDER CONFIRMATION BILL *Considered; to be read the Third time.*

Oral Answers to Questions

DEFENCE

Former Yugoslavia

1. **Mr. Kynoch:** To ask the Secretary of State for Defence when he next expects to meet General Rose to discuss the progress of the humanitarian relief operation.

The Secretary of State for Defence (Mr. Malcolm Rifkind): Progress of the humanitarian relief operation in the former Yugoslavia is a matter for the United Nations and the humanitarian aid agencies working in theatre. British troops in Bosnia continue to assist with the escorting of humanitarian aid convoys and the exchange of detainees and displaced persons.

Mr. Kynoch: Will my right hon. and learned Friend join me in recognising the superb contribution made by British troops in the delivery of humanitarian aid? Will he especially recognise the effort put in by the Gordon Highlanders, who are celebrating their 200th anniversary this year and were used as a top-up last year? This year they are due to merge with the Queen's Own Highlanders. Even at this late stage, in the light of their proud history and continuing commitments, will the Secretary of State reconsider the need for that merger?

Mr. Rifkind: I give unstinting praise to the work of the Gordon Highlanders and, indeed, all British forces in Bosnia who have represented their country and our armed forces in such an exemplary fashion. I recognise the sadness for any regiment facing amalgamation, but I emphasise that all the finest traditions of the Gordon and Queen's Own Highlanders will be fully sustained in the formation of the new Highland regiment—a regiment of which the people of the north-east of Scotland will have every reason to be proud.

Dr. David Clark: Notwithstanding the fact that General Rose is an officer of the United Nations Protection Force, will the Secretary of State make it his business to seek him out and make it clear to him that he has the full support of this House? Will he congratulate him on all his imaginative efforts in bringing about peace in parts of Bosnia and reassure him that he has the full support of the House in trying to extend that peace? Finally, and perhaps most important, will he indicate to General Rose the numbers of British troops to be made available to him when the peace accord is finally brokered?

Mr. Rifkind: The UNPROFOR commander is well aware of the very high regard in which he is held in this House and throughout the world for the way in which he has carried out his responsibilities. The hon. Gentleman will recognise that the United Kingdom is one of the foremost countries in the world with regard to the provision of military support to the United Nations in Bosnia. Clearly it is important that no responsibilities are put on UNPROFOR which are incompatible and inconsistent with the forces available to it. We hope that all countries will show the same responsibility that this country has shown in supporting the United Nations in its difficult task.

Contractorisation

2. **Dr. Goodson-Wickes:** To ask the Secretary of State for Defence what assessment he has made of the effect of contractorisation on military career structures.

The Minister of State for Defence Procurement (Mr. Jonathan Aitken): Military career structures are reviewed regularly, taking into account all factors including my Department's contractorisation and market-testing programme.

Dr. Goodson-Wickes: Does my hon. Friend agree that the opportunity for people from varied backgrounds to achieve qualifications that would not otherwise be open to them is one of the admirable things that our armed forces offer? I am thinking especially of Welbeck college and Shrivenham. Will my hon. Friend therefore assure the House that in the review of contractorisation he will bear in mind the effect on career structures, especially on the technical side, to ensure that they are not prejudiced, which would disadvantage the operation of our troops generally?

Mr. Aitken: I am grateful to my hon. Friend for his thoughtful comments. It is important that the armed services retain skilled technical personnel and I am sure that they will do so, whatever the outcome of the "Front Line First" studies. As for recruiting and future career structures, there is no sign that recruiting is in any sense becoming disappointing. All three services are succeeding in recruiting more than 90 per cent. of their manpower targets—a figure which we regard as satisfactory.

Mr. Lewis: Is the Minister aware that contractorisation goes beyond movement in career structure and also affects the quality of life of service people? The fewer service people there are on a base, the more guard duties they have to do. In addition, the whole ethos of the military establishment has been eroded by contractorisation. The Minister can visit Army camps and RAF stations and find young men with earrings and pigtails. That is not the service I know and recognise. Contractorisation has gone too far with too little thought.

Mr. Aitken: I agree that ethos is important in service life and there is no question of its being destroyed by "Front Line First" or any other study. We have a duty, however, to make sure that the armed services get the best possible equipment and support services and that maximum value for money is achieved. That is what our

studies are all about and they are progressing satisfactorily without doing the damage that the hon. Gentleman suggests.

Mr. David Shaw: If my hon. Friend is considering the benefits of contractorisation in relation to the military bands, will he bear in mind that there is a substantial petition under way to keep the Royal Marines school of music at Deal?

Mr. Aitken: As my constituency is immediately adjacent to that of my hon. Friend, and as I live only two miles from Deal, I can assure him that I have not missed the very trenchant signals that he and the many supporters of the Royal Marines school of music at Deal are sending. They will, of course, be considered by Ministers before any decisions are reached.

Departmental Housing

3. **Mrs. Jane Kennedy:** To ask the Secretary of State for Defence what plans he has to transfer his Department's surplus housing to ensure that it can be used for low-cost rented accommodation.

The Minister of State for the Armed Forces (Mr. Jeremy Hanley): Wherever possible, surplus married quarters are offered for sale to housing associations. In some circumstances, properties may be offered on lease to local authorities or housing associations for use as rented accommodation.

Mrs. Kennedy: Does the Minister accept that a number of his ministerial colleagues have admitted that neither housing associations nor local authorities can afford to purchase MOD surplus housing stock? Will he therefore take a positive step to assist local authorities by supporting the Labour party's demand that local authorities be allowed to keep 100 per cent. of receipts from the sale of council housing instead of the miserly 25 per cent. allowed by the Government?

Mr. Hanley: I would rather stick to my own departmental responsibilities and explain that there are some 70,000 married quarters in the defence estate. Fewer than 10,000 are now vacant for one reason or another, but the record that we have established over the past few years is impressive. In the past year, we have sold more than 2,000 houses and we plan to sell 5,000 more over the next five years. We also contribute to helping the homeless and have leased more than 1,000 vacant homes to local authorities for rent.

Mr. Matthew Banks: Will my hon. Friend give the House an assurance that when selling off surplus housing stock, in these days of putting the "Front Line First", he will not lose sight of the need to secure an adequate return for the taxpayer at large?

Mr. Hanley: My hon. Friend makes a very good point. We have to balance the interests of the taxpayer with the interests of those who serve in the armed forces. I believe that the housing discount scheme and other schemes that give priority to those in the armed forces achieve that balance.

Mr. William Ross: When the hon. Gentleman is disposing of such accommodation, will he look carefully at the quality of accommodation that has to be used by the Royal Irish Regiment in Northern Ireland, where three of my constituency members were burned to death very recently? Will he apply some of the receipts from the sale of surplus dwellings to improve that accommodation? When does he expect to receive a full detailed report of that tragedy and will he publish it?

Mr. Hanley: The hon. Gentleman raises an important point which is more about barrack sleeping accommodation than married quarters. The hon. Gentleman is right that it is an important issue which must be resolved. A full inquiry is being carried out and as soon as we receive the results I will make sure that he receives a copy.

Rosyth

4. **Mr. Salmond:** To ask the Secretary of State for Defence what representations he has had from the Royal Navy concerning the future of Rosyth naval base.

Mr. Aitken: The Royal Navy is fully involved in the "Front Line First" studies concerning all naval bases, including Rosyth.

Mr. Salmond: The first thing that will be noticed in Scotland is that the Secretary of State has ducked the question again. Can the junior Minister tell us whether the Secretary of State has seen the completed study group report on Rosyth naval base? Why do even his Back-Bench colleagues believe that it recommends closure of the site? Does the Minister accept that the general feeling in Scotland is that in any contest with the south coast Rosyth will be sacrificed? Given the Prime Minister's stated commitment to open government, will it not be appropriate to publish the study group report and allow the people of Scotland to enter the debate before the Government reach their conclusion?

Mr. Aitken: The hon. Gentleman is in danger of going over the top. He missed an excellent Adjournment debate on Friday afternoon, when many of his questions were answered in detail. The study teams for all the studies have now finished their work. Their reports will shortly be considered by Ministers for final decisions, but only when we have studied the reports and had full discussions will those decisions be made. I think that that answers the point that the hon. Gentleman was making.

Mr. Wilkinson: Will my hon. Friend ensure that the Rosyth naval base does not go the way of Scapa Flow and Invergordon? Were it to do so, would it not be yet another symbol of Britain's maritime decline? Is not its maintenance necessary if the Royal Navy is to remain a blue-water oceanic navy and not a mere channel patrol for the south coast of England?

Mr. Aitken: My hon. Friend's points will be considered by Ministers when we reach a final decision on this matter. However, in view of his strictures about shrinkage, I should make it clear that although in recent years the size of the Royal Navy has gone down in terms of fleet numbers, there has not been a similar reduction in the size of the four base port facilities. Indeed, we continue to operate four base ports despite a considerably reduced fleet. We must consider carefully the whole balance of naval infrastructure versus the size of the fleet, and that is what the study is largely about.

Ms Rachel Squire: Does the Minister agree that the various decisions made by Ministers, including the Prime Minister in 1991, that the Rosyth naval base was vital to the defence of the realm, were made in the full knowledge of the impact of the end of the cold war on naval commitments? Does he further agree that Rosyth remains important to the defence of the realm and that the promises made about its future should be kept?

Mr. Aitken: The hon. Lady has rightly been a strong advocate for the continued existence of Rosyth and we listen carefully to her. However, she does not strengthen her case by exaggerating promises that were never made —*[Interruption.]* To put the record straight, I shall repeat what my right hon. Friend the Prime Minister said in February 1991, when he made it clear that no decision had been taken to close Rosyth or any other naval base. He said:

"We fully recognise the implications that closure would have for employment in the area. Those implications would be fully considered and examined before any such decision was taken."
—[*Official Report*, 5 February 1991; Vol. 185, c. 159.]

That falls a long way short of the pledge or promise inferred by the hon. Lady. The record shows that the Government have always played their hand fairly and openly and without giving any false promises to anyone.

Mr. Allason: Does my hon. Friend agree that there should be the widest possible consultation before any decision is made on the closure of any Royal Navy base? Will he take this opportunity to confirm that our right hon. and learned Friend recently visited HMS Malabar and that any final decision on its closure will not be taken until there has been widespread consultation?

Mr. Aitken: I confirm that my right hon. and learned Friend made the visit to which my hon. Friend referred. I also confirm that before any final decisions are taken there will be fair and widespread consultations on any proposals put forward at the end of the "Front Line First" study.

Dr. Reid: Does the Minister not feel even slightly embarrassed that although one Cabinet member has said that he is prepared to fight publicly and privately for the retention of Rosyth, all that has emanated from the Secretary of State has been the "silence of the lamb"? Will he at least assure the House that before any decisions are taken on Rosyth all the alternative costings will be made available? Does he appreciate that if he refuses to do so, in addition to the accusations of betrayal in Scotland there will be accusations of a financial whitewash?

Mr. Aitken: There is no question of a whitewash. The hon. Gentleman is right to say that before final decisions are taken all Ministers, including my right hon. Friend the Secretary of State for Scotland, will be consulted. Once our proposals have been announced, we shall publish the information on which our decisions are based and there will be a fair opportunity to consider the proposals and the information contained in them.

Mr. Ian Bruce: My hon. Friend will recall that the last time we went round that track and the recommendation to close Rosyth naval base was before Ministers, it was rejected. Instead of changing one of the four base ports, we closed the only training port. Will my hon. Friend assure me that he will receive a delegation from me if he decides to close Rosyth naval base, because such a decision will change the naval balance? We can put up an even better case for a privatised naval base in Portland to do the training work much more cheaply than if it were sent to Plymouth.

Mr. Aitken: My hon. Friend's question emphasises that strong regional and constituency interests are quite properly at stake in the various decisions. The ministerial team at the Ministry of Defence plays fair and takes the defence interests, above all, into consideration. On my hon. Friend's request to bring a delegation to see me, he has done that in the past and I have always tried to give him a fair and courteous hearing. I should be glad to receive a delegation from him at some time in the future if he thinks it necessary.

Territorial Army

5. **Mr. Enright:** To ask the Secretary of State for Defence what part the Territorial Army will play in the planning of the defence budget.

Mr. Hanley: The Territorial Army plays no formal part in the budgetary process, although we do, of course, take the Territorial Army fully into account in all our defence budgetary planning, and there is regular contact between departmental staff and the Territorial Army at all levels.

Mr. Enright: The Minister will be aware how efficient the Territorial Army unit is in my area. Will he therefore promise that there will be no cuts in the Territorial Army there, particularly as the high incidence of unemployment means that for many of my constituents being in the Territorial Army is their only stake in society?

Mr. Hanley: I assure the hon. Gentleman that no decisions on the future size and shape of the Territorial Army have yet been taken. Announcements will be made before long, but, whatever the outcome of current studies, the Territorial Army will continue both to play a vital role in supporting and augmenting the Regular Army and to make a highly valued contribution to our defence capability. The Territorial Army is an integral part of the Army's mobilised order of battle.

Sir Peter Hordern: As we shall always need strong reserve forces, does my hon. Friend agree that the Territorial Army is a cost-effective way of providing those reserves? Will he say something about the present limitations on the role of the Territorial Army in serving abroad with Her Majesty's forces? Will he consider introducing legislation so that the Territorial Army and our reserve forces can play a more active part in that respect?

Mr. Hanley: I very much agree with my right hon. Friend. The Territorial Army is extremely efficient and effective. Changes are in the pipeline to try to ensure that its members can be deployed abroad more easily. On 19 April, my right hon. and learned Friend the Secretary of State announced that a pilot scheme to test the feasibility of using the Territorial Army in support of the Regular Army would be run in the Falklands. A platoon will go from July to November this year and a company will go from March to July next year. It may help the House if I say that that scheme has been oversubscribed and the group has now been formed. We look forward to a most successful experiment.

Mr. Olner: Will the Minister also bear in mind that the Air Training Corps, an excellent part of which is in my

constituency of Nuneaton, also needs funding? Although the Air Training Corps depends on voluntary contributions, it needs the continuing support of the Minister and the Ministry.

Mr. Hanley: I can assure the hon. Gentleman that we consider all three forces in seeking to ensure the effective use of our reserve forces.

"Front Line First"

6. **Mr. Gill:** To ask the Secretary of State for Defence when he expects to be in a position to make a statement on "Front Line First".

Mr. Rifkind: I expect to be able to make a statement on the outcome of the defence costs study before the House rises for the summer recess.

Mr. Gill: I am sure that my right hon. and learned Friend would be the first to agree that far more important to the armed services than reviews and studies is an undertaking that there will be adequate funds for them to discharge their responsibilities in the future. Given that defence is the essential insurance policy that this country cannot afford to be without, would he consider it unreasonable to spend no less than 10 per cent. of national annual expenditure on our defence forces?

Mr. Rifkind: Clearly, the expenditure that is made available must be related to the commitments of our armed forces. There is a clear contrast between Her Majesty's Government and Her Majesty's Opposition. The Government have given an unequivocal assurance that there will be no further reductions in the fighting capability of our armed forces. The Opposition have given no such assurance in relation to the defence review that they wish to initiate, which would presumably result in serious and savage cuts to the fighting capability of our armed forces.

Mr. Macdonald: Given the emphasis placed on contractorisation as part of "Front Line First", will the Secretary of State give a commitment that he will not approve any major reduction of the facilities at the Royal Artillery range in the Hebrides, but that a full contractorisation study will be made to realise some of the benefits that could be gained through contractorisation in the Hebrides?

Mr. Rifkind: I am very conscious of the significant and substantial economic importance of the range to the local community in the Hebrides. Clearly, all options are being considered as to the best way to ensure that the needs of the Army are met. In those studies, we are also conscious of the wider implications for the local community.

Mr. Bill Walker: Does my right hon. and learned Friend agree that when the decisions are made on "Front Line First" and the statement is made, the statement will be primarily concerned with the back-up forces? In examining the contribution made by the Air Training Corps and the Air Cadets, as was mentioned earlier, is it not important to recognise the contribution that they and the other cadet forces make to the community at large? It is cheaper to keep good youngsters good than to try to make bad ones good.

Mr. Rifkind: I recognise that the cadet forces have performed a valuable role in giving an initial experience of service life to young people, who quite often go on to a career in the armed forces. They also ensure, even for those who do not to on to a career in the armed forces, a wider awareness of the important role played by our uniformed personnel in the wider interests of the nation.

Dr. David Clark: Is the Secretary of State aware that the concept surrounding "Front Line First" is dangerously outmoded because modern armed forces operate as an integral whole and any change in logistical support will vitally affect operational capabilities? With that in mind, will he scrap his current flawed and piecemeal approach, follow the example of our allies and have a full defence review so that we can truly meet the security needs of this country?

Mr. Rifkind: My hon. Friends should welcome the clear statement that the hon. Gentleman has just made. What he is calling for is a defence review that would be able to cut the fighting capability of our armed forces. That is a clear implication of the freedom that such a review would have under a Labour Government. Her Majesty's Government, on the other hand, have made it clear that we have no intention of making any further reductions in the fighting capability of our armed forces. That is the clear distinction between Government and Opposition on that issue.

Army Chaplaincy Service

7. **Mr. Brandreth:** To ask the Secretary of State for Defence what plans he has to review the Army chaplaincy service; and if he will make a statement.

Mr. Hanley: Chaplaincy services are being examined along with many other areas as part of the defence costs study, announcements on the broad outcome of which we hope to make in July.

Mr. Brandreth: Will my hon. Friend confirm that the Army chaplaincy service forms an integral part of the Army? Will he use this opportunity to pay tribute to the 190 Army chaplains for their work, not only at a spiritual level but at a pastoral level as well? They are among the unsung heroes of the Army: we need them and we should salute them.

Mr. Hanley: I willingly pay tribute to the chaplaincy service. Chaplains play an important role in fostering the mental health of soldiers, particularly in circumstances in which soldiers are under stress or likely to come under stress at short notice. In addition to their spiritual role, the chaplains provide a valuable welfare role to service men and their families. I should also tell my hon. Friend that there are not only heroes, but heroines as well.

Mr. Hardy: In view of his reply to his hon. Friend the Member for City of Chester (Mr. Brandreth), will the Minister assure the House that the chaplaincy service will be neither contractorised nor privatised?

Mr. Hanley: I have a sneaking suspicion that we shall not be market testing the chaplaincy service.

Mr. Peter Bottomley: Will my hon. Friend consider bringing together the chaplaincy services in all the armed forces? If that happens, are they likely to come to Eltham palace?

Mr. Hanley: I am sure that my hon. Friend would expect me not to make any statements at this stage, but to wait for the announcement following the defence costs study.

Departmental Personnel (Employment Prospects)

8. **Mr. John Evans:** To ask the Secretary of State for Defence if he will make a statement about future employment prospects for his Department's personnel.

Mr. Hanley: It is our aim to ensure that we have the right balance of service and civilian manpower to enable the armed forces to carry out the full range of tasks that we require of them.

Mr. Evans: Is the Minister aware that the proposed market testing of the Defence Accounts Agency on Merseyside is causing fear and anxiety among the 850 employees there? They are worried about their employment prospects. Will the Minister concede that the commercial confidentiality of the information processed at that office is in danger of being jeopardised, thereby putting more British defence jobs at risk? Why does he not tell the Treasury that that is a privatisation too far?

Mr. Hanley: I readily admit that the hon. Gentleman has fought hard for the unit involved. However, we have conducted our review of it fully and openly. Trade unions were consulted about the proposals, the changes were fully explained to staff and those who must move have been told about the relocation allowances that will be available to them. Nine of the posts have already been transferred and we expect to move about 19 to Bath, Glasgow and Swindon later this year, seven to London towards the end of 1995 and the balance to RAF Wyton in 1996.

Mr. Jessel: Is my hon. Friend aware that, among service personnel, none are more popular than British Army bands, whose splendid standards of excellence are world famous as a result of the unique training that they receive at the Royal Military school of music at Kneller Hall in Twickenham?

Mr. Hanley: I willingly recognise my hon. and musical Friend's interest in Kneller Hall. I also recognise that for him Kneller Hall is the front line and the rest of the British Army is support.

Mr. Donald Anderson: A few moments ago, I understood the Secretary of State to say that there would be no further cuts in front-line manpower. We shall examine that claim carefully in July, when the defence costs study is published. It is rumoured that there will be at least 25,000 further cuts.

Is the Secretary of State aware that in the statement on defence estimates published in April, for the first time, no targets for manpower were set? What is the motive for that? Is the Secretary of State, in effect, trying to disguise further, regular cuts? May we have an assurance that in July, after the study has been published, there will be period of calm and stability when our services can look forward to a stable future?

Mr. Hanley: I think that the hon. Gentleman is a little muddled on three counts. First, my right hon. and learned Friend the Secretary of State said that there would be no cut in the front-line capability of our armed forces—he was not talking about support. Secondly, in the "Statement on the Defence Estimates 1994", civilian numbers are forecast to fall to 128,700—113,000 based in the United Kingdom and 15,700 locally entered. Thirdly, the hon. Gentleman should remember that Labour is fighting under a European socialist manifesto, which contains a specific pledge to cut armed forces.

Mr. Brazier: Will my hon. Friend confirm, on the civilian side, that while there has been a progressive reduction in the number of vital scientists and engineers, the one category of civil servants that has expanded in the past decade has been that dealing with budget holding? May I suggest that, in the defence costs study, the place to use the knife is the growing army of people involved in counting to the last penny?

Mr. Hanley: I assure my hon. Friend that that is one of the objectives of the defence costs study.

Defence Personnel

9. **Mr. Bennett:** To ask the Secretary of State for Defence how soon he expects to announce the results of his review of defence personnel.

Mr. Rifkind: The independent review of service career and manpower structures and terms and conditions of service is required to report to me within 12 months of its starting work.

Mr. Bennett: Does the Secretary of State accept that it is no good carrying out reviews of personnel, equipment and other things until the Government have carried out a full review of what our defence commitments ought to be and that such surveys will have no credibility unless we know what our defence forces are expected to do?

Mr. Rifkind: We already know exactly what our defence forces are required to do; it is something to which the Government give their total commitment. Unlike the Opposition, we do not intend to contemplate further reductions in our fighting capability.

Mr. John Townend: Does my right hon. and learned Friend accept that there will be considerable support among those on the Conservative Benches for significant reductions in the number of civil servants at the Ministry of Defence? Many of us have thought in previous years that, when there have been almost as many civil servants as soldiers, we had got the balance wrong.

Mr. Rifkind: I assure my hon. Friend that the defence costs study is considering civilian manpower as well as uniformed personnel. Clear evidence is emerging of considerable scope for further improvements in that sphere.

Mr. Martlew: May I ask about the future employment prospects of the work force at RAF Carlisle and RAF Quedgeley? The Minister of State for the Armed Forces has said three times that there needs to be a reduction of £85 million over 10 years in the budget of the equipment supply depot. The work force at RAF Carlisle has given him proposals that will save £85 million. Is the target still £85 million, or has the Minister moved the goalposts? Will he confirm that there will be an announcement on the future of RAF Carlisle and RAF Quedgeley next week?

Mr. Rifkind: As the hon. Gentleman is aware, the Minister of State for the Armed Forces recently visited

RAF Carlisle. We are evaluating the various representations that have been made in response to the announcement made earlier this year, and we shall make a further announcement in due course.

Bosnia

10. **Mr. Duncan Smith:** To ask the Secretary of State for Defence what assessment he has made of the military situation in Bosnia.

Mr. Rifkind: The situation in Bosnia-Herzegovina remains generally calm, although sporadic small arms and mortar fire continues, together with some artillery fire in certain areas. The ceasefires in central Bosnia, Sarajevo and Gorazde are generally holding.

Mr. Duncan Smith: My right hon and learned Friend is resisting the siren calls for more troop deployments to Bosnia, but does he agree that the complex situation in Bosnia demonstrates that Britain, when it needs to co-operate, must do so with NATO? Does he also agree that we must, however, retain the capability to operate independently in the defence of British interests?

Mr. Rifkind: Yes, I very much agree with my hon. Friend. NATO has been, and remains, central to our policy on the defence of the realm and any question of closer European co-operation on defence matters is, of course, subject to the overriding importance of maintaining the primacy of NATO as fundamental to our defence interests. That is, and will remain, our defence policy. Some of the remarks that were attributed, I hope mistakenly, to my hon. Friend in an article in *The Sunday Telegraph* were quite bizarre. We have no intention whatsoever of supplanting NATO as the central plank of our defence policy.

Mr. Jim Marshall: Will the Secretary of State confirm that the military situation in Bosnia has dictated that British forces are now involved in three roles—humanitarian relief, peacekeeping and peacemaking?

Mr. Rifkind: We have certainly been willing to see British forces used in Bosnia to assist the United Nations to carry out its mandate. That mandate does not involve a combat role for British forces and nor will it be allowed to be changed in that direction. We support warmly any way in which the British forces can assist the United Nations in its humanitarian and peacekeeping role.

Mr. Cormack: Does my right hon. and learned Friend agree with those British soldiers and others who have expressed concern at Mr. Akashi allowing Serbian tanks to pass through the exclusion zone? *[Interruption.]*

Madam Speaker: Order. Could there be a little less noise in the House? It is extremely difficult to hear. Could the conversations be quieter, please?

Mr. Rifkind: It is for Mr. Akashi to explain his thinking in allowing the movement of Serb tanks through that zone. I accept that, on the face of it, it was a most unexpected exercise of his discretion, but we hope that he will ensure that his approach is consistent with the UN's policy.

Defence Capability

11. **Mr. Mackinlay:** To ask the Secretary of State for Defence what assessment he has made as regards Britain's capacity to meet her own defence needs and her political obligations and military contributions to international peacekeeping.

Mr. Rifkind: The Government are confident that our armed forces are fully able to carry out the broad range of operations that they currently undertake.

Mr. Mackinlay: Did the Secretary of State notice that, during the poorly reported Army debate last week, Conservative Back Bencher after Conservative Back Bencher spoke about the crisis of morale among our service men and service women and their concern about the arbitrary withdrawal of units? Is there not a need, demonstrated by his own colleagues, for a fundamental review of our armed services to match commitments with resources?

Mr. Rifkind: What I noticed about the Army debate last week was that, so unconcerned are the massed ranks of the Labour party in the interests of the Army, hardly a single Labour Member graced the Opposition Benches. I am also conscious that the Labour party can hardly speak with authority about those matters when the European socialist manifesto, personally signed by the Leader of the Opposition, calls for further reductions in the fighting capability of our armed forces.

Mr. Churchill: Will my right hon. and learned Friend find time to sit down and reflect on whether it is appropriate that millions of hours of military and civilian officials' time and many more millions of pounds are being squandered in this ghastly Treasury-driven "Front Line First" exercise? Is my right hon. and learned Friend aware that his time and that of his Ministers, his officials and the military brass would be better devoted to ensuring that our forces in the front line have the equipment that they require? Specifically, is not it unsatisfactory and unacceptable that British military aircraft should be sent into combat over Bosnia without the means of self-protection against missiles, which could be provided for a fraction of what has been spent by his Department on management consultants in recent years?

Mr. Rifkind: The second part of my hon. Friend's question was totally inconsistent and incompatible with the first part of his question. The whole point of the "Front Line First" study is to ensure—as I am sure my hon. Friend would wish—that resources within the Ministry of Defence are concentrated on the needs of the front line of our fighting forces in a way that I believe that my hon. Friend will applaud fully.

Mr. Home Robertson: While the Minister is seeking advice on those matters, is he absolutely satisfied that it is appropriate for him to be recruiting into his Department as a civil servant someone who has recently been a high-profile party politician in the city of Edinburgh?

Mr. Rifkind: As the hon. Gentleman is well aware, anyone who applies to the civil service for employment is assessed against exactly the same criteria, irrespective of his or her personal or political background.

Mr. Menzies Campbell: Does the Secretary of State accept that, increasingly, the defence needs of the United Kingdom will be met by closer co-operation with our European allies? In that respect, may I congratulate him on his frankness yesterday, particularly in the rather febrile

atmosphere of the moment, in acknowledging that a common defence policy was an inevitable consequence of the Maastricht treaty and that a common defence policy will be a key subject for discussion at the intergovernmental conference of 1996?

Mr. Rifkind: If the hon. and learned Gentleman had fully acquainted himself with the facts, as he normally does, he would appreciate that yesterday the United Kingdom successfully insisted on ensuring that any development of European co-operation should happen within the framework of the Atlantic alliance. Any proposal for closer European co-operation that undermined that alliance would be unacceptable to Her Majesty's Government both now and in the future.

Territorial Army

12. **Mr. Rathbone:** To ask the Secretary of State for Defence what recent discussions he has had with senior Army officers about future plans for the Territorial Army.

Mr. Hanley: My right hon. and learned Friend and I have regular discussions with senior Army officers, including Brigadier Holmes, on a wide range of issues, including future plans for the Territorial Army.

Mr. Rathbone: In those conversations, will my hon. Friend resist any temptation further to cut the territorial forces, by 15 per cent. or by any greater or lesser amount, especially after the cuts of 30 per cent. or more made under "Options for Change"? Will he bear in mind especially the calls by the Princess of Wales Royal Regiment of Sussex and the Fourth Royal Green Jackets, with which I was proud to serve, because, as the Regular Army is cut, the reserves are all the more important?

Mr. Hanley: As I said earlier—I shall say it again to my hon. Friend—no decisions on the future size and shape of the Territorial Army have yet been taken, although there will be announcements before long. I am grateful to my hon. Friend for his letters; they have formed part of the consultation exercise.

PRIME MINISTER

ENGAGEMENTS

Q1. **Mr. Colin Shepherd:** To ask the Prime Minister if he will list his official engagements for Tuesday 10 May.

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Shepherd: During the course of his busy day, will my right hon. Friend reflect on the fact that over the past year, industrial output in the United Kingdom rose—[HON. MEMBERS: "Oh."] Will my right hon. Friend reflect on the fact that industrial output in this country rose by 3.7 per cent.—*[Interruption.]*—while in Germany, Japan, France and Italy industrial output fell? Does my right hon. Friend agree that that is but one of a large number of good news stories abounding in this country at this time that deserve wider currency? Will my right hon. Friend confirm—*[Interruption.]* Will he confirm that it is still permissible to publish good news in this country?

The Prime Minister: As far as I could hear my hon. Friend over a fairly turbulent House, I believe that he was referring to the good news about the economy that has been evident over recent weeks. Good news is certainly allowed, but I fear that it may often be masked by less important matters these days. The fact is that the British economy is growing, has been growing for some time and is expected to continue to grow. Thankfully, unemployment is falling and is expected to continue to fall.

Mr. John Smith: Is not the cry for a referendum on Europe further and compelling evidence that the Prime Minister's Cabinet and party are hopelessly divided? Is not it astonishing that battle is permitted to rage even within the Treasury? Does the Prime Minister support his Chancellor or his Chief Secretary?

The Prime Minister: As the right hon. and learned Gentleman knows, and as I have made clear to the House on many occasions, I am sceptical about referendums. I made that clear during the Maastricht debate, and I have not changed my mind. There is not even a specific agenda for the intergovernmental conference yet. I do not believe that the question of a referendum arises now, and it certainly does not need to be decided now. It is not yet possible to say what the outcome of the conference will be, and I can assure the right hon. and learned Gentleman that I do not intend to come back to the House with a package that the House would find unacceptable.

Mr. John Smith: On the question of referendums, does the Prime Minister recall saying something to the House on 6 May last year? His exact words were:

"We are a parliamentary democracy, and I am not in favour of referendums."—[*Official Report*, 6 May 1993; Vol. 224, c. 284.]

Today he expressed scepticism. Is the movement from opposition to scepticism because he is running in front of the anti-Europeans?

The Prime Minister: If he had listened carefully, the right hon. and learned Gentleman would have also heard me say a moment or so ago that I have not changed my mind. As to a single European currency, as I have said before, decisions on that are a long way off. That will not be determined in 1996. No one expects that this Parliament is going to be asked to decide on a single European currency. That would be a matter for a future Parliament, in circumstances that no one can predict. It was my negotiating at Maastricht that made it clear that this Department would have the right to decide on that matter at a future date. Even if I wish to, I could not bind a future Parliament on its decisions.

Mr. John Smith: If that answer by the Prime Minister is to be construed as ruling out a referendum in the future, can we be assured that every member of his Government will be asked to support it or will be asked to resign?

The Prime Minister: I have just set out the position clearly for the right hon. and learned Gentleman and I have made it entirely clear to him that it would not be appropriate to make a commitment now about a future Parliament's decision. Even if I wished to, I could not bind a future Parliament. My personal decision on referendums has been made entirely clear on other occasions and again today. I reiterate that I have not changed my mind.

Q2. **Mr. Trotter:** To ask the Prime Minister if he will list his official engagements for Tuesday 10 May.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Trotter: Does my right hon. Friend agree that it is a fact that if we were to have a Labour Government, we would inevitably have higher taxation and weaker defences, and that our policy on Europe would be destroyed by socialism? Is not that a message that all of us on the Government Benches should be constantly conveying?

The Prime Minister: I am glad to say that a Labour Government would be a very improbable premise. Even last Thursday, which appears to have buoyed them, they secured a lower share of the vote than we secured in the last general election. My hon. Friend is entirely right. A Labour Government would mean substantial defence cuts, higher expenditure and higher taxation, and would also mean signing up as part of a federal European state. That is no future for this country and will not be accepted by the people of this country at the next general election.

Mr. Ashdown: Does the Prime Minister realise that his answer on the question of a referendum will serve only to confirm his reputation as the maybe man? How can the British people be asked to vote on the question of Europe by a Government who are so divided on that issue and a Prime Minister whose answer on the key questions cannot get further than "perhaps"? Will he now tell us whether his answer is supposed to construe the meaning that he is opposed to a referendum, under any circumstances, as a result of which there might be a substantial change in Britain's relation with Brussels—yes or no?

The Prime Minister: The right hon. Gentleman is at his own game as a veritable opportunist for all seasons. I made perfectly clear a few moments ago what is my personal position on referendums. I also made it clear that, in 1996, I am not going to bring back anything remotely likely to be unacceptable to the House and I made it clear that on a far future date, the decision on a single European currency must be made by this House. I cannot bind the House and I do not intend to try to bind the House at this distance in time.

Sir Terence Higgins: Is not it the case that the Leader of the Opposition was a member of a Government who introduced a referendum—an alien concept, inconsistent with our system of representative parliamentary democracy? Is not it absurd for those who argue that the authority of this House is being usurped by Brussels to advocate the use of a device that would undermine the authority of the House?

The Prime Minister: My right hon. Friend points to something with which the House has become familiar—the selective memory of the Leader of the Opposition about what he has stood for in the past. The points made by my right hon. Friend are undeniable and I agree with them.

Q3. **Mr. Wicks:** To ask the Prime Minister if he will list his official engagements for Tuesday 10 May.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Wicks: Has the Prime Minister been told that since his campaign visit to Croydon, the wise people of Croydon threw out the Tory council after more than 100 years and elected a majority Labour council for the first time ever? We thank him for that visit. Whom does he blame for the Croydon Tory disaster: the local Conservatives or his own Government?

The Prime Minister: Let me mention that I visited Westminster and Wandsworth as well. I congratulate the new Croydon councillors on their success in the elections and I sympathise with the Croydon electors who will have higher bills to pay and a less efficient administration.

Q4. **Mr. Deva:** To ask the Prime Minister if he will list his official engagements for Tuesday 10 May.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Deva: Is my right hon. Friend aware that the United Kingdom attracted the highest level of foreign investment of any country in the Organisation for Economic Co-operation and Development in 1991 and 1992? Would the Labour party's proposed increases in business taxes, enunciated in the European socialist manifesto, add encouragement to that vote of confidence in Britain?

The Prime Minister: My hon. Friend is right. We have built up a position over many years as a favoured country for inward investment. That is apparent in Scotland, the north-east, the north-west, Wales and many other places. There is no doubt that that position would fall away if we followed the policies advocated by Opposition Front-Bench Members. A social chapter would inhibit inward investment, as would the 35-hour week, a minimum wage and plans to harmonise taxes upwards, all of which the Leader of the Opposition has signed up to in the socialist European manifesto. That manifesto is binding on the Labour party as, I hope, the Labour party will make clear to every elector in the forthcoming European elections.

Q5. **Mr. Connarty:** To ask the Prime Minister if he will list his official engagements for Tuesday 10 May.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Connarty: Does the Prime Minister accept that there are hundreds of thousands of pensioners who are now genuinely concerned that, should they fall ill, their pensions and savings will be used to pay for care that they thought they had paid for through their taxes? Will he take on the bloodsuckers in the Treasury and in the Department of Social Security who are threatening the last vestige of compassion in the national health service?

The Prime Minister: As the hon. Gentleman knows, we are increasing resources in the national health service and increasing the provision of assistance to people in the national health service. Indeed, the national health service is the one service in Government that is guaranteed a real-terms increase, year on year, as we examine the relative proportions of public expenditure. There is no doubt about the growth, both for the elderly and for other people, in the national health service, and that growth will continue.

Mr. Lester: I am delighted to hear my right hon. Friend's wise words on the subject of a referendum. Will he reflect on the fact that when the Labour party had a

referendum to provide party unity, that not only created the Social Democrat party but kept it in opposition for 14 years?

The Prime Minister: So far; there are more years of opposition to come.

Q6. **Mr. Mudie:** To ask the Prime Minister if he will list his official engagements for Tuesday 10 May.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Mudie: Why, only two weeks after expressing support for the aims of the Civil Rights (Disabled Persons) Bill, did the Prime Minister allow the cynical, Government-inspired sabotage of the Bill last Friday?

The Prime Minister: No one could have accepted a Bill, as drafted, with a cost compliance calculated at £17 billion and a yearly on-cost of £1 billion. However, as my right hon. Friend the Minister for Social Security and Disabled People made clear in the debate on Friday, we intend within the next six months to consult on proposals to eliminate unjustified discrimination in employment, access to goods and services, financial services and access to buildings. We also intend to consult on the establishment of a new advisory body on disability. Those consultations will take account of the views of everyone with an interest in disability. At the end of that process, we shall consider assisting in the drafting of practical and workable legislation that will help the disabled.

Sir Fergus Montgomery: Is my right hon. Friend aware that one of the great problems facing not only this country but the rest of the world is the increase in drugs and the terrible effect that that has on crime? Can he give an assurance that the Government and the police will give top priority to tackling the drug barons and their vile trade?

The Prime Minister: Yes, I can certainly give my hon. Friend that assurance. The sum total of expenditure to tackle the drugs menace exceeds something like £500 million a year. We are seeking, under the chairmanship of my right hon. Friend the Lord President, to bring together all the action that exists across Government so that we can most effectively target the drugs programme. We are also consulting our European partners—notably Germany—to see what can be done at the European level to assist in preventing drugs from coming to this country in the first place.

Q7. **Mr. George Howarth:** To ask the Prime Minister if he will list his official engagements for Tuesday 10 May.

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Howarth: As the leader of the most unpopular Government this century and with a divided shambles of a party beside and behind him, does the Prime Minister think that it would be better to clear the air and have a general election now?

The Prime Minister: At the last election, we received the highest number of votes that any party has ever received in a general election, and we received a five-year mandate to carry out our policies. I intend to exercise that five-year mandate. Then the hon. Gentleman will get his election and then if he personally is re-elected, he can continue to sit where he sits now.

NEW MEMBER

The following Member took and subscribed the Oath:
Denis MacShane, Esq., for Rotherham.

Personal Statement

3.31 pm

The Minister for Social Security and Disabled People (Mr. Nicholas Scott): On Friday last, during consideration of the Civil Rights (Disabled Persons) Bill, I stated in response to a question from the hon. Member for Workington (Mr. Campbell-Savours) that my Department had played no part in the drafting of any amendments tabled by a number of my hon. Friends, and that

"to the best of my knowledge, nobody in my Department has been involved in the drafting of any amendments in this area".—[*Official Report*, 6 May 1994; Vol. 242, c. 991.]

Immediately afterwards, in response to the right hon. Member for Manchester, Wythenshawe (Mr. Morris), I drew attention to the fact that the Lord President would be replying to a question from him, which asked how many amendments had been drafted by the Office of Parliamentary Counsel. That answer confirmed that amendments tabled on 3 May had been drafted in Parliamentary Counsel's office.

My statement on Friday that my Department had not drafted any amendments was true, but, as I explained in a letter to the hon. Member for Workington (Mr. Campbell-Savours), the Department, with my authority, had been involved in their preparation. I therefore felt that I should offer this clarification of my remarks to the House as a whole.

I very much regret that by not giving a fuller explanation at the time the effect of my reply was misleading, and I offer my unreserved apologies to the House.

Points of Order

3.33 pm

Mr. Phil Gallie (Ayr): On a point of order, Madam Speaker. Is it in order for Government Members to congratulate Scottish National party Members on converting so many Labour Members to their party colours?

Madam Speaker: It is for individual Members to congratulate whom they wish.

Mr. Roger Berry (Kingswood): On a point of order, Madam Speaker. The Minister for Social Security and Disabled People is not only the hon. Member who misled the House on Friday. The hon. Member for Sutton and Cheam (Lady Olga Maitland), to whom I have given notice that I would be raising this matter, said on Friday:

"the new clause and amendments were mine and mine only"—[*Official Report*, 6 May 1994; Vol. 242, c. 974.].

Yesterday the hon. Lady said:

"it would be totally unfair to suggest that they came from any other source."—[*Official Report*, 9 May 1994; Vol. 243, c. 23.]

It is clear that, along with the Minister, the hon. Member for Sutton and Cheam has misled the House. Has the hon. Lady requested your permission, Madam Speaker, to make a similar statement of apology to her colleagues?

Madam Speaker: I have not received any such indication from the hon. Lady.

Mr. Barry Sheerman (Huddersfield): Further to that point of order, Madam Speaker.

Madam Speaker: Just a moment. I am answering a point of order, and I am on my feet.

Of course, I cannot investigate the accuracy of everything that hon. Members say to the House, but the hon. Member for Kingswood (Mr. Berry) is alleging a very serious parliamentary offence. Therefore, as he and the House know, the hon. Gentleman must write to me. If it is a matter of privilege, it will be dealt with.

Mr. Sheerman: Further to that point of order, Madam Speaker.

Madam Speaker: There can be no further points of order on that matter.

Mr. Sheerman: On a point of order, Madam Speaker. The hon. Member for Sutton and Cheam (Lady Olga Maitland) accused me directly of casting a slur on her reputation and yesterday in the House asserted that the Labour party was trying to use disabled people as a political football. Will the hon. Member get off scot free again?

Madam Speaker: Providing that what is said by the hon. Lady, or by any hon. Member, is within the rules and procedures of the House, I have no alternative but to accept it. *[Interruption.]* Order. I cannot investigate every comment which is made by hon. Members on both sides of the House.

Mr. Dennis Skinner (Bolsover): We have heard—not today, because we cannot question a personal statement, but on previous occasions—that the Government allowed amendments to be drafted which would suit the Government. What has not been explained properly, but what ought to be, is that those amendments were drafted

not to suit the Government but so that the Government could turn them down. That is not what the Minister told us today. The Government were so Machiavellian that they drew up amendments which they could conveniently say they were not prepared to accept. That is the dirty manoeuvre, and that is why the Minister should resign.

Mr. Oliver Heald (Hertfordshire, North): Further to that point of order—

Madam Speaker: Order. I will not take any further points of order on that matter. That was not a point of order, in any event.

Mr. Heald *rose—*

Madam Speaker: If the hon. Gentleman has a point of order, I will hear it. The hon. Member for Bolsover (Mr. Skinner) only made a comment. It was a bogus point of order.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Madam Speaker. I have written to you on the issue of contempt, and I have accused the Minister of being in contempt of the House—

Madam Speaker: Order. I cannot hear the hon. Gentleman's point of order. He has written to me on a matter of contempt and privilege. I must deal with it in that way.

Mr. Gordon McMaster (Paisley, South): On a point of order, Madam Speaker. Is not the central issue that we have heard a personal statement from the Minister that the Government were involved in dirty tricks to try to block the Bill on Friday?

Madam Speaker: The hon. Gentleman must understand our procedures. There can be no proceedings after a personal statement.

Mr. McMaster: Further to that, Madam Speaker. We now have a decision of the House which surely should not stand because of the tactics which were deployed. Can we have another opportunity to report the Bill?

Madam Speaker: If hon. Members wish to pursue the question of the future of the Bill, they must find other ways of doing so. It is not a matter for me.

Mr. Mike O'Brien: (Warwickshire, North): On a point of order, Madam Speaker.

Madam Speaker: Does it relate?

Mr. O'Brien: It relates—

Madam Speaker: Order. I think the hon. Gentleman is thinking on his feet. Is it a point of order for me? It had better be.

Mr. O'Brien: My point of order is this. On a statement such as the personal statement that we have heard today, which related to an incident in the House of great importance to all of us, is a different procedure available to Ministers by which they could make such statements which would allow us to question them about it? They are serious matters.

Madam Speaker: The answer is no. Perhaps we can move on.

Statutory Instruments, &c.

Motion made, and Question put forthwith pursuant to Standing Order No.101(1) (Standing Committees on Statutory Instruments, &c.).

TRANSPORT

That the draft International Transport Conventions Act 1983 (Amendment) Order 1994 be referred to a Standing Committee on Statutory Instruments, &c.—[*Mr. Conway.*]

Question agreed to.

Madam Speaker: Motions 2 and 3 on the coal industry and value added tax are not moved.

Motion made, and Question put forthwith pursuant to Standing Order No.101(1) (Standing Committees on Statutory Instruments, &c.).

LOCAL GOVERNMENT

That the draft Local Government Act 1988 (Competition) (Defined Activities) (Housing Management) Order 1994 be referred to a Standing Committee on Statutory Instruments, &c.

EDUCATION

That the draft Education (National Curriculum) (Foundation Subjects at Key Stage 4) Order 1994 be referred to a Standing Committee on Statutory Instruments, &c.—[*Mr. Conway.*]

Question agreed to.

Security Industry (Licensing)

3.40 pm

Mr. Michael Stern (Bristol, North-West): I beg to move,

That leave be given to bring in a Bill to provide for the licensing of the security industry; and for connected purposes.

There is a growing perceived need for the work of private security firms, but at present there is no apparent check on their operations and no apparent way in which their work with members of the public and small businesses can be certified, registered or inspected to protect those same members of the public. Their work, principally in residential areas, involves not policing but an operation of merely maintaining a presence to protect the security of householders. As such, it is being welcomed increasingly in many areas of different types, not least in my constituency.

In the absence of any licensing or security procedures for such firms, there is a fear that villains will masquerade as honest men and, in doing so, provide not security but an opportunity for further crime. Similarly, in the absence of any provision for a check on the financing of such firms, there is the risk that ordinary members of the public will find themselves paying for the additional security that such firms offer only to discover that the organisers of the firms are men of straw, as appears to have happened, for example, with a firm known as Town and Country which was operating in my constituency recently.

Therefore, a measure to introduce regulation, licensing and inspection for private security firms is overdue. Indeed, it appears to have the support not only of large sections of the police, including the expressed support of the chief constable in my area, but the full support of the British security industry.

The Bill provides for the licensing of the security industry. I must underline that it merely provides powers which my right hon. and learned Friend the Home Secretary can choose whether to use and to what extent. It would in no sense force him to go down a road that he did not wish to follow. It merely gives him a suggestion of a road that he might usefully follow in order to provide greater reassurance to my constituents and others.

The Bill would cover security services provided by personnel whose main or only function was the protection of premises, property and persons. It would cover personnel whose main or only function was the prevention and detection of theft from retail premises. It would cover personnel and vehicles for the secure transport of cash and other items of value. However, it would not cover, nor would it seek to impinge in any way on, the work of a police force maintained under the Police Act 1964 or any other Act or any directly managed or contracted out prison or any prisoner escort arrangements within the meaning of the Criminal Justice Act 1991.

The Bill would not impinge in any way on the legitimate, valued and valuable work of our police and prison services. It is designed merely to act as a proper adjunct to the existing work of those services and any necessary expansion of it. The Bill would empower the Home Secretary to license security firms attempting to provide a service to members of the public and to withdraw any firm's licence. It would empower my right hon. and learned Friend to impose fees for such licensing and regulation procedures so that no charge would fall on the public sector. It would empower my right hon. and learned Friend to decide a commencement date for any or all of the provisions. In other words, the powers that it contains could be brought in at the convenience of the Home Secretary and of the prison and police services and as was generally deemed appropriate. For obvious reasons, the Bill would not apply to Northern Ireland.

Like many other people, I am always wary about the introduction of additional enforcement licensing and regulation, which is often unnecessary. However, I suggest that in this case it is necessary not only to provide for the proper expansion of an industry already seen by many people as a necessary part of life but also to deal with a number of deficiencies and dangers in the industry.

At present, no training policy is applied across the industry as a whole. Under the Bill the Home Secretary would have power to bring in, or to empower others to bring in, a training policy regarded as appropriate to the work that the industry is peculiarly capable of doing. At present there is nothing to prevent criminals or ex-criminals from setting up security firms and selling their services to the public. Under the Bill, the Home Secretary would be empowered to stop just this sort of practice.

There is a fear among many people that if we do not allow the security industry to grow naturally, as appropriate, under suitable regulation we shall open the door to something that I am sure that no hon. Member wishes to see on our streets—the growth of vigilante groups, people's armies and workers' militias and of all the other things that we have seen in many other countries. We do not want to see such things imported into the United Kingdom.

Question put and agreed to.

Bill ordered to be brought in by Mr. Michael Stern, Sir Geoffrey Johnson Smith, Mr. Alex Carlile, Sir Jerry Wiggin, Mr. Michael Mates, Mr. Michael Spicer, Mr. Don Foster, Mr. Charles Hendry, Mr. Harold Elletson and Mr. Toby Jessel.

SECURITY INDUSTRY (LICENSING)

Mr. Michael Stern accordingly presented a Bill to provide for the licensing of the security industry; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 20 May, and to be printed. [Bill 108.]

Orders of the Day

Deregulation and Contracting Out Bill

As amended (in the Standing Committee), considered.

Ordered,

That the Deregulation and Contracting Out Bill, as amended, be considered in the following order, namely, New Clauses, except new Clauses relating to burdens imposed by public bodies and to the duration and expiry of Chapter I of Part I, amendments relating to Clause 5, Schedule 1, Clauses 6 to 8, Schedule 2, Clauses 9 and 10, Schedule 3, Clause 11, Schedules 4 and 5, Clauses 12 to 16, Schedule 6, Clauses 17 to 19, Schedule 7, Clauses 20 to 26, Schedule 8, Clauses 27 to 29, Schedule 9, Clauses 30 to 40, Schedule 10, Clauses 41 to 47, Schedule 11, Clauses 48 to 58, Schedule 12, New Clauses relating to burdens imposed by public bodies, Clauses 59 to 66, Schedule 13, Clauses 67 to 71, Schedule 14, Clause 72, New Schedules, New Clauses relating to the duration and expiry of Chapter I of Part I, amendments relating to Clauses 1 to 4—*[Mr. Conway.]*

New Clause 12

CONTROLS ON FUND-RAISING FOR CHARITABLE INSTITUTIONS:

EXCLUSION OF CONNECTED COMPANIES

'.—(1) In Part II of the Charities Act 1992 (control of fund-raising for charitable institutions), section 58(1) (definitions) shall be amended as follows.

(2) In the definition of "commercial participator", after "person" there shall be inserted "(apart from a company connected with the institution)".

(3) In paragraph (a) of the definition of "professional fund-raiser", after "institution" there shall be inserted "or a company connected with such an institution".'.—*[Mr. Sainsbury.]*

Brought up, and read the First time.

Madam Speaker: With this it will be convenient to take Government amendments Nos. 91 and 92.

3.48 pm

The Minister for Industry (Mr. Tim Sainsbury): I beg to move, That the clause be read a Second Time.

The new clause is a response to points raised by the eighth deregulation task force, chaired by Tessa Baring, which has been examining charities and voluntary organisations. The new clause is also in line with the outcome of a consultation exercise that the Home Office carried out last year.

As right hon. and hon. Members may be aware, the eighth task force was appointed later than the seven business task forces. Mrs. Baring and her colleagues have examined a great amount of regulation conscientiously and enthusiastically and we are most grateful for their efforts. Their report has been prepared in draft form and is being considered by the relevant Government Departments with a view to publication soon—including a Government response to their recommendations.

As with the other task forces, a copy of the report will be placed in the Library of the House. Part II of the Charities Act 1992 introduces controls on professional and commercial involvement in fund raising for a charitable institution—for a charity or any other charitable, benevolent or philanthropic organisation.

Part II applies where there is a solicitation on behalf of a charitable institution, or representation during a promotional venture, that contributions are to be given or applied for the benefit of a charitable institution. In such cases, part II requires two things: that a written agreement with the organisation is already in existence, in accordance with prescribed requirements; and that a statement is made about the arrangements and accompanies each relevant solicitation or representation.

Part II is not yet in force. Draft regulations were issued for consultation last July and it had been intended that the provisions would be brought into force by now. It was decided, however, that commencement should wait until the views of the eighth deregulation task force were clearer. In fact, the task force is not—as I understand it—likely to recommend any fundamental changes to part II. Indeed, there is widespread support for its provisions and a wish to see them in force. The task force is likely, however, to endorse two key views that emerged from consultation on the draft regulations: the need to clarify the position over connected companies; and the need to allow longer time between the making of final regulations and their coming into force.

During the passage of the Charities Act 1992, the Government clearly stated that part II was not intended to regulate charities or companies connected to them—in other words, companies that are wholly owned or controlled by charities. Those who advise charities have had doubts, however, and think that the wording of part II does not achieve that intention to their satisfaction. The amendments effected by the new clause are designed to put that right.

I am sure that the House will agree that there should be no question of significant differences of interpretation, even before the law comes into operation. With that in mind I must make it clear—as does the legislation—that a company connected to a charitable institution may nevertheless be subject to part II if it is acting in concert with an institution to which it is not connected.

The two amendments grouped with the new clause are consequential on it and amend clauses 30 and 72, to provide that the new clause will come into force on Royal Assent and that it will extend only to England and Wales. The amendments are the only changes that the Government are proposing to the Charities Act at this stage of the Bill's passage, since the deregulation task force is still completing its report. We are examining carefully the case for further urgent amendments which it may be appropriate to table in another place. We have in mind the introduction of a new light-touch reporting regime for the smallest charities and hope to reach a conclusion on that issue shortly. Meanwhile, I urge the House, in the interests of charities, to accept this useful deregulatory measure.

Mr. Derek Fatchett (Leeds, Central): I am grateful to the Minister for the introduction to new clause 12 and its purposes, and his reference to the consequential amendments. We shall certainly support new clause 12. What the Minister had to say makes a great deal of sense. They are technical issues, but they tidy up the Bill. We go along with the Government on that basis.

We also welcome the future reference to light touch reporting for smaller charities, which makes a great deal of sense. There may be an argument about the definition of a smaller charity, but the lighter touch would save money and time in terms of red tape.

The fact that the Opposition accept new clause 12 is typical of our approach throughout the proceedings on the Bill—if there is a sensible approach to removing regulation, of course we will support it. We shall not,

[Mr. Derek Fatchett]

however, support those attempts to deregulate which put at risk the rights of employees and consumers. As new clause 12 does none of those things, we shall support it.

Mr. Sainsbury: I am grateful to the hon. Member for Leeds, Central (Mr. Fatchett) for what he said and I am sure the charity world is, too, as it will help deregulation. I am also grateful for what he said about supporting useful deregulation that does not reduce necessary protection but erases burdens. We are both of one mind as that is clearly set out as being the intention of the entire Bill. Perhaps it is a good omen for speedy progress.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 1

BETTING ON SUNDAYS

' .—(1) The Betting, Gaming and Lotteries Act 1963 shall be amended as set out in subsections (2) to (5) below.

(2) In section 5(1), for "Good Friday, Christmas Day or Sunday" there shall be substituted "Good Friday or Christmas Day".

(3) After section 10, there shall be inserted—

"Rights of betting office workers as respects Sunday working.

10A. Schedule 4A to this Act (which makes provision in relation to the rights of betting office workers as respects Sunday working) shall have effect."

(4) In Schedule 4, in paragraph 1, for "Good Friday, Christmas Day and every Sunday" there shall be substituted "Good Friday and Christmas Day".

(5) After Schedule 4 there shall be inserted the Schedule set out in Schedule (*Schedule to be inserted in the Betting, Gaming and Lotteries Act 1963 after Schedule 4*) to this Act.'.—*[Mr. Paice.]*

Brought up, and read the First time.

Mr. James Paice (Cambridgeshire, South-East): I beg to move, That the clause be read a Second time.

Madam Speaker: I understand that with this it will be convenient also to discuss amendment No.1—a new schedule—

'Schedule to be inserted in the Betting Gaming and Lotteries Act 1963 after Schedule 4

"SCHEDULE 4A

RIGHTS OF BETTING WORKERS AS RESPECTS SUNDAY WORKING

General interpretation

1.—(1) In this Schedule, except where a contrary intention appears—

'the 1978 Act' means the Employment Protection (Consolidation) Act 1978,

'betting office' means a licensed betting office within the meaning of this Act,

'betting worker' means an employee who, under his contract of employment, is required to work in England and Wales at a track for a bookmaker or totalisator operator or in a betting office on a day on which betting transactions are effected at that track by or on behalf of that bookmaker or totalisator operator or at that betting office,

'bookmaker' has the meaning given in section 55(1) of this Act,

'the commencement date' means the day on which this Schedule comes into force,

'dismissal' has the same meaning as in Part V of the 1978 Act,

'notice period', in relation to an opting-out notice, has the meaning given by paragraph 6 below,

'opted-out', in relation to a betting worker, shall be construed in accordance with paragraph 5 below,

'opting-in notice' has the meaning given by paragraph 3(2) below,

'opting-out notice' has the meaning given by paragraph 4(3) below,

'protected', in relation to a betting worker, shall be construed in accordance with paragraphs 2 and 3 below,

'totalisator operator' means the Totalisator Board or any other person authorised to conduct pool betting business within the meaning of this Act,

'track' has the meaning given in section 55(1) of this Act.

(2) Subject to sub-paragraph (3) below, the following provisions of the 1978 Act—

section 151(1) and (2) (computation of period of continuous employment), and

section 153 (general interpretation),

shall have effect for the purposes of this Schedule as they have effect for the purposes of that Act.

(3) For the purposes of this Schedule, section 151(2) of the 1978 Act shall have effect with the omission of the words from 'but' onwards and Schedule 13 to that Act shall have effect with the following modifications—

(a) in paragraph 1 for the words 'paragraphs 3 to 12' there shall be substituted 'paragraph 4 or paragraphs 9 to 12',

(b) paragraph 3 and paragraphs 5 to 8 shall be omitted, and

(c) in paragraph 4 the words 'which normally involves employment for sixteen hours or more weekly' shall be omitted.

(4) Where section 56 of the 1978 Act (failure to permit women to return to work after childbirth treated as dismissal) applies to an employee who was employed as a betting worker under her contract of employment on the last day of her maternity leave period, she shall be treated for the purposes of this Schedule as if she had been employed as a betting worker on the day with effect from which she is treated as dismissed under that section.

Meaning of 'protected betting worker'

2.—(1) Subject to paragraph 3 below, a betting worker is to be regarded for the purposes of this Schedule as 'protected' if, and only if—

(a) on the day before the commencement date, he was employed as a betting worker,

(b) on that day, he was not employed to work only on Sunday,

(c) he has been continuously employed during the period beginning with that day and ending with the appropriate date, and

(d) throughout that period, or throughout every part of it during which his relations with his employer were governed by a contract of employment, he was a betting worker.

(2) In sub-paragraph (1)(c) above 'the appropriate date' means—

(a) in relation to paragraphs 7 and 8 below, the effective date of termination,

(b) in relation to paragraph 10 below, the date of the act or failure to act,

(c) in relation to sub-paragraph (2) or (3) of paragraph 12 below, the day on which the agreement is entered into,

(d) in relation to sub-paragraph (4) of that paragraph, the day on which the employee returns to work,

(e) in relation to paragraph 14 below, any time in relation to which the contract is to be enforced, and

(f) in relation to paragraph 15 below, the end of the period in respect of which the remuneration is paid or the benefit accrues.

(3) For the purposes of sub-paragraph (2)(a) above, 'the effective date of termination', in any case falling within paragraph 1(4) above, means the day with effect from which the employee is treated by section 56 of the 1978 Act as being dismissed.

(4) For the purposes of sub-paragraph (2)(b) above—

(a) where an act extends over a period, the "date of the act" means the first day of the period, and

(b) a deliberate failure to act shall be treated as done when it was decided on,

and in the absence of evidence establishing the contrary, an employer shall be taken to decide on a failure to act when he does an act inconsistent with doing the failed act or, if he has done no such inconsistent act, when the period expires within which he might reasonably have been expected to do the failed act if it was to be done.

(5) Where on the day before the commencement date an employee's relations with his employer have ceased to be governed by a contract of employment, he shall be regarded as satisfying the conditions in sub-paragraph (1)(a) and (b) above if—

(a) that day falls in a week which counts as a period of employment with that employer under paragraph 9 or 10 of Schedule 13 to the 1978 Act (absence from work because of sickness, pregnancy etc.) and

(b) on the last day before the commencement date on which his relations with his employer were governed by a contract of employment, the employee was a betting worker and was not employed to work only on Sunday.

3.—(1) A betting worker is not a protected betting worker if—

(a) on or after the commencement date, he has given his employer an opting-in notice, and

(b) after giving that notice, he has expressly agreed with his employer to work on Sunday or on a particular Sunday.

(2) In this Schedule "opting-in notice" means a written notice, signed and dated by the betting worker, in which the betting worker expressly states that he wishes to work on Sunday or that he does not object to Sunday working.

Notice of objection to Sunday working

4.—(1) This paragraph applies to any betting worker who, under his contract of employment—

(a) is or may be required to work on Sunday (whether or not as a result of previously giving an opting-in notice), but

(b) is not employed to work only on Sunday.

(2) A betting worker to whom this paragraph applies may at any time give his employer written notice, signed and dated by the betting worker, to the effect that the betting worker objects to Sunday working.

(3) In this Schedule 'opting-out notice' means a notice given under sub-paragraph (2) above by a betting worker to whom this paragraph applies.

Meaning of 'opted-out betting worker'

5.—(1) Subject to sub-paragraph (5) below, a betting worker is to be regarded for the purposes of this Schedule as 'opted-out' if, and only if—

(a) he has given his employer an opting-out notice,

(b) he has been continuously employed during the period beginning with the day on which the notice was given and ending with the appropriate date, and

(c) throughout that period, or throughout every part of it during which his relations with his employer were governed by a contract of employment, he was a betting worker.

(2) In sub-paragraph (1) above 'the appropriate date' means—

(a) in relation to paragraphs 7 and 8 below, the effective date of termination,

(b) in relation to paragraph 10 below, the date of the act or failure to act,

(c) in relation to sub-paragraph (2) or (3) of paragraph 13 below, the day on which the agreement is entered into, and

(d) in relation to sub-paragraph (4) of that paragraph, the day on which the employee returns to work.

(3) For the purposes of sub-paragraph (2)(a) above, 'the effective date of termination', in any case falling within paragraph 1(4) above, means the day with effect from which the employee is treated by section 56 of the 1978 Act as being dismissed.

(4) For the purposes of sub-paragraph (2)(b) above—

(a) where an act extends over a period, the 'date of the Act' means the first day of the period, and

(b) a deliberate failure to act shall be treated as done when it was decided on,

and in the absence establishing the contrary, an employer shall be taken to decide on a failure to act when he does an act inconsistent with doing the failed act or, if he has done no such inconsistent act, when the period expires within which he might reasonably have been expected to do the failed act if it was to be done.

(5) A betting worker is not an opted-out betting worker if—

(a) after giving the opting-out notice concerned, he has given his employer an opting-in notice, and

(b) after giving that opting-in notice, he has expressly agreed with his employer to work on Sunday or on a particular Sunday.

Meaning of 'notice period'

6. In this Schedule 'notice period', in relation to an opted-out betting worker, means, subject to paragraph 11(2) below, the period of three months beginning with the day on which the opting-out notice concerned was given.

Right not to be dismissed for refusing Sunday work

7.—(1) Subject to sub-paragraph (2) below, the dismissal of, a protected or opted-out betting worker by his employer shall be regarded for the purposes of Part V of the 1978 Act as unfair if the reason for it (or, if more than one, the principal reason) was that the betting worker refused, or proposed to refuse, to work on Sunday or on a particular Sunday.

(2) Sub-paragraph (1) above does not apply in relation to an opted-out betting worker where the reason (or principal reason) for the dismissal was that he refused, or proposed to refuse, to work on any Sunday or Sundays falling before the end of the notice period.

(3) The dismissal of a betting worker by his employer shall be regarded for the purposes of Part V of the 1978 Act as unfair if the reason for it (or, if more than one, the principal reason) was that the betting worker gave, or proposed to give, an opting-out notice to the employer.

(4) Section 142 of the 1978 Act (contracts for a fixed term) shall not exclude the application of section 54 of that Act (right of employee not to be unfairly dismissed) in relation to any dismissal which is unfair by virtue of sub-paragraph (1) or (3) above.

8.—(1) Where the reason or principal reason for the dismissal of a protected or opted-out betting worker was that he was redundant, but it is shown—

(a) that the circumstances constituting the redundancy applied equally to one or more other employees in the same undertaking who held positions similar to that held by him and who have not been dismissed by the employer, and

(b) that the reason (or, if more than one, the principal reason) for which he was selected for dismissal was that specified in paragraph 7(1) above,

then, for the purposes of Part V of the 1978 Act, the dismissal shall be regarded as unfair.

(2) Sub-paragraph (1) above does not apply in relation to an opted-out betting worker where the reason (or principal reason) for which he was selected for dismissal was that specified in paragraph 7(2) above.

(3) Where the reason or principal reason for the dismissal of a betting worker was that he was redundant, but it is shown—

(a) that the circumstances constituting the redundancy applied equally to one or more other employees in the same undertaking who held positions similar to that held by him and who have not been dismissed by the employer, and

(b) that the reason (or, if more than one, the principal reason) for which he was selected for dismissal was that specified in paragraph 7(3) above,

then, for the purposes of Part V of the 1978 Act, the dismissal shall be regarded as unfair.

Exclusion of section 64(1) of Employment Protection (Consolidation) Act 1978

9. Section 54 of the 1978 Act (right of employee not to be unfairly dismissed) shall apply to a dismissal regarded as unfair by virtue of paragraph 7 or 8 above regardless of the period for which the employee has been employed and of his age; and accordingly section 64(1) of that Act (which provides a qualifying period and an upper age limit) shall not apply to such a dismissal.

Right not to suffer detriment for refusing Sunday work

10.—(1) Subject to sub-paragraphs (2) and (4) below, a protected or opted-out betting worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done on the ground that the betting worker refused, or proposed to refuse, to work on Sunday or on a particular Sunday.

(2) Sub-paragraph (1) above does not apply to anything done in relation to an opted-out betting worker on the grounds that he refused, or proposed to refuse, to work on any Sunday or Sundays falling before the end of the notice period.

(3) Subject to sub-paragraph (4) below, a betting worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done on the ground that he gave, or proposed to give, an opting-out notice to his employer.

(4) Sub-paragraphs (1) and (3) above do not apply where the detriment in question amounts to dismissal.

(5) For the purposes of this paragraph a betting worker who does not work on Sunday or on a particular Sunday is not to be regarded as having been subjected to any detriment by

(a) any failure to pay remuneration in respect of betting work on a Sunday which he has done.

(b) any failure to provide him with any other benefit, where that failure results from the application, in relation to a Sunday on which the employee has not worked, of a contractual term under which the extent of that benefit varies according to the number of hours worked by the employee or the remuneration of the employee, or

(c) any failure to provide him with any work, remuneration or other benefit which by virtue of paragraph 14 or 15 below the employer is not obliged to provide.

(6) Where an employer offers to pay a sum specified in the offer to any one or more employees who are protected or opted-out betting workers or who, under their contracts of employment, are not obliged to work on Sunday, if they agree to work on Sunday or on a particular Sunday—

(a) and employee to whom the offer is not made is not to be regarded for the purposes of this paragraph as having been subjected to any detriment by any failure to make the offer to him or to pay him that sum, and

(b) an employee who does not accept the offer is not to be regarded for those purposes as having been subjected to any detriment by any failure to pay him that sum.

Employer's duty to give explanatory statement

11.—(1) Where a person becomes a betting worker to whom paragraph 4 above applies, his employer shall, before the end of the period of two months beginning with the day on which that person becomes such a betting worker, give him a written statement in the prescribed form.

(2) If—

(a) an employer fails to comply with sub-paragraph (1) above in relation to any betting worker, and

(b) the betting worker, on giving the employer an opting-out notice, becomes an opted-out betting worker,

paragraph 6 above shall have effect, in relation to the betting office worker, with the substitute for 'three months' of 'one month'.

(3) An employer shall not be regarded as failing to comply with sub-paragraph (1) above in any case where, before the end of the period referred to in that sub-paragraph, the betting worker has given him an opting-out notice.

(4) Subject to sub-paragraph (5) below, the prescribed form is as follows—

'STATUTORY RIGHTS IN RELATION TO SUNDAY BETTING WORK

You have become employed as a betting worker and are or can be required under your contract of employment to do the Sunday work your contract provides for.

However, if you wish, you can give a notice, as described in the next paragraph, to your employer and you will then have the right not to work on any Sunday once three months have passed from the date on which you gave the notice.

Your notice must—

be in writing;

be signed and dated by you;

say that you object to Sunday working.

for three months after you give the notice, your employer can still require you to do all the Sunday work your contract provides for. After the three month period has ended, you have the right to complain to an industrial tribunal if, because of your refusal to work on Sundays, your employer—

dismisses you, or

does something else detrimental to you, for example, failing to promote you.

Once you have the rights described, you can surrender them only by giving your employer a further notice, signed and dated by you, saying that you wish to work on Sunday or that you do not object to Sunday working and then agreeing with your employer to work on Sundays or on a particular Sunday.'

(5) The Secretary of State may by order amend the prescribed form set out in sub-paragraph (4) above.

(6) An order under sub-paragraph (5) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Effect of rights on contracts of employment

12.—(1) Any contract of employment under which a betting worker who satisfies the conditions in paragraph 2(1)(a) and (b) above was employed on the day before the commencement date is unenforceable to the extent that it—

(a) requires the betting worker to work on Sunday on or after the commencement date, or

(b) requires the employer to provide the betting worker with work on Sunday on or after that date.

(2) Except as provided by sub-paragraph (3) below, any agreement entered into after the commencement date between a protected betting worker and his employer is unenforceable to the extent that it—

(a) requires the betting worker to work on Sunday, or

(b) requires the employer to provide the betting worker with work on Sunday.

(3) Where, after giving an opting-in notice, a protected betting worker expressly agrees as mentioned in paragraph 3(1)(b) above (and so ceases to be protected), his contract of employment shall be taken to be varied to the extent necessary to give effect to the terms of the agreement.

(4) The reference in sub-paragraph (2) above to a protected betting worker includes a reference to an employee who, although not a protected betting worker for the purposes of that sub-paragraph at the time when the agreement is entered into, is a protected betting

worker on the day on which she returns to work as mentioned in paragraph 10 of Schedule 13 of the 1978 Act (maternity).

13.—(1) Where a betting worker gives his employer an opting-out notice, the contract of employment under which he was employed immediately before he gave that notice becomes unenforceable to the extent that it—

(a) requires the betting worker to work on Sunday after the end of the notice period, or

(b) requires the employer to provide the betting worker with work on Sunday after the end of that period.

(2) Except as provided by sub-paragraph (3) below, any agreement entered into between an opted-out betting worker and his employer is unenforceable to the extent that it—

(a) requires the betting worker to work on Sunday after the end of the notice period, or

(b) requires the employer to provide the betting worker with work on Sunday after the end of that period.

(3) Where, after giving an opting-in notice, an opted-out betting worker expressly agrees as mentioned in paragraph 5(5)(b) above (and so ceases to be opted-out), his contract of employment shall be taken to be varied to the extent necessary to give effect to the terms of the agreement.

(4) The reference in sub-paragraph (2) above to a protected betting worker includes a reference to an employee who, although not a protected betting worker for the purposes of that sub-paragraph at the time when the agreement is entered into, is a protected betting worker on the day on which she returns to work as mentioned in paragraph 10 of Schedule 13 to the 1978 Act (maternity).

14. If—

(a) under the contract of employment under which a betting worker who satisfies the conditions in paragraph 2(1)(a) and (b) above was employed on the day before the commencement date, the employer is, or may be, required to provide him with work for a specified number of hours each week,

(b) under that contract, the betting worker was or might have been required to work on Sunday before the commencement date, and

(c) the betting worker has worked on Sunday in that employment (whether or not before the commencement date) but has, on or after the commencement date, ceased to do so,

then, so long as the betting worker remains a protected betting worker, that contract shall not be regarded as requiring the employer to provide him with work on weekdays in excess of the hours normally worked by the betting worker on weekdays before he ceased to work on Sunday.

15.—(1) If—

(a) under the contract of employment under which a betting worker who satisfies the conditions in paragraph 2(1)(a) and (b) above was employed on the day before the commencement date, the betting worker was or might have been required to work on Sunday before that date,

(b) the betting worker has worked on Sunday in that employment (whether or not before the commencement date) but has, on or after the commencement date, ceased to do so, and

(c) it is not apparent from the contract what part of the remuneration payable, or of any other benefit accruing, to the betting worker was intended to be attributable to work on Sunday, then, so long as the betting worker remains a protected betting worker, that contract shall be regarded as enabling the employer to reduce the amount of remuneration paid, or the extent of the other benefit provided, to the betting worker in respect of any period by the proportion which the hours of work which (apart from this Schedule) the betting worker could have been required to do on Sunday in the period (in this paragraph referred to as "the contractual Sunday hours") bears to the aggregate of those hours and the hours of work actually done by the betting worker in the period.

(2) Where, under the contract of employment, the hours of work actually done on weekdays in any period would be taken into account in determining the contractual Sunday hours, they shall be taken into account in determining the contractual Sunday hours for the purposes of sub-paragraph (1) above.

Proceedings for contravention of paragraph 10

16. Section 22B and 22C of the 1978 Act (which relate to proceedings brought by an employee on the ground that he has been subjected to a detriment in contravention of section 22A of that Act) shall have effect as if the reference in section 22B(1) to section 22A included a reference to paragraph 10 above.

Dismissal on grounds of assertion of statutory right

17. In section 60A of the 1978 Act (dismissal on grounds of assertion of statutory right), in subsection (4)(a), after sub-paragraph (ii) there shall be inserted "or (iii) Schedule 4A to the Betting, Gaming and Lotteries Act 1963".

Conciliation

18. In section 133 of the 1978 Act (general provisions as to conciliation offers) at the end of subsection (1) there shall be added—

"(ff) arising out of a contravention, or alleged contravention, of paragraph 10 of Schedule 4A to the Betting, Gaming and Lotteries Act 1963".'.

Mr. Paice: The effect of new clause 1 is to remove from the Betting Gaming and Lotteries Act 1963 the ban on licensed betting offices opening to the public on Sundays. It also introduces into that Act a schedule of employee protection.

The impact, however, of the new clause would be to allow betting offices to open on Sundays, thus enabling horse racing to take place on Sundays. I should make it absolutely clear to the House that it will also enable greyhound racing to take place. I do not pretend to know very much about greyhound racing, so I shall leave it to other hon. Members to discuss in more detail, but I understand that the industry would benefit considerably and I have received a letter from the British Greyhound Racing Board expressing its support.

In the seven years that I have been a Member of Parliament, there have been three earlier attempts to allow Sunday racing to take place. My hon. Friend the Member for Crawley (Mr. Soames), now the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, introduced a Bill, as did my hon. Friend the Member for Berkshire, East (Mr. MacKay), and then my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) took over the Bill of the noble Lord Wyatt. All failed—probably inevitably, given the constraints on private Members' legislation and because other aspects of Sundays had not been resolved by the House. Nevertheless, I pay tribute to my three hon. Friends for their pioneering work in raising the profile of the issue so that the industry was in a better position to address some of the problems before coming to the House tonight to try once more.

It is also important at this stage to point out to the House that considerable discussion has taken place within the industry over the past four months since I first conceived the idea of using the deregulation Bill as a vehicle for change. For all that time the hon. Member for Livingston

[Mr. Paice]

(Mr. Cook) has been involved in those discussions and has been most robust in his support for the principles, and I thank him for that.

Although I am conscious that in the past few days one or two voices in the industry have raised questions, I should make it clear that they have been involved and consulted for a considerable time before the new clause was tabled.

Some of my hon. Friends may be concerned at what might be seen an a stimulus to further betting and gambling. I make no secret of the fact that I do not share their criticism or concern, but I respect it. To that extent, it is important to review the law at the present time.

Although, in law, betting, gaming and lotteries are distinct forms of gambling, any survey of public opinion would find it extremely difficult to identify any difference in the public perception of them. All three are legal on Sundays, so a substantial amount of gambling already takes place.

It is perfectly legal for people to enter a casino on a Sunday and take part in all the activities of such places. It is also possible to bet on horse racing on Sundays. Anyone sufficiently well-off to have a credit account with a bookmaker can place bets by telephone on a Sunday on horse races taking place in a different country. I shall return to that point. People can play on an amusement-with-prizes machine—I prefer to call it a one-armed bandit—yet most people consider that to be gambling.

4 pm

Perhaps the most important point is that when the national lottery is introduced in a few months, it will be perfectly legal to buy a ticket on a Sunday from any of the outlets. The national lottery has been approved and supported by both sides of the House, working on behalf of the Government.

That brings me to my final point on the issue of betting, which is that the Government are not a disinterested bystander—on the contrary, the Treasury receives a substantial tax revenue from betting, gaming and lotteries. The general betting duty alone raises almost £500 million a year.

I want to explain why I believe that there is a need to allow horse racing on Sundays. It will not have gone unnoticed that horse racing and, indeed, greyhound racing are the only major sports that do not currently take place on a Sunday. Football, cricket, golf, motor racing and horse trials all take place on Sundays and the vast majority of people recognise them as part of modern Sunday leisure activities. Therefore, horse racing is being discriminated against by being unable to compete in what is becoming an ever-more competitive leisure market.

I make it clear that, of all the major horse racing countries, Britain is the only one where horse racing does not take place on Sundays. In Ireland, France and Italy, the three other big racing nations in Europe—incidentally, all Catholic nations—horse racing with betting takes place on Sundays. Indeed, in Ireland, which is in its third season of Sunday racing, it is already possible to draw some conclusions. By holding the Irish Derby on a Sunday, while we hold our Derby on a Wednesday, their attendances have risen substantially whereas ours have fallen dramatically because modern life styles mean that fewer and fewer people can afford to take a day off midweek.

Attendances in Ireland on a Sunday compare favourably with comparative Saturday fixtures. Perhaps more important, many of the racegoers on a Sunday are different from the usual racegoer. They include many more women and children and there is very much more of a family atmosphere—and that is extremely important to horse racing if it is to become even more of a mainstream sporting activity.

Why is betting necessary in order to have horse racing on Sundays? First, anyone who goes racing knows of the significant increased attraction and enjoyment from being able to put a small bet on a horse that might take one's fancy for any one of a number of reasons. Secondly, and far more significantly, the inherent desire of the British people to gamble and to bet on horses will always find an outlet. There is justifiable concern in Customs and Excise that unless there is an opportunity for legal betting, both on and off-course, there will be a mushrooming of illegal activity, just as there was before the 1963 legislation. For that reason, it has not been possible for me to separate on and off-course betting.

Finally, there is the matter of the horse race betting levy —the very significant contribution back into the racing industry that comes from the use of racing's product by the betting industry. There is no doubt that, with the advent of the national lottery, there will be some diversion of any money available for gambling and horse racing, so racing will lose. In Ireland, the lottery reduced betting turnover by 17 per cent. That is why I am anxious that Sunday racing should provide an alternative way of sustaining betting office turnover, which would be good both for racing and for the bookmakers.

Mr. Ian Taylor (Esher): My hon. Friend's point about support for the industry through betting is also a factor in the possible transfer of prize money to courses overseas. I know from representations from Sandown Park in my constituency that it is worried about that factor, which is why it supports what my hon. Friend is saying this afternoon.

Mr. Paice: I am grateful to my hon. Friend for expressing the support from Sandown Park and Esher.

Over the past two years, three experimental race meetings have been held on Sundays to show the public exactly what a Sunday meeting could be like. Obviously, no cash betting could take place, although a small amount of credit betting occurred. The absence of cash betting severely damaged the quality of the racing, although the attendance was substantial.

What will happen if the new clause is passed? In the next two years, the British Horseracing Board will include in its fixture list a small number of Sundays. There will be no dramatic change; it is not intended that a sudden surge of Sunday meetings will take place all over the country. Britain has 59 racecourses, the vast majority of which would not be open on a Sunday. Many would never have Sunday meetings, while others would have just one or two. One has only to look at the Saturday fixture list to realise that most courses do not operate on Saturdays. And even if, in several years' time, Sunday racing becomes more

popular so that there is an overall increase in the fixture list, only a small number of Sunday meetings is likely to take place.

My final point concerns the new schedule of employment protection. I and my colleagues on both sides of the House who have tabled the new clause looked carefully at those who would be affected by the proposals. People who work in licensed betting offices and the staff of the Tote who work on and off course will be directly affected. Many others in the racing industry would also be affected: stable lads, jockeys, trainers, and horsebox drivers will work on Sundays, as will race course staff, officials, caterers and so on. But most of those already have Sunday work in their work rota. Stable lads, trainers, race course staff, officials and caterers often work on Sundays for a number of hours, although the new clause may increase that workload. Race course officials who do not have meetings at present may be involved in other activities on race courses on Sundays, such as antiques fairs, which take place on my local course of Newmarket.

In any event, most race courses will be closed on any one Sunday, so the only new group of employees who will be significantly affected will be the staff of betting offices and the Tote. That is why the new clause includes a new schedule of employment rights specifically for those staff.

I am aware of the concern of the Stable Lads Association, but the Betting, Gaming and Lotteries Act 1963, which I seek to amend, is not the correct vehicle for addressing the concerns of the stable lads and to do so would not be in order. I assure the House and my right hon. Friend the Member for Selby (Mr. Alison), who has just joined us, that I understand the stable lads' concerns. The British Horseracing Board will undertake to initiate discussions with employers to obtain appropriate improvements and changes to the terms and conditions that will be necessary for stable lads who will have to work longer hours and on some Sundays.

The new schedule in amendment No.1 sets out terms of employee protection identical to those provided for retail staff in the Sunday Trading Bill, which is currently in another place. I recognise that many bookmakers may be concerned at being singled out for employee protection, but I hope that they will understand not only the fact that the House is unlikely to approve the measure without employee protection, but that, under current law, the distinct group of people that I have described would not normally expect to have to work on a Sunday.

The Betting Office Licensees Association, which represents the large bookmakers, is also concerned that its staff should be seen as employees of the leisure industry, not the retail industry. That may well be the case; it is an extremely valid argument, but to make that change would require a substantial review of the entire legislation surrounding betting offices, and that is not the purpose of my proposals. It could be done only under the auspices of a specific Government Bill at some stage in future.

Why should the British public be the only racing nation unable to enjoy their sport on a Sunday? To allow betting to operate would enable many more people to participate in the sport, in which Britain and—I make no bones about it—many of my constituents have been, and will continue to be, pre-eminent. I believe that new clause 1 and the new schedule that I have tabled with it are workable. I do not pretend to be infallible, but if, as I am advised, certain aspects of the schedule on employment protection need to be technically changed, I hope that the Government will agree to do that in another place.

I welcome the fact that hon. Members on both Front Benches have agreed to a free vote on new clause 1. That is extremely valuable and welcome. I very much hope that, on the back of that, the House will accept the new clause and give the racing public an opportunity to enjoy their sport on a Sunday.

Sir Peter Emery (Honiton): I have listened with great interest to my hon. Friend the Member for Cambridgeshire, South East (Mr. Paice) and congratulate him on the manner in which he presented his new clause and the reason with which he argued his case. Let me make it absolutely clear to him that I accept immediately that there is no reason why racing at race courses should not take place on a Sunday. It seems to me that it is a sport that many people appreciate, and there is no reason why those who are interested in it should be debarred from having race meetings on a Sunday when most other sports are able to continue. I understand also his argument that to have racing on a Sunday where there is no on-course betting makes it very difficult for the attraction, which is part of racing, to be complete. The whole of his argument on that is sincere and reasonable, and I accept it.

The only matter on which I have to begin to present an argument is for a considerable minority in this country—those who see a specific reason for trying to keep Sunday slightly special and who would find it somewhat unpleasant and unnecessary to have betting shops open in the high streets and villages throughout the country on a Sunday. That would happen because many of them are controlled by major national combines. There would be considerable resentment about that. My hon. Friend argued that, unless there was overall permission for betting to take place, both on and off course on a Sunday, it would be impossible for racing to proceed. I question that. He argued that that could not happen because Customs and Excise believes that, if betting shops were not to open, a great deal of illegal off-course betting would arise. That argument is somewhat dubious. It does not follow with the latter part of the case he made: that there would not be a major surge of meetings on a Sunday, and therefore there would not be a massive necessity to create an external factor in which betting can take place.

My hon. Friend admitted that many people—I believe that it is not just the rich, but many hundreds of thousands of people—have betting accounts. Many ladies in my constituency have betting accounts, watch the television and are delighted to place their small amount of money by telephone to the bookies. I see no reason why that should be banned. On the levy, it would not take much imagination on the part of the betting shops to prepare their betting slips to allow them to be used for a Sunday race as well for Saturday races so that those who wanted to bet on the Sunday schedule could quite easily do so on a Saturday without the shop having to open on a Sunday. They could collect their winnings on Monday.

4.15 pm

I believe that it is the Home Office that has objected to the licensing of on-course betting, refusing to accept that it can be separated from off-course betting. I hope that, before they accept the new clause, the Government will give an undertaking to reconsider the matter and establish

whether it is possible to agree to the licensing of on-course betting and betting on account—which can take place anywhere—without necessarily allowing betting shops in every village in the country to open on Sunday. That would benefit those who want to enjoy Sunday racing and to bet on course, while not incurring the objections of a number of people—a minority, admittedly, but one of the largest minorities in the country: a Christian minority. Balancing those two interests would be greatly advantageous to the Government, while allowing my hon. Friend the Member for Cambridgeshire, South-East to achieve his aims without hindering the racing community.

I do not accept the argument of some outside organisations that unless there is off-course betting the industry will be unable to adopt Sunday racing. As my hon. Friend explained, there will be no sudden surge: if courses are allowed to provide on-course betting on Sundays, we shall achieve the objective that both he and I want. As I said, I support him at least in part.

I hope that the Government—including the Home Office—will examine the matter again. I see no reason for rejecting the new clause. After all, if the illegal off-course betting industry increases, the Government can increase the penalties to deter people. I believe that we can accommodate both sides of the question sensibly and reasonably.

Mrs. Llin Golding (Newcastle-under-Lyme): I must declare an interest, as treasurer of the all-party group on racing and bloodstock. I have supported Sunday racing for many years; I have never been able to see the logic of allowing other sports to take place on Sundays while racing cannot. I have also been a strong supporter of on-course betting only, and—like the right hon. Member for Honiton (Sir P. Emery)—I do not understand why the Home Office could not see the sense of such an arrangement. However, following extensive debate in the all-party group, I am aware that unless we take this opportunity to allow Sunday racing, we shall remain in a ridiculous position for many years. I therefore have to tell the hon. Member for Cambridgeshire, South-West (Mr. Paice) that I shall support the amendment—much to his surprise, I think—but I want the protection of workers' rights and of the additional payment for those who work on Sundays to be included in the Bill. If that protection is included, the hon. Gentleman shall have my strong support, although I also wish that there were racing with on-course betting only.

Mr. Michael Alison (Selby): I apologise to my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice) for not being here when he moved the new clause, but the debate on the earlier new clause and amendments was so rapid that I could not get here quickly enough. However, I arrived just in time to hear him express some very helpful sentiments in connection with stable lads in particular. I shall detain the House for a few moments to highlight the new clause's implications for stable lads. It is not my hon. Friend's fault, but stable lads are perforce excluded from the employment protection measures proposed in amendment No. 1 to benefit those who work in betting shops.

There is no automatic employment protection for the 8,000 to 10,000 people employed in the racing industry, for either the 6,000 or so who work in the various types of stables or the 3,000 or so employed as breeders and transport staff. Mr. W. A. J. Adams, the national secretary of the Stable Lads Association, has outlined a vivid scenario of what will happen to staff at a typical stable, who do not at present work have to do much work on a Sunday, if there is regular Sunday racing on a large scale.

Mr. Adams cites the example of a stable yard with 40 horses which is adequately staffed with a ratio of one lad to three horses. Let us assume that on alternate weekends only six or seven members of staff are on duty at the yard to look after the 40 horses. As a result of the new clause, two Sunday races could be scheduled suddenly—one at Ayr and one at Newbury. If the trainer or owner has engaged one horse to run at Ayr, the distance between Ayr and the yard will mean that two of the seven rostered weekend staff will have to travel on Saturday to get to Ayr on time, leaving a depleted weekend contingent of five to work on Saturday evening.

If the owner is exerting pressure to have a runner at Newbury as well as Ayr, another two members of the weekend staff will have to leave first thing on Sunday morning, thus leaving a weekend contingent of three at the yard to look after the remaining 38 horses. It will almost certainly lead to the trainer ordering staff who are rostered off duty to cover for staff away at the races. Therefore, staff will lose the valuable time off that they usually expect to have at the weekend. Of course, the yard may also have horses running on Monday, in which case they would need exercising on Sunday and the staff may have to leave for the races on Sunday afternoon, thus depleting the Sunday care and maintenance staff even further.

Such a scenario would have a profound effect on the life and lot of stable lads. Their life and lot is not one of exotic, plutocratic wealth or high standards of living. They are, in fact, a vulnerable and low-paid sector of the work force. They typically work one weekend in two, with five hours' overtime. In 1991, a lad aged 19 received £144 a week as a minimum consolidated wage. The idea that, because of the extra pressure caused by Sunday working, the key staff will be increased—or that numbers will be "staffed up", as the saying goes in the trade—is a myth. The key staff on which the training of racehorses depends are usually over 25 years of age, married and very difficult to replace. There is already a drop-out from the industry of those aged 23 years and over, with the anti-social hours and low pay creating difficulties for married couples. A move towards Sunday racing without protection from being forced to work on Sundays will inevitably increase that trend.

In view of what my hon. Friend the Member for Cambridgeshire, South-East has said already and in view of my own brief contribution to the debate, I hope that he will see that it is constructive, helpful and wise to do everything possible to ensure that stable lads and those connected with training stables will not be affected adversely. Life in training stables will have to change in order to put stable lads on reasonably even terms with those who are employed in betting shops for whom my hon. Friend is trying to get a better deal.

I believe that it is in the interests of the horse racing industry to offer a new deal to stable lads and those associated with them in the context of what my hon. Friend is trying to do in his amendment. If my hon. Friend will confirm that he will put all his moral and mental force behind improving the lot of stable hands in the face of many extra Sunday racing events, I will take everything that he said at face value and give him my full support and credit for what he is trying to do. But my support for his

amendment is conditional on the fact that he will go to town and secure at least as good a deal for stable lads as he is trying to secure for those who work in betting shops.

Mr. Peter Kilfoyle (Liverpool, Walton): I intend to speak very briefly to the new clause as I suspect that the vast majority of hon. Members have already made up their minds about this issue. Nevertheless, it is important for me to put on record the reasons why I shall be voting against the new clause.

This debate is a conjunction of two very serious debates which have taken place in the Chamber in recent times —on the National Lottery Bill, when we explored the ethics of gambling, and the Sunday Trading Act 1993. Those debates caused great consternation on both sides of the House.

I was bemused to hear the hon. Member for Cambridgeshire, South-East (Mr. Paice) make some kind of causal link between catholicity and an enthusiasm for gambling. I thought that that was very odd. As a Catholic, I am virulently opposed to gambling—but on a pragmatic basis. My opposition is not a matter of religious conviction; I oppose gambling simply because I look around and I see brothers, relatives and friends for whom gambling is an addictive disease. I have learnt that lesson over many years and it is one of the reasons why I shall be opposing the new clause tonight. I do not take any high moral ground; I oppose it simply on the basis of my own experience.

I view with some amusement the notion that the bookies will somehow end up in the poorhouse if we do not open the betting shops on Sundays. In my part of the world we used to say that there was no such thing as a thin bookie. Perhaps I would fit the part myself if I were that way inclined.

I have three simple reasons for opposing the new clause. First, I have little time for horse racing. I think that it is controlled by members of a certain class with a certain level of wealth who run it as a private club. I have no truck with it, although many members of my family, my party and my constituents would take great exception to that point. But that is my view and I hold by it.

If I have little time for the horse racing industry, I do not give a tinker's damn about bookmakers and the money that they fleece from people throughout the country in one way or another. I will give no succour to bookmakers at any point. So far as I am concerned, to encourage gambling at any level is another nail in the coffin of society as we know it. In my view, gambling is a sickness which ought to be treated and not encouraged.

My second reason for voting against the new clause is that it will do further damage to families with a gambling problem. I am no moral arbiter for families in my constituency or anywhere else, but I know what will happen to many people I have seen for whom the only respite at present is a Sunday, because during the week the man of the house—or, increasingly, the woman of the house—spends all day in the betting shop. We all know that that happens.

The hon. Member for Cambridgeshire, South-East talked about turning betting shops into leisure centres.

Mr. Paice *indicated dissent.*

Mr. Kilfoyle: Or perhaps he said that betting shops should be regarded as part of the leisure industry—I think that he would accept that—but betting shops are really nothing but money-grinding machines for the bookies.

Thirdly, I oppose the new clause because I do not believe that the interests of the employees of the thousands of betting shops throughout the country will be protected. I am not convinced by the protestations of the hon. Member for Cambridgeshire, South-East about the new schedule that he said would be added to protect employees' interests. Such measures have not worked before, and they will not work now. When the pressure is on, people who work part time in betting shops will face a clear choice: work on Sundays or be out of a job.

4.30 pm

Mr. John Greenway (Ryedale): I congratulate my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice) on his sterling work, and on the weight that he, as chairman of the all-party racing and bloodstock committee, has borne on his shoulders in introducing the new clause and in promoting the interests of horse racing. My hon. Friend and I share an interest in horse racing. Although we represent different ends of the country, both our constituencies are important breeding and horse race training centres of excellence. I am in no doubt that the future of our horse racing industry will be enhanced by Sunday racing. That, above all else, is why I support it, and therefore why I support the new clause.

My right hon. Friend the Member for Honiton (Sir P. Emery) asked why we require off-course as well as on-course betting. The Home Affairs Select Committee considered that question in detail when we inquired into the levy and the tote. In our report we recommended Sunday racing, but with on-course betting only. We cast our concerns on the strength of the argument about whether, if betting shops were closed, there would be illegal gambling. That was not the experience in Ireland. Three years later, however, having thought a great deal more about the subject, I believe that we need off-course as well as on-course betting. I will give my right hon. Friend two reasons why.

First, restricting betting to the course is fine for people who go to the race course, but if there were a meeting in Newbury, people who live in North Yorkshire and are involved in the racing industry there would not be able to go to Newbury, bet on the race, watch it as a live spectacle and collect their winnings, or whatever. In horse racing —and betting is a crucial part of the sport—we should have a national picture; everyone should be able to join in. If we closed the betting shops it would not be the wealthy who would lose, but the ordinary working man. The hon. Member for Liverpool, Walton (Mr. Kilfoyle) was concerned about that. The ordinary working man, who has not got a telephone account with Ladbroke's or Coral's —in my opinion, for the reasons described by the hon. Member for Walton, perhaps he ought not to have one— would lose.

The second reason for having off-course betting is one that I mentioned earlier. I believe that over time it would boost the viability and prosperity of horse racing. That is what we all want to see. The crucial ingredient in that process is the levy, which comes from off-course rather than on-course betting. If one considers the Grand National, for example, the loss of that one race last year

[Mr. John Greenway]

meant that the levy was the poorer by some £750,000. We want some of the classic races which at present are raced on a Tuesday, a Wednesday or perhaps a Thursday with not only low attendances but relatively low turnover in the betting shop, to take place at the weekend. There are enough of them on Saturdays. The Saturday fixtures are full. We want some of them raced on a Sunday. We shall then see a bigger betting turnover and a bigger levy as a consequence. That does not in any way mean that there will be more racing.

Mr. Michael Jopling (Westmorland and Lonsdale): You have blown it.

Mr. Greenway: My right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) says that we have blown it, but there is undoubtedly an opportunity for more people to take part in racing in their leisure time at the weekend—on Saturday and Sunday—than when they are on the factory floor or in the office from Monday to Friday.

Sir Peter Emery: To help clarify his argument, would my hon. Friend mind telling me how many classic races on the flat are held on a Saturday and if they are not, why they are not?

Mr. Greenway: A number of classics are raced on a Saturday—such as the St. Leger, which is raced over a mile and a half. The 2000 Guineas is raced on a Saturday. The Derby is raced on a Wednesday and the off-course betting turnover is much lower than, say, that of the Grand National. I believe that there would be a higher turnover if it were raced on a Sunday.

The next question to ask is how many races.

Mr. Michael Lord (Suffolk, Central): I am listening carefully to my hon. Friend's argument. Earlier, we were told that there was no intention of over-stimulating weekend racing, that we would barely notice the difference for quite a few years and that it would all be very gentle. I suspect that my hon. Friend is letting the cat quietly out of the bag. He is saying that he wants the classics to be raced not just at the weekend, but specifically on a Sunday when a lot of people have more free time to get involved. However, that is also the precious free time that many Conservative Members want to preserve.

Mr. Greenway: That is up to my hon. Friend. If he wants to sit at home with his feet up in front of the fire on a Sunday afternoon, that is entirely up to him. He may choose to watch the racing or the football or to watch the repeat of "Coronation Street". Many working people are denied the choice of going to some of the classic races because they are raced on Monday, Tuesday, Wednesday, Thursday and Friday. There is a three-day, mid-week meeting at York, and the Oaks trial has been run this afternoon in the past couple of hours. How many people who support racing can go to York races on a Tuesday afternoon?

My hon. Friend the Member for Suffolk, Central (Mr. Lord) anticipated the point to which I was coming. We are not talking about racing every Sunday—certainly not for the foreseeable future. We are not even talking necessarily about any extra race meetings. We are talking about some race meetings which are currently held mid-week, including some of the classic races, being raced on a Sunday instead. All that we would be doing—

Mr. Donald Anderson (Swansea, East): Will the hon. Gentleman give way?

Mr. Greenway: I have already given way three times in what I had hoped would be a fairly short speech. All that we want to do is to improve the finances of racing. The Treasury recognised the importance of that. My right hon. and learned Friend the Chancellor certainly recognised that by reducing betting duty to stimulate the amount of money which could go back into racing, which is extremely important.

When every other major international and national sport takes place on a Sunday, we cannot expect to maintain a viable, long-term racing industry if one of the two main leisure days is denied to that industry by not having racing on Sunday. This is a unique opportunity for the House to put right a wrong that has existed for far too long. I therefore hope that the House will support the new clause moved by my hon. Friend the Member for Cambridgeshire, South-East.

Mr. Lawrence Cunliffe (Leigh): First, I declare my interest in the issue. I am vice-chairman of the leisure and recreation industry group. My hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle) rightly and sincerely made some valid points about the way in which addiction to gambling can come from licensed betting shops. The all-party racing and bloodstock committee would, of course, condemn any growth in such addiction.

In the past 10 years, social trends have changed rapidly. There are 10 million households in which the man and wife both work, and one or both may work on Saturdays or Sundays. A problem arises in relation to leisure. I assure my hon. Friend the Member for Walton that when, as chairman of the all-party group, I address conferences such as the clubs' annual conference, I make it clear that there is no such thing as a benevolent brotherhood of bookmakers, bankers and brewers, although they are all obviously interested in the leisure and racing industries.

Leisure has become an integral part of racing. Racing is a real and large industry, which is dependent on the leisure industry. Only last week, Haydock Park had model exhibitions, fairs and May day celebrations—non-political in content—to supplement the income from racing. Increasingly, there is dual usage, with football pitches or even rugby pitches in the centre of race courses. [HON. MEMBERS: "What about fishing?] Fishing or anything else will do. It is all part and parcel of our social network. It is imperative that there is support for the increase in activity that is envisaged over the next 10 or 15 years.

There is now freedom from the Sunday trading laws, despite the Lord's day observance societies and religious convictions. I say with great respect to my hon. Friend the Member for Walton, who has the same religion as I do, that I go to mass on Saturday evening. Saturday is no longer the permanent shopping day and it will change further as the years go on. I have the right to follow my religious practice on Sunday morning, Sunday evening or Saturday night. My hon. Friend has the same right and I know that he uses it. That is a commendation in every sense of the word.

The present position discriminates against racing. Let us consider sports ranging from motor racing to model aeroplane flying, cricket or tennis. There is betting on

rugby in my part of the world every Sunday. The odds are set out on coupons, and my hon. Friend the Member for Walton knows something about coupons because he has pools offices in his constituency. The pools are a mild form of gambling—a friendly flutter.

Why does the punter bet? Why does he go into a betting shop? He is not there to drink diet coke or to play the machines that everyone is arguing about. The ordinary, average racing punter believes that he has expertise. He believes that if he studies the form, makes his assessment and reads all the papers, he will beat the bookmaker. That is entirely his business. If one goes into Strutton Ground market any morning, one sees the dear ladies nipping in to put a bob or two not only on horse racing, but on greyhound racing, which ought to be covered by the Bill. That is all part and parcel of a trend in leisure. It is not a question of addiction; professional gamblers are different from the ordinary punter. We should be aware of the changing times.

Mr. Kilfoyle: My hon. Friend the Member for Leigh (Mr. Cunliffe) said that the pools were a form of gambling and I noticed that some Conservative Members seemed to agree. Those of us who were members of the Committee which considered the National Lottery etc. Bill were told that the pools were a game of skill rather than gambling. I ask my hon. Friend to make a distinction. There is what happens on a course, including getting the maximum use from it and financing it. I understand the problem; as my hon. Friend pointed out, it applies to many different activities. That is different from the bookies crying out in the sticks because they will make an absolute fortune through the betting shops opening on Sunday. Sunday opening will increase the amount of gambling and will not shift gambling from mid-week.

Mr. Cunliffe: I have no scruples about the point made by my hon. Friend. I would tax the bookies' income further and further. For years and years, they have not made a substantial enough contribution to the industry through the levy. I would back my hon. Friend tooth and nail in saying that the bookies should make a greater contribution. If their income increases, they must pay more and at a higher rate. The matter will have to be looked at and I hope that the new horse racing board, the relevant Ministers—the matter may require the Home Secretary's decision—and all those involved will take note of our point. I accept that there is a difference between those who have a flutter and the professional punter.

4.45 pm

Mr. Dennis Turner (Wolverhampton, South-East): To take up my hon. Friend's point about greyhound racing, my understanding is that the new clause would embrace greyhound racing on Sunday. Will my hon. Friend confirm that we are talking not just about horse racing, but about greyhound racing?

Mr. Cunliffe: I am talking about what is encompassed in the Bill. Because I was away last week at the Council of Europe, I have not had time to study the Bill in detail, but I accept that it would be wrong to discriminate between the greyhound racing industry and the horse racing industry. We swould give the Minister 100 per cent. support if he were receptive to the suggestion that greyhound racing should be included.

Mr. Paice: I may be able to help the hon. Gentleman in relation to greyhounds. I have a letter here from the British Greyhound Racing Board which says:

"greyhound racing would like to be treated in precisely a similar manner as horse racing. We are pleased to see that new Clause 1 as drafted would indeed have that effect."

I hope that that answers the hon. Gentleman.

Mr. Cunliffe: Perhaps the Minister will confirm that later.

Mr. Lord *rose—*

Mr. Cunliffe: As a good Christian, I shall give way.

Mr. Lord: The hon. Gentleman talked about social trends and the way in which we had to go with the tide. Does he not acknowledge that the House has some part to play in the way in which the tide flows? Does he also take the point made by my right hon. Friend the Member for Honiton (Sir P. Emery) that some of us have great difficulty with this matter? There is the question of allowing racing, and all that happens at the course, and there is the impact of betting shops being open on Sundays in all the towns and villages in the country. That is the difficulty for us.

Mr. Cunliffe: I understand the difficulty. As with the national lottery, it is not possible to forecast precisely the trends about which the hon. Member for Suffolk, Central and the right hon. Member for Honiton are concerned. Our friends the bookies are crying their eyes out because they claim that the national lottery will take 10 per cent. of their income. That is absolute nonsense. The bookies can do all the market research in the world. The punter—the professional boy—will be there and the amateur punter will be there anyhow. It will be his wife who will put a couple of quid on the lottery. The bookmakers bellyache all the time. Everyone knows that no one can accurately forecast the effect of the national lottery, and no one should have the effrontery to say what the effect on income and social trends of Sunday racing will be.

I welcome the initiative by the all-party racing and bloodstock group. I—and my forefathers before me—condemned the exclusive Jockey Club. No one could remove the veil over its decision-making. We had no input and the Jockey Club did not like intrusions. That has gone. Thank goodness for the initiative that has come from the new board and especially from Lord Hartington. That initiative has been complimented by the whole industry.

We now have an established horse racing board which can balance all the elements of the industry; it has balanced the elements correctly on this occasion. Whether it means the bookies paying more or somebody else paying less, the board is opening new doors to bring democracy and, for the first time, accountability to the job. That was unheard of in the past, but that is what we are doing today. All those people with worries, fears and anxieties are not necessarily wrong. I would not say that; it would be too presumptuous. There is a concern. It is up to us to manage it correctly and to demand accountability where it is required.

Mr. Jopling: I shall begin by declaring two interests: first, there is a minute number of shares in a northern race course which have my name on them, although I have no beneficial interest whatever from them; and, secondly, I have the honour of being president of the Auto Cycle Union, which is the governing body of all motor cycle sport in this country.

[Mr. Jopling]

Having said that, I shall explain to the House why I think that the new clause is wrong. As I am president of the Auto Cycle Union, I have no objection whatever to horse racing—we can have as many horse races as we like on Sunday. But listening to my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice) saying that he did not think that there would be many race meetings on Sunday, and then listening to my hon. Friend the Member for Ryedale (Mr. Greenway), who said that he wanted to see the 1,000 and 2,000 Guineas and perhaps the Oaks, the Derby and the Cheltenham gold cup run on Sunday, there seemed to be a slight inconsistency.

All that I can say is that my instinct is that if we have horse racing on Sunday, many race courses will wish to have meetings when they can attract big groups and where there will be a lot of public interest on television and in other ways. I suppose that many important races will gravitate to Sundays. I do not mind that in the least. However, we are not really talking about horse racing or greyhound racing specifically in the new clause; we are talking about betting on Sunday and we should confine ourselves to that.

I was interested in what my right hon. Friend the Member for Honiton (Sir P. Emery) said. We are extremely close friends, but I did not know that he had similar views to mine on this particular matter. Over many years—I have been in the House for almost 30 years—when I have received letters from my constituents urging me to keep Sunday special, I suppose that I have irritated a great many of them by saying that in general people should be allowed to do what they want on Sunday. However, I have always said that there are certain aspects of Sunday which should not be changed. I can think of no single thing that would make Sunday more like any other day than to introduce betting on Sunday.

I have always specifically said to my constituents that I would oppose betting on Sunday. Over the years, I have watched as a greater amount of gambling has crept into our way of living. We now have casinos—I was never especially happy about that. We have the lottery—I have never been a huge enthusiast for that. However, I have not got up in the House and opposed them. But when it comes to this final measure to extend gambling in this country to Sundays, I am opposed to it.

I have a great deal of sympathy for what the hon. Member for Liverpool, Walton (Mr. Kilfoyle) said about gambling and the extent to which it is a disease. I am sure that all hon. Members know families and individuals who have ruined their lives because of gambling. Therefore, we need to draw the line somewhere, and my line is drawn at this point. I hope that the House will follow my view that we have enough gambling already—and let us have no more of it.

Mr. Donald Anderson: I follow the wise words of the right hon. Member for Westmorland and Lonsdale (Mr. Jopling) that just as Members of Parliament should not simply follow tides, look at social trends and move along with those trends, it is also our duty to see the direction in which those trends are taking us and to ask whether the social effects are adverse or positive.

Although I must confess that I have been torn in different directions on the new clause, the decisive element for me is that which has been highlighted by the right hon. Gentleman—that this is effectively a betting on Sunday clause. I confess that I know little about horse racing. I have been to only one race in my life and that was with my hon. Friend the Member for Linlithgow (Mr. Dalyell) at a by-election. He did his best to explain horse racing to me, but I am afraid that he failed miserably.

I look at the Bill in the light of my views on Sunday. I was a patron of the Keep Sunday Special campaign. Much of the destruction of the pillars of Sunday will have adverse social effects. The enhancement of betting will change Sunday not only for the reason given by my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle)—that it is addictive—but because it will alter the character of Sunday.

When we waged the Keep Sunday Special campaign, one of the exceptions was leisure and sport. If one simply had the prospect of horses racing along a track, which is a fine country pursuit, no one could possibly take any great exception to that. However, what is at issue is not horse racing as such; rather, it is the industry behind it. We must look at the interests that are mobilised in favour of the Bill. They are not interests with which I would necessarily like to be linked.

My hon. Friend the Member for Leigh (Mr. Cunliffe) described the interests as those of the betting and racing industries. Those are large groups, which will have a substantial effect on Sunday. My hon. Friend said that it would be absurd simply to have on-course betting—his analogy was that, if there is a meeting in Newbury, his constituents in North Yorkshire should not be denied the opportunity of betting on that meeting. However, they will have an opportunity of betting six days of the week if they so want.

If horse racing is the motive, let the horse race take place. Why should the betting industry, which will be mobilised to support that, disturb and have an effect on and implications for each town throughout the country? Those are the interests that hide behind the new clause. They may say that it is like the nursemaid saying, "Madam, it is only a little baby at the moment." There will always be a slide, and continual creeping.

When the debate began, I confess that I did not realise that it related not only to horse racing but to greyhound racing as well. I concede that there is a certain logic in that—there is no easy way to differentiate between them. But this goes on and on and all the old landmarks which give Sunday some value will be eradicated and we shall worship mammon again in a massive way, simply by bowing to those who say that it suits their financial interests. That is wrong and I shall vote against the new clause because of the gambling implication.

In addition, I note the rather naive plea by the sponsors of the Bill for adequate employee protection. They say that they have lifted from the Sunday Trading Bill exactly the same fine protections as are available to those who work in supermarkets on Sunday. If the protections in the Sunday Trading Bill are adequate, anyone who practises law—I am a sort of lapsed lawyer; once upon a time I did some employment law—knows how inadequate are the remedies available to employees in industrial tribunals, as well as the fact that there is no reinstatement, that the onus of proof is on them, and the other catalogue of disadvantages which we discussed at great length on the Sunday Trading Bill. Some of my colleagues are naive if they think that those whom we are trying to protect should be prepared to

accept, as though it were a great triumph, exactly the same package of protection which—those colleagues claim—was so adequate in the Sunday Trading Bill.

The right hon. Member for Selby (Mr. Alison) mentioned the inadequacy of the provisions that have been lifted from the Sunday Trading Bill, but there is an enormous swathe of people—stable lads and others—who will have their working lives mightily affected by the Bill. However, they will in no way be brought within the protection—however inadequate—which is contained in the new clause.

On two grounds—the massive encouragement that will be given to the powerful interests of the gambling industry and the inadequate employment protection—I will certainly be ready to vote against the new clause.

Mr. Richard Spring (Bury St. Edmunds): I congratulate my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice), who has effectively sponsored the amendment and has played such an important part in the fortunes of the racing industry. He and I have the privilege of sharing the town and surrounding area of Newmarket—the racing capital of the world—in our constituencies.

I shall speak on one or two things and, first, employment. There has been a severe recession in the racing industry which we are now coming out of. About 30,000 people are employed directly in horse racing, and if we take all the ancillary services, we are talking about a total of some 100,000 people. As an employer, and as a potential employer, the potential change is very important.

Patterns of leisure have changed and every leisure industry needs the opportunity to adjust to that change. That has happened with other industries. Betting and racing are inextricably bound up. It is simply madness that one can go gambling legally in this country in a casino on a Sunday. Another absurd anomaly is that somebody can bet, using a form of credit, on a race meeting in another part of the world. These are things which make the present law look utterly foolish.

5 pm

Only off-course betting is subject to a levy which is used to finance racing. Without that off-course betting, Sunday racing's viability is weakened. The increase in betting turnover and levy payments will certainly help racing's finances. There are important spillover effects of the change. Prize money is still too low in this country and, of course, some of the levied funds are used for research into equines to fight disease and improve health. Comprehensive research will be helped by the increase in moneys going into the industry.

It is vital that we maintain the reputation of the British bloodstock industry as the finest in the world from the points of view of health, research and everything else. The British Sunday has changed, and it is now a leisure day. The amendment effectively recognises that and brings the racing industry into a competitive position with other leisure industries. It is good for racing's revenues, good for employment and, yes, it is even good for the Treasury.

Ms Glenda Jackson (Hampstead and Highgate): I do not believe that the argument has been made for Sunday racing on the grounds of producing another area of leisure activity for the majority of people in this country. I do not believe that the majority of people fail to attend race tracks because the meetings are held in the middle of the week. I believe that they fail to attend because they cannot afford the fare to the racecourse, the entrance fee, car parking charges or what seem to be astronomically high charges for refreshments.

The essential part which the hon. Member for Bury St. Edmunds (Mr. Spring) clarified was that the amendment is attempting to support the bloodstock and racing industry via the betting shop. I oppose the idea of off-track betting on Sunday, for two essential reasons. Of the 40,000 to 50,000 people employed in that industry, most are women. I cannot believe that they will find it easy to facilitate their duties as women within the home if they have to work on Sundays, as well as the six other days of the week.

I regret that I do not believe that the supposed work protection in the Sunday Trading Bill is any kind of protection at all. Evidence has been furnished by a cashier who worked for William Hill that, when evening racing came into being, employees were expected to work infinitely longer hours. If they did not accept those longer hours, they were instantly dismissed. Managers were expected to work from 10 am until 10 pm without any break, and certainly without any increase in remuneration. I do not believe that that position will be altered dramatically for the majority of women who work in betting shops.

We are hearing the paradoxical argument more and more in the House that, while everyone must have choices, we preclude increasing numbers of our citizens by forcing them to work on Sunday. Their choice seems to be totally and utterly negated.

I make my second point on behalf of my constituents. The majority of high street betting shops—certainly in my constituency—are located very close to where people live. They are underneath blocks of flats, and are in streets close to terraced houses. I would not wish to paint a picture of the British punter as incapable of placing a bet without a can of alcoholic liquid in his or her hand. The majority of people who like to have a little flutter by no means behave in that way. However, I have noticed an increasing tendency for people who become increasingly inebriated during the day to find their favourite spot outside the betting shop, be it on the pavement, on the doorstep next door or leaning on the wall of the betting shop. It seems particularly hard that my constituents will suffer that nuisance and harassment every day of the week if the amendment goes through.

I strongly endorse the arguments which have been made on both sides of the House that there is something special about Sunday. Even though legislation has been passed which seems to have essentially destroyed that special nature of Sunday, we should reject the amendment.

Sir Fergus Montgomery (Altrincham and Sale): It should be said that the horse racing industry is undoubtedly part of the leisure industry. Cinemas are open on Sunday, people go to motor racing on Sunday and thousands of people go to football matches on Sunday. There have been cricket matches on Sunday for as far back as I can remember, and there are golf matches on Sunday. Nobody objects to that at all. I wonder why an exception is made for horse racing.

If there is horse racing on Sunday, it could be in many cases a good family outing. Where I disagree with my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) is that I would get no pleasure at all if I went to a horse race meeting and did not have a bet or a little flutter. That is part of the fun. *[Interruption.]* The hon.

[Sir Fergus Montgomery]

Member for Kilmarnock and Loudoun (Mr. McKelvey) is laughing because he knows all too well that I am known as the bookie's friend.

I must also declare an interest in that I am a consultant to the National Association of Bookmakers. I sometimes wonder whether I was appointed to that post because I had given them so much money. My father always used to criticise me for betting, but I inherited it from him. From when I was a child, I remember my father putting bets on. In those days, there were no betting shops and he had to take his bet to a bookie's runner, who then took it to somebody else. If the runner was caught in the process, he was put in court and fined. One reason why the law was changed in the 1960s was to stop all that.

My father always said that getting one winner was hard enough. I do things like yankees—where one picks four horses—heinz, canadians and super bets.

Mr. Simon Burns (Chelmsford): Does my hon. Friend win?

Sir Fergus Montgomery: No, I do not. That is the whole point.

In response to the hon. Member for Liverpool, Walton (Mr. Kilfoyle), I do not bet with the mortgage or housekeeping money. For my sins, many years ago I smoked, but I have stopped smoking. I suppose that I now spend on gambling the money that I used to spend on cigarettes. Perhaps the money goes to a better cause—to the bookies rather than to the tobacco manufacturers. *[Interruption.]* My money does go up in smoke.

I do multi-bets because, during an Ascot season in the 1960s, a man put on a half-crown yankee—that shows how long ago it was—at the betting shop I went to, and he won over £1,000. The following day, the betting shop put the bet on its notice board and said, "How's this for luck?" Ever since the 1960s it has been my dream that one day my betting slip would be held up in a betting shop and someone would say, "How's this for luck?" It has not happened yet, but I live in hope.

If no betting is allowed at the courses, there will be illegal betting. That is the very thing that we tried to stamp out all those years ago. If people want to bet, they will find a way to do so.

Mr. Kilfoyle: Will the hon. Gentleman make a distinction between betting on course and opening betting shops all round the country? We have heard the arguments about the levy and the way in which the money filters through, but the hon. Gentleman knows, as I know, that the money would go to the bookies first and foremost. Why cannot a distinction be made between the course where the meeting is being held and bookies the length and breadth of the country?

Sir Fergus Montgomery: That point was answered by my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice). He said that if a race meeting was held on a Sunday in the south it would be difficult for someone from the north to go to the course. At least if the betting shops are open, someone who takes an interest in horse racing can have a flutter.

I point out to the hon. Gentleman that not all bookmakers are rich. A long time ago, my father started out as a bookmaker. The result went wrong in the Manchester handicap. The horse that he wanted to win lost by a short head. So from being prosperous when I was a child, my family was no longer prosperous and my father had to go back to the factory and eke out a living there. Bookmakers take a risk. If the favourites come in regularly, the bookmakers do not have a good day. The bookies like the outsiders to win. That is why they like me to win. I back outsiders. Perhaps that is because I am a Conservative.

The horse racing industry is part of the leisure industry and we cannot continue to treat it differently to the rest of the leisure industry. I congratulate my hon. Friend the Member for Cambridgeshire, South-East on moving the new clause and I hope that the House will approve it.

Rev. Ian Paisley (Antrim, North): The hon. Member for Altrincham and Sale (Sir F. Montgomery) told us of his great desire that some day he might see his winning bet up in a shop. He should take into consideration all the money that he will have lost from the day he started to bet until the day he has his bet put up in a shop. There is no doubt that, with more outlets for gambling, this nation is suffering loss among many of its people. I serve a working-class congregation. I have served for 48 years among the teeming thousands of east Belfast. I know the heartache and the heartbreak that has come to decent working-class homes as a result of gambling and betting. As the right hon. Member for Westmorland and Lonsdale (Mr. Jopling) said, the new clause is about betting.

The hon. Member for Leigh (Mr. Cunliffe) told us about the bellyaching of the bookies. We are here discussing the matter because of the bellyaching of the bookies. The influence of big gambling linked to horse racing is pushing the matter to the fore in the House of Commons. If that big gambling interest did not exist, the bellyaching of the bookies would not be listened to. I have many bookies in my constituency. They are always bellyaching and telling me, "You know, we are not making money." One has only to look at their homes and the type of life that they live to give the lie to what they are bellyaching about. Their main desire is more money and more money, no matter what way they get it.

The House cannot have it both ways. We have been told by some today that everyone should have a free choice. I believe in that. I believe that on Sundays people should do what they want to do. They stand before their maker. For myself, I believe that I have to keep the Sabbath day holy. That is my religious conviction and I practise it, but I cannot say to any other man that he must keep Sunday as I do. He will answer to the great God on the day of judgment.

People talk about choice, but they do not give any choice to the people who will be employed so that they can have their sport, their pleasure and their leisure activity. They do not care about taking a husband from his family, a mother from her family, a son from his family, or a daughter from her family on Sunday and making those people work to give them pleasure. What I ask for myself, I am prepared to give to everyone else. I say that employees should have a choice. Let no one believe that the bellyaching bookies will give better positions, a better rate of pay and better working conditions to the people they employ. They will employ those people at the same miserable rates at which they employ them now. Let us be clear about that.

5.15 pm

We have heard it said today that the legislation on Sunday opening will safeguard employees. I have received complaint after complaint already from many of my constituents that they are told, "It is best for you not to object to working on Sunday." One firm in my city is offering a 50 per cent. discount on any article that employees want to buy if they will work on Sundays. If they object to working on Sundays, they will not have that discount. Let us not think in the House today that the safeguards in the Sunday trading legislation will protect the people who work on the racecourses, in the stables and in the betting shops. Have they been asked? Some hon. Members who have spoken today give the impression that they can speak with authority on behalf of those people. Surely they should be asked what they want and desire on Sundays.

I find that the best thing for a family on Sunday is to be all together and to have a time when they can talk over the matters that tie the family together. If it is their will to go to the house of God on Sunday, I would say that that is what they should be doing, but I have only the power of persuasion. We can only persuade people to do it. That is the only power we have. If people do not do it, it is their loss. It is a sad loss because it takes away the cement of the family. Anything that takes away the cement of the family today and pulls down the bricks of the family is dangerous today for many of the bricks are already falling out and much of the cement has been taken away. Therefore, tonight my colleagues and I will vote against the new clause.

Rev. William McCrea (Mid-Ulster): Many things are vital to the well-being of our nation. However, it would stretch the imagination very far to suggest that the social fabric of our society would be threatened if the House rejected new clause 1. Unfortunately, one must admit that much of the moral fabric of our society and nation is under attack and has been under attack by legislation passed both in Europe and in the House. It is no wonder that our nation is in many ways going down the drain. Surely it is time that we drew a line. Surely the House has a right to give a lead to the nation.

Many people recognise the growth of betting addiction. The hon. Member for Altrincham and Sale (Sir F. Montgomery) spoke of his father's warning about the bets that he was placing. His father had not set a proper example. As a pastor, I find this rather interesting, as I know that multitudes of fathers—even Members of the House—have learnt from their own behaviour and have warned their families not to make the same mistake. Surely that is what a father ought to do. The suggestion that a person should not to warn his son of such dangers is rather strange. Many a person who has ended up as a drunkard on the street would be happy to warn his son not to take the same route. People with love in their hearts will warn their offspring of the dangers.

I am amazed by hon. Members' use of the word "flutter" to describe betting. It makes the activity sound very innocent, whereas the reality is that in many homes the money that should be spent on bread and clothes flutters away, and the children are left to pay the very sad price. The suggestion that gambling is an innocent activity about which one need not be concerned is far from the reality to be found in housing estates and towns in our constituencies.

Mr. Paul Flynn (Newport, West): Does the hon. Gentleman know that many unemployed people are wickedly exploited by the betting industry? I refer in particular to caterers who bus in, over great distances, unemployed people who have no hope of other employment. For example, people are brought from areas of relatively high unemployment, like Newport, and are paid disgracefully low wages. Virtually all those workers are women. Surely it is right to oppose this new clause, which would do something about the vultures involved in catering for the racing industry, who exploit the misery of the unemployed.

Rev. William McCrea: I wholeheartedly agree. There are indeed vultures ready to take advantage of people in the situation that the hon. Gentleman has described. It is amazing that some hon. Members who ought to know better are not raising their voices in defence of these people.

We have heard it said that, if betting were leading to addiction, the industry would condemn it. That sounds very pious and fine. However, pious words of condemnation and expressions of sorrow will not remove the grief of families caught in the trap of their loved ones' addiction. The price of addiction is paid by the family. It is all very well for a Member of Parliament, with his salary, to say that he is waiting for his name to come up on the list of winners. Many of the people about whom we are talking cannot afford the addiction in which they are caught. Nor can their families.

This legislation is intended to benefit one group of people—the bookmakers. In my constituency there are certainly no poor bookmakers. However, I know hundreds of very poor families whose fathers and sons have been enticed into this activity.

I should like, finally, to refer to protection for the rights of workers involved in Sunday betting duties. As for hon. Members who say that they champion workers' rights, how can it be that, in the case of Sunday trading, the paramount desire was to enable shops to open? Anyone who suggests that this Bill or the legislation on Sunday trading—

Mr. Cunliffe: Will the hon. Gentleman declare how he voted on the social contract?

Rev. William McCrea: I am talking about Sunday trading. I apologise to no one for consistently supporting legislation that defends the rights of workers. Unfortunately, members of the hon. Gentleman's party who said that they were for the workers were happy to go into the Lobby to ensure that there was no real protection for those very people. That is despicable. Anyone who suggests that the legislation we are considering will give protection to the people who are brought in to work as a result of its provisions is totally naive or just does not care.

I hope that the House will reject the new clause.

Mr. Robin Cook (Livingston): The matter before us is one of individual conscience on which, on both sides of the House, there are deeply held views. For this reason the Opposition will give its Members a free vote. That being the case, I speak in the debate not for my party but for myself.

It would be idle to try to conceal from a House that is already aware of it the fact that I speak also as an enthusiastic racegoer. The next time I go to the races on a Saturday, I should be very happy to take my hon. Friend

[Mr. Robin Cook]

the Member for Hampstead and Highgate (Ms Jackson) along. We could probably visit the silver ring, access to which, at most racecourses in Britain, can be had for £2 or £3, or the Tattersall's enclosure, the cost of access to which, in most cases, is still between £5 and £7. In those enclosures my hon. Friend would find working people. They are there on a Saturday, and not between Monday and Friday, because they have jobs which, by and large, require more punctiliousness about attendance between Monday and Friday than does membership of the House of Commons.

The argument for providing a race meeting on a Sunday for the convenience of those who wish to enjoy the sport is demonstrated by a look at what happens with other sports. Before coming into the Chamber I looked at yesterday's edition of *The Times*. There I found four pages of reports on sporting activities that had taken place on Sunday. Premier football league matches are held on Sunday, as—obviously—are Sunday cricket league games. This applies also to the Stone's rugby league. Any hon. Member fortunate enough to have Sunday afternoon off from constituency work will have been able to watch golf or to witness Mark Todd's win at the horse trials.

The reason for the fact that all those sports are held on a Sunday is blindingly obvious: Sunday is the day on which most people are able to attend. It is the day when sports organisers can secure the biggest crowds. It is the day when most people who want to enjoy sport are able to do so. I have no difficulty with the assertion of the hon. Members for Antrim, North (Rev. Ian Paisley) and for Mid-Ulster (Rev. William McCrea) that there should be choice. People who want to exercise that choice by watching their favourite sport should have the right to do so.

I make no bones about the fact that one reason why all those other sports are provided on a Sunday is that they draw the biggest crowds and bring in the largest amount of money on that day. Racing is entitled to the same opportunity of maximising its income.

5.30 pm

I understand that next week the Opposition and the Government will lock horns on the question of competitiveness. Possibly, in this moment of truce, I can concede that we are discussing racing, which is competitive. In Europe, only France and Ireland can match Britain's horse racing industry. Both France and Ireland allow racing on a Sunday. I would hesitate to say that either of them is less Christian than Britain or—without wishing to provoke further interventions from the hon. Members for Antrim, North and Mid-Ulster—Northern Ireland.

Mr. Kilfoyle: If racecourses were opened on Sundays—at £2, £3, £5 or whatever—and more people wanted to use them, which would be a matter for the courses, why do we need to allow betting shops to open the length and breadth of the country?

Mr. Cook: My hon. Friend is taking me further ahead in my speech. May I reach that question in my own time? I will be happy to deal with that serious matter at that time and to give way.

Because France and Ireland provide racing on Sundays, one can bet on Sundays in Britain. All one needs is a good enough credit rating to ring up and place a credit bet at Longchamps or Leopardstown. I do not see why we should deny that opportunity to the cash punter, who does not have a large enough turnover to warrant a credit account. By continuing to ban racing on Sundays, we are perpetuating the racing industry's history of being run to suit the wealthy and privileged, who can get off between Monday and Friday, and not working men who provide most of its income but gain the least of its attentions.

The right hon. Member for Selby (Mr. Alison) made some trenchant observations about the nature of working life in the racing industry. Candidly, those of us who enjoy racing cannot take any pride in the way that staff in that industry are treated. They are often badly paid and have poor career development, and their accommodation at some racecourses is rather inferior to the quality of accommodation for the horses.

What does it take to put that right? Money. The best way to get more money into the racing industry is to take advantage of the growth in the leisure market. The best way to do that is to provide racing on the day when most people have time for leisure. That is why, when the Select Committee on Home Affairs examined the matter, both the Stable Lads Association and the Transport and General Workers Union impressed on it that they did not object to Sunday racing with proper protection. That is why the Jockeys Association of Great Britain has come out in support of Sunday racing in the past week.

My hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle) mentioned off-course betting and I know that concern for the staff in that industry underlies much of my hon. Friend's concern. My preferred outcome would be Sunday racing with on-course betting, without necessarily having off-course betting. The Select Committee took that position three years ago. I recognise, however, that the Home Office and other people have expressed considerable concern about consequent illegal betting if racing took place without off-course betting. If we believe that we have a social problem with legalised off-course betting, I warn the House that we are likely to have more serious social problems with illegal off-course betting.

I invite hon. Members to reflect on what might happen if the Derby, which takes place on a Wednesday, were transferred to a Sunday. It is difficult to conceive how one could stage that race without inevitable widespread betting throughout Britain. If that is to happen, it would be better if it took take place within a legalised setting.

I listened with interest to the right hon. Member for Westmorland and Lonsdale (Mr. Jopling), who said that he drew the line at betting on a Sunday. I could understand that view if we were drawing the line at gambling. I have some difficulty in drawing a line that allows casinos to open on Sundays, and thus allows gambling to take place, and allows credit betting but not cash betting. For that matter, a recent decision of the House will shortly allow lottery tickets to be bought on a Sunday, but not betting. We are not keeping Sunday special. At best, as the right hon. Member for Honiton (Sir P. Emery) said, we may be keeping it slightly special.

Mr. Donald Anderson: Surely there is a difference in kind between some of my hon. Friend's examples and allowing betting shops to open throughout the length and breadth of the country in small towns and large cities as a direct result of the new clause.

Mr. Cook: Obviously, it is a matter of individual conscience and application. My hon. Friend is perfectly entitled to apply to the question his own judgments about taste, discrimination and good sense. I find it difficult to distinguish between the character of credit betting by telephone and cash betting over the counter, except that credit betting is confined to people who tend to be better off and have better credit ratings and excludes people who do not have access to that privilege on a Sunday.

I offer some words of advice to my hon. Friend the Member for Swansea, East (Mr. Anderson), whose speech was so trenchantly opposed to the bookmakers. I not sure whether he is aware that the Betting Office Licensees Association and the big bookmakers have been lobbying vigorously against the schedule before the House. If he wants to get up the noses of Ladbroke, Hill and Coral, the best way to do so is to vote for the schedule, to which they are strongly opposed. The more they protest about the protection of staff, the more I am convinced that the schedule must be carried. I hope that the Minister appreciates that the two go together.

We have had a good debate and hon. Members have spoken honestly, frankly and without rhetoric. The House should not make the mistake of failing to recognise the changing character of Sunday. I believe and have observed in my area that families still spend Sunday together, but they do not spend it attending church and sitting at home. They want to go out. Sunday is now the day of the family outing—the day when leisure centres do their biggest business. Racing is well placed to tap that growing market for a special Sunday outing. It provides a spectacle of colour and action. For me, racing provides the most exciting spectacle.

What particularly impressed me about the three experimental Sunday race meetings was not that they attracted large crowds, but that they attracted crowds of families, who came to enjoy racing together.

Mr. Kilfoyle: If families are attracted to the racecourse, who will be attending betting shops on Sundays?

Mr. Cook: That is a perfectly fair question. At present betting shops are on the whole visited by solitary people. Possibly we need to consider the nature of the service provided at betting shops. Perhaps that could be amended.

My hon. Friend the Member for Walton is entitled to exercise his judgment about whether he would attend a betting shop or a race meeting on a Sunday, but at Cheltenham, Doncaster and Lingfield I saw many families who had chosen to spend the day together attending Sunday racing.

Sir Peter Emery: I know that the hon. Gentleman is coming to the end of his speech, so I am even more thankful that he has given way. He was making a powerful plea for families to go together to sports meetings on Sundays and for racing to be included. I do not believe that families go to betting shops. Many of us object to betting shops being open on a Sunday and not to racing on a Sunday.

Mr. Cook: The right hon. Member must recognise that he faces a choice. It is not a choice that I find comfortable. I wish that we did not have to make it. I would be delighted if I could go racing on a Sunday. As my hon. Friend the Member for Hampstead and Highgate said, quite fairly, I have an adequate income to travel a considerable distance to get to a race meeting on a Sunday. The right hon. Member must face the fact that, if there is racing on Sundays, there will be people who cannot afford the cost of going to a meeting but who will want to bet on a race. If that were to happen, should it happen legally and unofficially, with all its social consequences, or should it happen in licensed betting shops on a legal basis? My judgment is that it is better that it takes place on a legalised basis, but I have been persuaded—albeit I wish that it was not necessary to be so persuaded—that we cannot have racing on Sundays without off-course betting.

Let me return to the point that I was addressing before giving way. The Sunday experimental meetings were particularly impressive because of the large family attendances. They were particularly satisfactory for families because racecourses cover a large area which can be used to provide something for all the family.

I believe that the way forward for Sundays is to provide a real family day out. The way forward for racing is to offer families that day out. It is inevitable that one day racing will be able to provide that on a Sunday. I hope that it will be able to start after tonight.

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. Neil Hamilton): This is a moment that I shall savour, as I shall not often be able to say that I agreed almost entirely with the hon. Member for Livingston (Mr. Cook). When he knows what he is talking about, he can make very good sense.

I congratulate my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice) on seizing the initiative on Sunday racing and betting—a subject on which there have been several private Members' Bills which failed to get through the House. I quite understand why my hon. Friend would want to advance his cause while there is an opportunity for a Government Bill.

The Government wanted the House to have an early opportunity, after Sunday trading had been decided, freely to reach a decision on the various issues. However, we had envisaged a full consultation by the Government with the industry and others, so that the House could reach a conclusion in the confidence that all the issues had been properly aired and that the choices properly reflected the voice of those affected by the measure. My hon. Friend has jumped the gun and come out of the starting gate before that opportunity arose. I do not criticise him in any way. This is an admirable opportunity to do what he has done, and I welcome it.

The Government have no objection to the new clause in principle, but as there has not been an opportunity for the considered study that we would have wished, it may be more controversial than it might otherwise have been. In particular, the measures on employment protection, which mirror precisely those in the Sunday Trading Bill, will need to be examined to ensure that they are appropriate in the different context of the betting industry.

As the hon. Member for Livingston said, such issues divide people on conscientious grounds, and it would be inappropriate for the Whips to be too active in advising hon. Members on how to vote. As this has traditionally been an issue on which the Conservative party allows a free vote, we are content for that to be so today and, if the matter is pressed to a vote, for it to be resolved without the assistance of the Whips.

There are differing views in the Conservative party. As there has to be an article on the front page of the papers

[Mr. Neil Hamilton]

every day about splits in the Government, I can confirm that I shall be voting one way and my hon. Friend the Minister for Industry will be voting the other way.

I have listened with care to the arguments advanced by those who spoke against the new clause today. There are those who, for conscientious or religious reasons, believe in sabbatarianism to a greater or lesser extent and naturally oppose the new clause. I am afraid that I do not share that view, although I recognise that substantial numbers of people do.

There have been some spirited speeches against what has been described as the disease of gambling, not least by the hon. Member for Liverpool, Walton (Mr. Kilfoyle), whose constituency abuts Aintree racecourse. I last saw the hon. Member for Livingston at the races where I discovered, in the words that the hon. Member for Glasgow, Hillhead (Mr. Galloway) used many times in Committee, that he is a jolly decent cove. I hope that it will in no way diminish his stature in the House if I say that I discovered him to be a very warm human being.

Of course, any innocuous activity can be abused if it is indulged to excess, but as a matter of general principle we do not take the view that, because a very small minority of people might not be able to control themselves or might abuse the freedoms we have in society, we should deny those freedoms to everybody else. We have to make a balanced judgment in each individual case as to the appropriate course of action.

I cannot envisage that, as a result of the proposed changes, which I warmly support, the nation will suddenly be plunged into a hell-hole of gambling the like of which we have never seen before. The addition to the opportunities to bet, which most people use sparingly and with judgment, will not be great.

5.45 pm

The Government accept that the principle of employment protection for betting workers ought to feature in the measure to ensure that Sunday working is voluntary. Should the House vote in favour of Sunday racing in new clause 1, the Government will accept amendment No. 1, but as it is technically deficient in a number of ways on account of its being drafted in such a way as to mirror the shops legislation, some elements in it are not appropriate. I will give a example to illustrate my point because I know that Opposition Members will be suspicious of these remarks and it is better that their suspicions should be dispelled as soon as possible.

Paragraphs 12 to 15 of the proposed new schedule cover the effect of rights on contracts of employment. Unlike shops, the ban on the opening of betting offices in the Betting, Gaming and Lotteries Act 1963 is a total one. As a result, betting office workers cannot be required to work on a Sunday. Therefore, the provisions relating to existing contracts of shopworkers may not be required for betting workers. We shall have to consider whether this is an appropriate way of drafting the measure.

Schedule 4 of the Sunday Trading Bill distinguishes between protected shop workers and opted-out workers. That arises from the fact that some existing shopworkers may be required to work on Sundays. The position of betting workers is different, so it may not be necessary to make a similar distinction in providing new rights for betting workers. I confirm that it is not the Government's intention to produce legislation in which betting workers are treated in any way less favourably than those who work in shops on Sundays.

The provisions of new clause 1 are almost wholly benign and will be regarded generally in the country as non-controversial. There may be some resource implications for local authorities which supervise the tracks and there will certainly be manpower implications for the police, should Sunday racing become a regular feature, so we would have preferred to undertake consultation with those enforcement bodies, as they would have expected, before such changes were brought before the House. Nevertheless, before the measure is debated in another place, we shall seek to consult all such affected parties so as to take their views properly into account.

With regard to employment protection, there will be those who will be expect to be consulted on the measure before it is debated in another place. Employment measures are primarily a matter for my right hon. Friend the Secretary of State for Employment. While he is content in principle for provision to be made to ensure that Sunday working by betting workers is voluntary, he wishes to consult further. The proposed new schedule, as it suffers from the technical flaws to which I have referred, may be more complicated than necessary. I hope that it will not be pressed in the House but will be withdrawn on the basis of the assurances I have given today that, in another place, the Government will introduce an appropriate measure to achieve the effects that I have described.

Mr. Cook: The hon. Gentleman's last sentence did not chime with his earlier sentences. If there is some defect in the schedule, plainly there would be no objection to the correction of those defects and technical problems in the other place, particularly if those amendments do not in any way change the present protection provided by that schedule. The Minister may be putting the House in a difficult position by suggesting that the schedule should not be carried today. He is then inviting the House to approve the new clause without seeing precisely what protection will be provided by the schedule.

Mr. Hamilton: I wish to preserve the amity of the debate and show the flexibility of which I am capable. If the hon. Gentleman suspects that the Government would not come forward with amendments that he might approve, which may diminish his enthusiasm for supporting this liberalising measure, I shall immediately do a U-turn and say that we shall recommend to my hon. Friends that they support the schedule on the basis that we shall seek to amend it in the House of Lords to correct the technical deficiencies that I mentioned a moment ago. After that illustration of verbal dexterity, I have little more to say.

My right hon. Friend the Member for Honiton (Sir P. Emery) asked why betting shops should be opened off course. The hon. Member for Livingston referred to the danger of illegal off-course betting developing. By definition, it would be unregulated and subject to greater dishonesty and criminality. We know from the experience recounted by my hon. Friend the Member for Altrincham and Sale (Sir F. Montgomery) that there were many such examples in the days when betting shops were illegal. People naturally seek the best price at which to bet, and on the day before a race a starting price would not be available which reflected the latest conditions of the course or the

horses. Many people would leave betting until shortly before a race in the light of the latest prices being offered on the course.

As the hon. Member for Livingston pointed out, if some of the big classified races were held on Sundays, the temptation for illegal betting would be almost irresistible. He would not wish that to happen, so it would be much better to treat betting shops in the same way as on-course betting. As there would be no significant risk to the public, I commend the measure to all Members of the House.

Mr. Paice: With the leave of the House, I am grateful to all hon. Members who have contributed to the debate. As I suspect we all know, the debate has shown that this issue raises considerable passion in some quarters. My hon. Friend the Member for Gedling (Mr. Mitchell), who is the Whip on this Bill, told me that his support for the measure was in inverse proportion to the length of the debate, so I shall conclude matters quickly. Rather than respond to all the individual points made by many hon. Members, which would detain the House and be unsatisfactory, I shall make just two points.

First, my right hon. Friend the Member for Honiton (Sir P. Emery) and many others referred to on and off-course betting. The hon. Member for Livingston (Mr. Cook) and my hon. Friend the Under-Secretary of State for Corporate Affairs referred to the illegal betting that would spring up, particularly if major races took place on Sundays. It has also been suggested that people could bet the previous day. People always like to bet close to the time of a race. One good reason is that runners often withdraw up until the last few hours before a race, so that any bet becomes invalid. That is a sound reason why people need to bet close to the time of the race.

Secondly, I understand that feelings differ among hon. Members on both sides of the House about employee protection, but it would be inequitable to offer anything other than the same provisions as those in the Sunday Trading Bill. Some people may think that that is not enough and others may believe that it goes too far. I believe that it is a compromise on the amount of protection to which the House agreed in one context and should accept in another.

Mr. Jopling: I have no objection to racing taking place on Sundays, but if betting did not take place on Sundays, the bookmaking fraternity—I should have declared an interest as I sometimes advise one of the large bookmaking firms, although it will not be pleased with what I am about to say—would immediately change its rules and take bets on Saturdays to exclude non-runners on Sundays.

Mr. Paice: My right hon. Friend omits a serious point. When people place bets, they look at all the runners. If one runner withdraws, even if it is a horse on which they have not bet, it may throw the odds on all the others, which is why it is necessary to bet close to the time of the event.

The time is now right for the House to remove the discrimination against the racing industry. I have listened to the debate and am anxious that we should allow racing to compete with the rest of the leisure industry. I commend the new clause to the House.

Question put, That the clause be read a Second time:—

The House divided: Ayes 290, Noes 189.

Division No. 233] **[5.55 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Allason, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Allen, Graham
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashton, Joe
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Austin-Walker, John
Baker, Rt Hon K. *(Mole Valley)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Barron, Kevin
Batiste, Spencer
Bayley, Hugh
Beresford, Sir Paul
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Bonsor, Sir Nicholas
Boswell, Tim
Boyes, Roland
Brandreth, Gyles
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Brown, N. *(N'c'tle upon Tyne E)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burden, Richard
Burns, Simon
Butler, Peter
Byers, Stephen
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alexander *(Montgomry)*
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Chapman, Sydney
Clapham, Michael
Clappison, James
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Kenneth *(Rushcliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Coffey, Ann
Colvin, Michael
Congdon, David
Conway, Derek
Cook, Robin *(Livingston)*
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Cummings, John
Cunningham, Jim *(Covy SE)*
Curry, David *(Skipton & Ripon)*
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davis, David *(Boothferry)*
Deva, Nirj Joseph
Dickens, Geoffrey
Dicks, Terry
Dixon, Don
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dowd, Jim
Duncan, Alan
Duncan-Smith, Iain
Durant, Sir Anthony
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, John *(St Helens N)*
Evans, Nigel *(Ribble Valley)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fatchett, Derek
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Fraser, John
French, Douglas
Gapes, Mike
Gardiner, Sir George
Garnier, Edward
Gerrard, Neil
Gilbert, Rt Hon Dr John
Gill, Christopher
Gillan, Cheryl
Godsiff, Roger
Golding, Mrs Llin
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grylls, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Nigel *(Edinburgh S)*
Grylls, Sir Michael
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Andrew
Haselhurst, Alan
Hattersley, Rt Hon Roy
Hawkins, Nick
Heath, Rt Hon Sir Edward
Henderson, Doug
Hendry, Charles
Heppell, John
Heseltine, Rt Hon Michael
Hill, James *(Southampton Test)*
Hill, Keith *(Streatham)*
Hogg, Rt Hon Douglas *(G'tham)*
Home Robertson, John
Hoon, Geoffrey
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Kevin *(Doncaster N)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Janner, Greville
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Jones, Robert B. *(W Hertfdshr)*
Kennedy, Jane *(Lpool Brdgn)*
Key, Robert

Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lightbown, David
Lilley, Rt Hon Peter
Litherland, Robert
Livingstone, Ken
Lloyd, Rt Hon Peter *(Fareham)*
Lloyd, Tony *(Stretford)*
McAllion, John
MacKay, Andrew
McKelvey, William
Maclean, David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malone, Gerald
Mandelson, Peter
Mans, Keith
Marland, Paul
Marshall, Jim *(Leicester, S)*
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maxton, John
Meale, Alan
Merchant, Piers
Miller, Andrew
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Monro, Sir Hector
Montgomery, Sir Fergus
Moonie, Dr Lewis
Morris, Estelle *(B'ham Yardley)*
Moss, Malcolm
Mowlam, Marjorie
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Oakes, Rt Hon Gordon
O'Neill, Martin
Onslow, Rt Hon Sir Cranley
Ottaway, Richard
Page, Richard
Patchett, Terry
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Peacock, Mrs Elizabeth
Pendry, Tom
Pickles, Eric
Pope, Greg
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Prentice, Gordon *(Pendle)*
Prescott, John
Radice, Giles
Rathbone, Tim
Redmond, Martin
Redwood, Rt Hon John
Reid, Dr John
Renton, Rt Hon Tim
Riddick, Graham
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rooker, Jeff
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Salmond, Alex
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Skeet, Sir Trevor
Soames, Nicholas
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stevenson, George
Sweeney, Walter
Sykes, John
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thumham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Walker, Rt Hon Sir Harold
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Wilson, Brian
Wood, Timothy
Worthington, Tony
Wray, Jimmy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. James Paice and
Mr. Lawrence Cunliffe.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alton, David
Amess, David
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Baker, Nicholas *(Dorset North)*
Banks, Tony *(Newham NW)*
Barnes, Harry
Bates, Michael
Beckett, Rt Hon Margaret
Beggs, Roy
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Biffen, Rt Hon John
Blunkett, David
Body, Sir Richard
Booth, Hartley
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bray, Dr Jeremy
Brazier, Julian
Butcher, John
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Cann, Jamie
Chisholm, Malcolm
Churchill, Mr
Clark, Dr Michael *(Rochford)*
Clelland, David
Clwyd, Mrs Ann
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Cormack, Patrick
Corston, Ms Jean
Cousins, Jim
Davis, Cynog
Dalyell, Tam
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Quentin *(Stamford)*
Davis, Terry *(B'ham, H'dge H'l)*
Day, Stephen
Devlin, Tim
Dewar, Donald
Donohoe, Brian H.
Dover, Den
Dunn, Bob
Eagle, Ms Angela
Eastham, Ken
Emery, Rt Hon Sir Peter
Enright, Derek
Etherington, Bill
Evans, Roger *(Monmouth)*
Ewing, Mrs Margaret
Field, Frank *(Birkenhead)*
Fisher, Mark
Forman, Nigel
Foster, Rt Hon Derek
Foulkes, George
Fry, Sir Peter
Fyfe, Maria
Galbraith, Sam
Gallie, Phil
Galloway, George
Garrett, John
George, Bruce
Graham, Thomas
Griffiths, Peter *(Portsmouth, N)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike
Hannam, Sir John
Hanson, David
Hardy, Peter
Harris, David
Higgins, Rt Hon Sir Terence L.
Hinchliffe, David
Howarth, George *(Knowsley N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jessel, Toby
Jones, Barry *(Alyn and D'side)*
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jopling, Rt Hon Michael
Jowell, Tessa
Kennedy, Charles *(Ross,C&S)*
Khabra, Piara S.
Kilfedder, Sir James
Kilfoyle, Peter
King, Rt Hon Tom
Lester, Jim *(Broxtowe)*
Lewis, Terry
Llwyd, Elfyn
Lord, Michael
Lynne, Ms Liz
McCartney, Ian
McCrea, Rev William
Macdonald, Calum
McFall, John
McMaster, Gordon
McWilliam, John
Madden, Max
Maginnis, Ken
Mahon, Alice
Marek, Dr John
Martlew, Eric
Mawhinney, Rt Hon Dr Brian
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Molyneaux, Rt Hon James
Morley, Elliot
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Nicholson, Emma *(Devon West)*
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oliner, William
Orme, Rt Hon Stanley
Paisley, Rev Ian
Parry, Robert
Pawsey, James
Pickthall, Colin
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Roberts, Rt Hon Sir Wyn
Robinson, Peter *(Belfast E)*
Roche, Mrs. Barbara
Rooney, Terry
Ross, William *(E Londonderry)*
Rowlands, Ted
Sainsbury, Rt Hon Tim
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Simpson, Alan
Sims, Roger
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Rt Hon John *(M'kl'ds E)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Spink, Dr Robert
Steel, Rt Hon Sir David
Stephen, Michael
Strang, Dr. Gavin
Straw, Jack
Streeter, Gary
Tapsell, Sir Peter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Sir Teddy *(Southend, E)*
Turner, Dennis
Wallace, James

Wardell, Gareth *(Gower)*
Waterson, Nigel
Wilkinson, John
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Audrey
Wolfson, Mark
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Donald Anderson and
Mr. Paul Flynn.

Question accordingly agreed to.
Clause read a Second time, and added to the Bill.

New clause 5

HEALTH AND SAFETY

'No order shall be made under section 1 of this Act which includes any provision amending or repealing any enactment relating to the health and safety of any person'. *—[Mr. Fatchett.]*

Brought up, and read the First time.

Mr. Derek Fatchett (Leeds, Central): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): With this we may take New clause 8 — *Approval of certain markets (No. 2)*

'(1) Where a person proposes to set up a commercial market that person shall apply to the local authority in whose area he proposes to set up the market for approval of the setting up of that market.

(2) Where an application for the grant or renewal of approval has been made under subsection (1) above to a local authority, the local authority shall—

(a) give or renew that approval subject to such reasonable conditions as the local authority think fit; or

(b) refuse to give that approval, provided that approval shall not be unreasonably withheld.

(3) A grant or renewal of approval under subsection (2) above shall cease to have effect after a period of twelve months beginning with the date on which it is granted or such other longer period as the local authority giving or renewing the approval may determine.

(4) The local authority may charge a reasonable fee in respect of an application for the grant or renewal of an approval under subsection (2) above and different fees may be charged for different classes, sizes and locations of market.

(5) The Secretary of State may by order make further provision as to approvals and regulation in relation to the setting up of commercial markets.

(6) A person who sets up a rival commercial market without approval of the setting up of that market having been given or as the case may be renewed under subsection (2) above, or who carries on such a market in breach of any conditions attached to the grant or renewal of an approval, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(7) In this section, "local authority", "market" and "right of market", have the same meaning as in section 22 above and "commercial market" means a market other than a market—

(a) which is a temporary market within the meaning of section 37 of the Local Government (Miscellaneous Provisions) Act 1982; and

(b) the proceeds of which are to be applied solely or principally for charitable, social, sporting or political purposes.'.

Mr. Fatchett : We may have moved from a consensual position—at least for the Front Benches—to an issue that will give rise to some controversy. New clause 5 would remove any reference to health and safety from what will be section 1; we argue that provisions for health and safety, both at work and generally, should not be dealt with by means of the general powers included in the Bill.

In a speech to the European Policy Forum last autumn, the Parliamentary Under-Secretary of State was quoted as saying:

"Our response to recent large scale disasters has been out of all proportion to the disasters themselves."

He went on to mention our reaction to the Kings Cross fire —in which at least 30 people were killed—and the Marchioness disaster, in which 50 people were drowned.

I am not making a personal attack on the Parliamentary Under-Secretary. The powers in the Bill will be given to Ministers generally, allowing them to amend and repeal health and safety provision and to affect security that has been built up over decades and generations. I have quoted the Parliamentary Under-Secretary merely to make the important point that he and, I suspect, other Ministers—especially those at the Department of Employment—approach the issue with a particular perspective and a particular ideological bent. That is why we seek to remove any reference to health and safety from the first four clauses of the Bill.

We have said throughout that we find the powers in those first four clauses unacceptable, and that they should in no circumstances be used to repeal primary legislation; we are now arguing that they should not be used to deal with health and safety provisions. Let me demonstrate the extent of the problems. Health and safety is a vast issue, which should be dealt with separately from the specific powers in the first four clauses. The record shows that there are 1.6 million workplace accidents each year, and that 2 million people suffer from occupational diseases; in 1991, 473 people were killed at work. Those statistics represent costs to individuals and their immediate families, and burdens on business.

There is also a cost to the economy. The cost of industrial accidents and disease is estimated to be some £16,000 million a year. Moreover, a recent publication from the Royal College of Nursing drew attention to the costs of accidents and injuries at work to a certain NHS hospital, estimating that 5 per cent. of that hospital's running costs would relate to industrial injuries and illnesses.

New clause 5, however, relates not just to industrial provision but to

"the health and safety of any person".

Opposition Members fear that the Government may intend to amend or repeal fire safety regulations, thus reducing the safety and security of certain people. The hon. Member for Scarborough (Mr. Sykes) is well aware of last week's tragic events in his constituency: he responded to them by calling for tougher regulation and more inspections, and we support and respect what he said. He was also right to suggest that many landlords are using the social security system to provide housing for multiple occupation which does not meet standards that should be met in a civilised society.

Having read some of the newspaper reports of those tragic events, I feel that the hon. Gentleman's comments were appropriate; and they are also relevant to the Bill, given that it is a deregulation Bill that attempts to remove existing provision and security. I should have thought that last week's events in Scarborough showed that, on the contrary, we should tighten provision and improve inspection and standards.

6.15 pm

The statistics make my case compellingly. They reveal that an average of 800 people a year are killed in fire-related incidents in the United Kingdom, which has a higher fire death rate per million than any other European Union country. Each year, moreover, deaths resulting from accidents related to foam-filled furniture run into the hundreds.

We want to know the Government's intentions. I hope that I have demonstrated the seriousness of the problem; so why are we concerned about their intentions? The answer is simple: we do not necessarily believe in the Government's good intentions. They always say, as they did many times in Committee, "Trust us—leave it to us." They say that they will not reduce security and safeguards. I simply do not accept that. There are times when, rather than accepting the Government's words, we must look at their record; we should examine some of the rhetoric from Ministers about deregulation, the way in which the deregulation initiative has been presented to the House and the general argument that has been advanced. That argument has always been about taking the burden from industry.

Again, let me refer to the constituency of the hon. Member for Scarborough. There is a burden on one small business to observe the fire regulations and general health and safety provisions—a burden and a cost, which the evidence suggests may not have been met. That cost to one individual, however, also represents security, a safeguard and a benefit to others. That is the equation: the cost to one business is the right of another employee or consumer. Opposition Members are in the business of protecting the rights of such people.

Mr. John Sykes (Scarborough): I am grateful to the hon. Gentleman for his kind words about what happened in my constituency last week. Unfortunately, neither of us knows why those people died. It could well be that the person concerned smoked in bed, but—however hard we may try—we cannot introduce a law to stop people smoking in bed, although it may be enough to cause a fire. Until we know the exact reason for the fire, I do not think it right for the hon. Gentleman to use it as an excuse for his new clause.

Mr. Fatchett: At the time of the event, the hon. Gentleman simply argued that there was a need for tighter regulation and stronger licensing provisions. If ever there was an argument to support my views, it was his first and, I think, honourable reaction.

We need to strike a balance that takes account of other interests. Throughout the Committee stage, we feared that the Government's interests that come to the forefront will always relate to business; we feel that other costs and interests must be taken into account. We also believe that the provisions in clauses 1 to 4 will severely restrict our opportunity to debate these key issues properly. We have always said that we are not willing to give additional powers to the Executive, and we shall debate these issues again tomorrow and on Thursday.

The new clause is a second-best option. We should like all the Henry VIII powers removed because there is no justification for them but, if they are to remain, we believe that the specific issues of health and safety at work and fire safety and the general safety provisions should be removed from the first four clauses and from the general excessive new powers to be given to Ministers. We believe that every Member of Parliament should feel that he or she has a voice and a part to play in this debate on behalf of his or her constituents. We believe that the existing procedures are unsatisfactory, and I therefore commend new clause 5 to my hon. Friends and to the House as a whole.

Mr. Andrew Miller (Ellesmere Port and Neston): On Second Reading, I spoke of the need for clarity on the issue of health and safety as it is reflected in the Bill. In Committee, I pressed the Minister several times to clarify exactly how he saw the balance between the burden on business and necessary protection. In a written question on 15 March, my hon. Friend the Member for Sheffield, Hillsborough (Mrs. Jackson) asked the Secretary of State for Employment

"which health and safety at work regulations he considers to be a burden on business."

The Minister of State, Department of Employment answered:

"This is among the questions that I have put to the Health and Safety Commission and I am awaiting its advice."—[*Official Report*, 15 March 1994; Vol. 239, c. *636*.]

How to ensure the health and safety and welfare of our work force is one of the most important issues facing us today, but we are having to try to secure the necessary protection in the context of clauses on which the Government have yet to receive clear advice from the body set up to advise them. Perhaps that advice has been made clear since 15 March—it certainly had not been made clear while the Bill was in Committee—and, if so, I invite the Minister to tell us which regulations have been identified as a burden by the Health and Safety Commission.

If the list deals entirely with pre-1974 regulations, the Government are approaching this important issue in entirely the wrong way. The solution would be a relatively minor amendment to section 15 of the Health and Safety at Work, etc. Act 1974, which would give the commission the power to advise the Minister so that matters could be dealt with more smoothly and in a more structured way. I presented the same argument in broad terms in Committee, but we are working in a vacuum.

The whole debate is in a vacuum because the Government have repeatedly refused to clarify what was meant by "a burden on business". I hope that the Minister of State, Department of Employment, understands that other Ministers have in previous debates described what they regarded as burdens on business. One extremely good example was provided in a late night Adjournment debate to which the Under-Secretary of State for Schools replied. My hon. Friend the Member for Plymouth, Devonport (Mr. Jamieson) dealt with the safety of outdoor pursuit centres, and the Minister described his call for regulation of those centres as a burden on business. He did so in the context of the tragic death of four young people.

If the House is examining the Bill in a vacuum, and if the only information at our disposal comes from statements made late at night in which Ministers of the Crown give their definition of burdens on business in relation to health and safety matters, it is no wonder that there is a major difference in the approach of our two parties.

The whole health and safety debate has always centred on the difficult balance that exists. Any hon. Member who was involved in training in health and safety matters back in 1974-76 will remember the commission's early posters, which showed scales representing the balance between the cost of improving safety and the benefits to employees. It

is a difficult balance to strike and it must be dealt with subject by subject, regulation by regulation, and with great care. We cannot give sweeping powers to the Minister because the only information available is based on a set of vague generalisations given by his colleagues in relation to other matters. Until we debate specific regulations, we cannot make progress.

In a letter to members of the Committee, the Chemical Industries Association wrote:

"The chemical industry believe that much of the framework of existing regulations specifically affecting the chemical industry, eg, the Health and Safety at Work Act 1974, the Environmental Protection Act 1990 and the COSHH Regulations, is fundamentally sound; in many cases, however, there is a need for greater clarity and consistency in interpretation."

This is especially relevant to my constituency, and the Minister of State will recall that last week I presented to him a petition on matters related to health and safety. The industry is pleading for better regulation and does not want sweeping powers to be given to the Minister. The Bill approaches the issue in entirely the wrong way, and I urge the House to support new clause 5.

Mr. Adam Ingram (East Kilbride): I support new clause 5 and wish to draw to the attention of the House and, I hope, that of the Minister an article that appeared in *The Independent* yesterday and that resulted in a leader column dealing with the implications of health and safety regulations. The article and the leader column dealt with the tragic case of a constituent of mine, Mr. William Neilson, who died on 9 June 1992, aged 61, of broncho-pneumonia, radiation-induced myeloid leukaemia, radiation dermatitis and radiation-induced myelodysphasia.

Mr. Neilson worked as an industrial radiographer for a company called Metal and Pipeline Endurance Ltd.—MAPEL. His work involved using portable equipment with components that emitted radiation more powerful and penetrating than that of hospital X-rays. The medical inquiry held after his death revealed that he had received a cumulative dose of radiation of about 15 grays. Grays are the means by which radiation is measured. The dose of radiation that he received was 15,000 times that contained in a single chest X-ray.

6.30 pm

What is disturbing about Mr. Neilson's death is that no one is accepting any responsibility for it—not his employer, MAPEL, and not BP at Grangemouth, where he worked as a subcontracted employee of MAPEL. The Health and Safety Executive has also said that it will not take any action in relation to the case. I argue that the case must call into question the existing health and safety protection afforded to people such as Mr. Neilson who work as industrial radiographers.

About 8,000 people in the country today are undertaking vital work in the non-destructive testing of pipes and metal structures. According to the National Radiological Protection Board, they are the most exposed of all of those who work with radiation sources. In 1991 alone, 60 such workers received doses above the level requiring investigation and 10 received more than the maximum legal dose. We should compare that with the 40,000 people who work in the nuclear industry. None of them came near receiving the maximum dose of radiation, and only seven cases warranted investigation.

The fact that statistics are available shows that monitoring is taking place under the existing regulations. Yet Mr. Neilson's condition was not identified early enough to save his life. No excess of radiation was ever recorded on the detection badge which he wore daily to his place of work.

Therefore, I am most surprised that the Health and Safety Executive should have dismissed responsibility for Mr. Neilson's death by saying that it would take no further action. I am also very surprised by the attitude of Mr. Neilson's employer, who said at the time of his death that Mr. Neilson was not working for the company. But at the time that Mr. Neilson received the dose of radiation which resulted in his death, he was working for MAPEL and BP, and he was supposedly under the monitoring control of the Health and Safety Executive and the relevant regulations, the Ionising Radiation Regulations 1985. Someone was responsible for Mr. Neilson's death, yet no one is prepared to admit it. That is simply not acceptable.

The Bill will reduce the level of protection that is afforded to people such as the late Mr. Neilson and the other 8,000 industrial radiographers. If it goes ahead and the Government proceed with their intention, more deaths are likely to occur. I see that the Minister rejects that notion. If he rejects it, perhaps he should tell the House what action he has taken following the report in *The Independent* of yesterday. Has he asked the Health and Safety Executive to respond to that report? Is the executive now undertaking an urgent inquiry? Is it prepared to say that it has responsibility in this area and that it will investigate in detail what took place at the time?

The Minister of State, Department of Employment (Mr. Michael Forsyth): I have seen the report and I share the hon. Gentleman's concern. Yes, I have asked the Health and Safety Executive to report to me about the circumstances of that case, just as I have asked the Health and Safety Commission—which is a tripartite body—to look at the regulations. I have given clear instructions that no measures should be recommended that would undermine standards of health and safety. I think that it is wrong for the hon. Gentleman to seek to make parallels, but, in view of his interest in the case, I assure him that I will keep him informed about the response we receive from the Health and Safety Executive.

Mr. Ingram: I am grateful that the Minister has responded in that way. It would have been useful if he had made some public statement about the matter today. Clearly, there are grave worries about the future regulations which will apply to health and safety generally, and specifically to this field. I appreciate that the Minister is to keep me informed; I hope that he will keep the House informed as well, because there is general concern about the future protection of such employees.

The question remains why the Health and Safety Executive dismissed that case in the way that it did. I suspect that it is because the organisation has been understaffed and its funds cut substantially. There have been major cuts in the grants allocated to safety representatives this year, and the Government intend to cut their support entirely.

It is all very well for the Minister to say that he is concerned about the matter. I am not surprised that he has responded in that way. When a major newspaper reports in detail and raises concerns of that sort, I would not expect anything less of the Government.

[Mr. Ingram]

I ask the Government to accept the principle of new clause 5: aspects relating to health and safety should not be included in the Bill. That will satisfy those people who are working in very dangerous circumstances—many of them risking their lives for the good of the country by undertaking much-needed work in industrial radiography. That is the message that should come from the debate tonight. The only way that we can really satisfy those who work in that area—Mr. Neilson's widow, to whom I have spoken today, would agree—is by saying that further protection will be given to people who work in that field, thereby avoiding future deaths. We can satisfy their demands by supporting new clause 5.

Mr. Gordon Prentice (Pendle): I support new clause 5. We have been told that the Bill is about lifting unnecessary burdens, while retaining necessary protection. I do not think that it will do that, and I want to spend a couple of minutes looking at the implications for health and safety of what is proposed.

The Government's game plan seems to be to move responsibility for fire safety from the fire brigade, where it has rested since 1961, to local authority building control departments. Under the Bill, the functions of the building control departments could be contracted out to the private sector, so the responsibility for fire safety could end up outside the hands of a public authority.

The Government have treated the fire service in an absolutely shameful way. It has been sidelined and ignored. A construction industry task force looked at fire safety matters and released a report entitled "Deregulation Task Force". The document was deposited in the Library after the Committee had dealt with clause 27 of the Bill and, therefore, we could not refer to it in our considerations. However, I have since had the opportunity to look through it in detail, and it is perfectly clear that the individuals who put their names to the report know absolutely nothing about the fire service.

The task force was chaired by none other than Mr. Chris Spackman, the managing director of Bovis Construction. The task force is packed with people who have business interests in the construction industry and who are closely allied to Conservative interests. Astonishingly, the fire brigade was not invited to sit on the task force or to give evidence to the task force.

Mr. Neil Hamilton: I am sorry that the hon. Gentleman's memory is defective. We went through all these points in Committee and I answered all the questions. In particular, I made the point that that task force document has since been superseded by the on-going fire service review and one of the five participants in the review is the chief fire officer of the county of Durham. How can the hon. Gentleman claim credibly that the fire service is being ignored or that its concerns are not being taken properly into account?

Mr. Prentice: I do not accept that for one moment. The document which formed the Government's thinking was "Deregulation Task Force". No doubt its recommendations filtered through into the document which the Department prepared under the title "Cutting Red Tape".

I have a submission from the fire authority in my constituency in Lancashire which makes some very modest criticism of the process. It says:

> "It is disappointing to note that these proposals"—

the proposals which have emerged from the process—

> "have not been discussed with agencies responsible for the enforcement of current regulations and legislation until after they were submitted, thereby providing only one side of the argument and setting the agenda for other interested parties to follow."

It beggars belief that in that initiative, which was to involve the cutting of red tape and the lifting of burdens but also, in a sphere as vital as fire safety, the safeguarding of necessary protections, the fire brigade was not even consulted.

The construction industry task force, through Mr. Spackman of Bovis Construction and his acolytes, said:

> "Problems of consistency and quality of input are considerable. Whilst the Building Regulations are capable of standard interpretation through official guidance, the Fire Regulations are neither scientific nor consistently applied. Individual Fire Officers can have either substantial or little training and respond to most situations using common sense and custom and practice precedents."

What informed that conclusion? We were given no evidence in Committee to back that assertion.

We ask the House to support the new clause because our contention is that responsibility for the fire regulations should lie with fire authorities. It seems self-evident that the people who risk their lives to put out fires, the people who 24 hours a day live, breathe and think about the complex of issues involving fire and fire prevention, should not be sidelined in that way. The fire brigade, not only in Lancashire but all over the country, has the knowledge, the skill and the practical experience of how fires behave and how people react in a fire, yet that is to count for nothing.

In Committee we were treated to several vaudeville performances by the Under-Secretary of State for Corporate Affairs, who had a few funny stories up his sleeve, such as the one about the fire officer who wanted the sign on the fire door changed from red to green, and wanted the size altered half a dozen times, and so on. But the Lancashire fire authority tells me that, as we would expect from that Minister, such criticisms have been massively overstated.

I am told that there was a review of the Minister's Department in 1993—the Department of Trade and Industry's "Review of the Implementation and Enforcement of EC law in the UK". That review touched on such matters, and it confirmed what I am saying. The scale of the problem had been massively exaggerated.

If the fire authorities have been falling down in their duty, why has the problem never been brought before the House before? All fire authorities are inspected annually by the Home Office fire services inspectors, and every year the report goes to the Home Secretary, yet until now nothing has ever been brought before the House to alert us to the possibility that our fire authorities are falling down on the job.

The truth is that fire authorities are not falling down on the job. The whole exercise is ideologically driven—we shall return to that point on Thursday. It is driven by an absolute hatred of anything provided by public authorities, whether local authorities or fire authorities, and a determination to transfer to the private sector everything that is not nailed down.

I shall finish with a few statistics from my area. I have already mentioned the Minister's Laurel and Hardy act in Committee; yet if the fire authorities were making such a hash of things, why has Lancashire fire brigade, which carried out 40,000 inspections last year, received only two complaints since 1991? If the fire brigades are falling down

on the job of inspecting premises under the Fire Precautions Act 1971, which they rigorously enforce because they have the duty and responsibility to ensure that people are not incinerated in preventable fires, why have there been only three prosecutions in Lancashire since 1991?

The fire brigade is doing a pretty good job, and there is no evidence for the Government's contention that its responsibilities should be transferred to local authority building control departments. I hope that the House will support the new clause.

6.45 pm

Mr. George Galloway (Glasgow, Hillhead): I shall add briefly to what my hon. Friend the Member for Pendle (Mr. Prentice) has said. I warn the Minister, who is jolly decent cove and a jolly intelligent one too, that, for the reasons that my hon. Friend has explained, he ought to know better than to oppose the new clause. I choose my words carefully, and do not mean to make a joke, when I say that the Minister is playing with fire with his proposal to take powers from the proper fire authorities and to pass to less qualified hands the duty of inspecting premises to ensure that their fire precautions are appropriate.

The Minister should bear in mind the fact that fire authorities and the fire service are among the most popular groups of public officials in the country. Their people are literally heroes, and everyone knows that they have saved lives both by their urgent and efficacious interventions in fires and by preventing tragedy through the assiduousness of their preventive work on fire precautions.

A few weeks ago in my constituency, encouraged by the splendid Fire Brigades Union—one of the oldest and best trade unions in the country—we did some street work with postcards and petitions, explaining to passers-by the Government's plans to take powers away from the fire authorities and fire services. That took place in an area that was once a Conservative constituency, yet I do not exaggerate when I say that the people there were surprised. It is difficult to shock people after 15 years' experience of the Thatcher-Major Government, yet people were not only shocked but horrified by the proposal.

In this building I recently had a conversation with the leaders of the Fire Brigades Union in Scotland. One of the most telling points that they made—I should like to hear the Minister's answer to it—was that, if the fire authorities are deprived of the responsibility of making regular inspections of buildings, some of which are tinderboxes, with fires waiting to happen, the first time that fire service people will be inside some of those premises is when they have to batter down the doors with their hoses in order to attack a potentially devastating fire.

One of the experiences that the authority gains from its current responsibilities is that its regular visits to premises as part of the licensing process give it an intimate knowledge of the layout and interior of those premises, of the parts of the building likely to cause difficulties in a fire and of the approach that could theoretically be taken if a fire occurred. If we take that responsibility away from the fire authorities and the fire service, by definition they will be deprived of that important and potentially life-saving experience.

The Conservative party is supposed to be party with the slogan, "If it's not broken, why fix it?" but of course, nowadays there is now a new breed of Conservative—people who are not so attached to that essentially Conservative principle. I cannot for the life of me understand what the Government are doing, and that applies to all their present proposals. As my hon. Friend the Member for Pendle (Mr. Prentice) made clear, there is no evidence among public opinion anywhere that the current system is in any way broken or deficient. In all the years that I have been in the House since 1987, we have never once been told of any significant failings in the current system.

The truth is that the change is not being made as a result either of the need to implement better practice or of any complaint arising from public opinion. The essence, the secret, of the change—we shall hear it over and over again in the next three days—lies in the vested interests that were stuffed into the task forces. Of course, the Minister will say that there was another tier to the task forces and that a fire officer from Durham was eventually put on them, but I have never heard him explain why the fire authorities were not represented in the first place on the task forces that drew up the blue document—produced this evening—which informed their thinking and that of the review tier of the body that looked into the matter.

The task forces, which have been the driving force behind the proposal before us, are stuffed full of vested interests, many of which make substantial financial donations to the Conservative party. They are more concerned with the price of the service than its value, knowing as they do the price of everything and the value of nothing.

Of course, most Conservative Members, however sheepishly, will troop behind the Minister, but I warn them in my closing remarks, as I did at the beginning of my speech, that the Government are playing with fire. The first time that a devastating fire destroys property and kills human beings as a result of the change—believe me, one does not need a crystal ball to envisage that it will not be many years before such a tragedy occurs—the responsibility will be laid fairly and squarely with the Minister, whom I admire and whom I caution, even at this eleventh hour, to change course. That responsibility will lie with the Minister, with the Government and with the Conservative party.

Mr. Richard Burden (Birmingham, Northfield): When the deregulation initiative was first mooted and when the Bill was first talked about, one subject that aroused more public suspicion than any other was the likely threat to health and safety. Ministers sought to dampen those worries and those suspicions all the way through, but they remain. As my hon. Friends have already said, those worries and suspicions remain on the definition of what is a burden on business. What are those health and safety regulations and standards that Conservative Members and, they believe, businesses find so difficult to bear?

The nearest thing that I have found to a Government definition of a burden on business is when they described what bad regulations are in their booklet on deregulation "Cutting Red Tape". One of the things that the document says is that bad regulations "waste time and money". What is a waste of time and money? It rather depends on who is defining the issue. In a cut-throat market and in those industries where the deregulation initiative has already had its effect, practices apparently waste time and money if they cut profit margins, because that can often mean the difference between staying in business and going out of

[Mr. Richard Burden]

business. That is when cost-cutting occurs. When cost-cutting occurs, that is when corner-cutting occurs, and when corner-cutting occurs, that is when health and safety standards start to suffer.

That is not scaremongering. It is happening already. Let us look, for instance, at the coach industry, which has already been subject to deregulation. Only last week, we read in the papers about the coach crash in Kent in November. It was believed to have happened—arguments have been put forward—because the advanced braking system on the coach was not working. The Department of Transport has—it seems—issued three sets of orders relating to ABS braking, which could have prevented coaches being on the roads until problems had been rectified. Either those orders were not enforced properly or they were not capable of being enforced properly, but the result was that that accident happened and 10 people died, including the coach driver.

So far, nobody has been held responsible for that accident. Even the coroner said that there was no candidate in the company whose negligence could be proved to have caused those deaths, even though another driver had pointed out the problems on that coach's braking system some 13 months previously. Indeed, we were told that the driver involved was not aware of that problem.

Faced with the classic example of that coach crash in Kent, are we honestly saying that the problem is too much regulation? Or is the problem, as I believe, not enough effective regulation and not enough effective enforcement? That is important to me as I come from the west midlands, where, only a couple of months ago—indeed, on the very day that, in Committee, we were discussing what is now clause 28, which relates to health and safety—a report was published by the west midlands health and safety advice centre called "The Perfect Crime".

That report detailed a study undertaken into workplace deaths in the west midlands area—some 28 work-related deaths—between 1988 and 1992. Its conclusion, backed by Sir Anthony Scrivener, Queen's counsel, was that, of those 28 cases, at least four could have resulted in a manslaughter prosecution and seven should have been referred to the police for criminal investigation and passed to the Crown Prosecution Service. Eight of the cases were inadequately investigated by the enforcement agencies and required further investigation, and five could have involved prosecution under health and safety law.

The families involved in those four cases in which, perhaps, a manslaughter prosecution should have been brought—the families of Dennis Wall, Dennis Clarke, Reginald Price and Tara Singh—expect their Government to recognise the incalculable burden that they have suffered in losing their loved ones. Not surprisingly, they are perhaps less than patient with a Government who see burdens only when they are burdens on business. If that is the only language in which the Government are prepared to talk and the only currency that they are prepared to understand, perhaps they should do their own calculations on the £16 billion cost of workplace-related accidents and on the £6 billion that accidents at work cost businesses.

If the new clause is not added, the Bill will contain no provision that says that health and safety standards are a no-go area when it comes to the deregulation initiative. We have been assured by Ministers on Second Reading and in Committee—no doubt, we shall be so assured again today—that their intention is not to remove what they describe as necessary protection. However, time and again in Committee during debates on health and safety and, indeed, during debates on other aspects of the Bill, we have asked what they mean by "necessary protection". What is the bottom line? Which standards do they think are not appropriate for deregulation? We have never on any occasion heard a clear answer from Ministers.

If ever there were a reason for the new clause to be added, it is not what I have said or what my hon. Friends have said, but the words of the Minister. At the first meeting of the Committee on 15 February 1994, I asked the Minister a direct question. Many Conservative Members have referred to the Health and Safety Commission today and its role in the deregulation initiative and in the task forces. I asked the Minister whether he could assure us that no health and safety regulations would be removed if that removal did not have the support of the trade unions and of the Health and Safety Commission.

The Minister said:

"I am not saying that that would occur only when trade unions were involved, but we would obviously follow the recommendations of the Health and Safety Commission."

A few moments later, my hon. Friend the Member for Leeds, Central (Mr. Fatchett) asked the Minister a slight variation of that question. He asked:

"Will the Minister now give a commitment that the powers in clause 1 will not be used on any occasion on which the Health and Safety Commission objects?"

The Minister gave the following reply:

"I regard it as going against the tripartite nature of the Health and Safety Commission for the hon. Gentleman to single out trade unions for special privilege. I hope that he will withdraw that remark, in view of the nature of the commission.

On the Health and Safety Commission, I said—I think that I am quoting myself correctly—that I regard it as most improbable or most unlikely . . . I would not like to go further than that."—[*Official Report, Standing Committee F*, 15 February 1994; c. 27-28.]

The Opposition's message is that we expect Ministers—I believe that the public do as well—to go further than that. Health and safety standards must not be the casualty of the deregulation initiative. The families of all those who are injured at work—the families of the nine people who lose their lives every week at work—expect better from their Government, and their Government can give them better by accepting the new clause.

7 pm

Mrs. Helen Jackson (Sheffield, Hillsborough): Over the past hour, my hon. Friends have shown how strong our feelings are about the Bill, especially in terms of its possible effect on health and safety. Those of us who were members of the Committee are aware that we are a highly privileged bunch of hon. Members because we have at least discussed deregulation measures in detail. The purpose of the Bill is to remove that privilege from Members of Parliament, so that regulations will not have that proper scrutiny.

As we discussed the specific items on the face of the Bill in Committee, we kept coming back to the inadequate definitions which are so worrying, and we shall come back to them on Thursday. What is a burden on business? At what point do the costs to an industry become so great that it is important that the burden is lifted? At what point does "necessary protection"—no adequate definition has been given to us—come into effect? At every end and turn, the

Government, through the Bill, have sought to offer to business the guarantee that if it shouts loud enough that regulations are too great a cost to it, they will act in the interests of business rather than in the interests of the public. I thought that the Government were supposed to act in the interests of the public.

That point is felt most sharply in health and safety. In health and safety terms, what is a burden for business may be a man or woman's life at work. A human life does not and cannot have a price. The fire officers and the members of the Fire Brigades Union to whom we have talked during the passage of the Bill have reminded us, time and again, that every fire regulation and every health and safety at work regulation has come out of a tragedy.

Whenever there is a tragedy or a death, the people around say, "This must not happen again. How can we ensure that it does not happen again?" A regulation is then introduced for a particular industry or a particular building. To remove those regulations because they are a cost to business will clearly put lives at risk.

I hope that the Government will consider the following point. I am almost certain that in a few minutes, we shall be told that we have been scaremongering, as we were told several times in Committee. The Government could consider tonight the point that, even within the context of the Bill, by accepting that health and safety regulations and fire regulations should fall outside the group of regulations which the Bill can be used to deregulate, they would withdraw the accusation of scaremongering and would lift the threat to the lives and limbs of people at work.

The Government should simply accept the new clause and take out of the Bill anything to do with health and safety, life and limb and the threat to lives. The Government could take that simple action tonight. I hope that the Minister will say that the Government believe that public opinion is such that they will bow not just to the Opposition, but to public opinion. I hope that, because the public believe that health and safety is so important, the Government will accept the new clause.

Mr. Michael Clapham (Barnsley, West and Penistone): We must be clear that the Bill is, in part, about restricting the right of workers, under health and safety legislation, to a say in their working environment. That is why the new clause is important. It would maintain a high standard of health and safety in manufacturing industry by ensuring that no order that threatened the health and safety of any person could be made. I hope that the Minister will tell us that he is prepared to accept the new clause. If the new clause is not included in the Bill, the Government will be free to bring back 19th-century working conditions. That is what the Bill is all about. It will create working conditions that will attract the worst employers.

The real burden of health and safety falls on those who suffer from accidents or ill health caused by their work, as my hon. Friends have said strongly this evening. According to figures recently published by the GMB, the cost to employers of work accidents and ill health is between £4 billion and £9 billion. The cost to society is reckoned to be between £10 billion and £15 billion. Clearly, employers, employees and society cannot afford that continuing cost. The Government should endeavour to ensure that the record becomes better and they should not create a situation which is likely to make things worse. That is why we must support the new clause. If it is not accepted, we can expect the record to worsen.

The real problem in health and safety is not that legislation is too restrictive, but that many employers fail to comply with the existing laws. The Health and Safety Executive has drawn attention, time and again, to non-compliance in sectors such as construction, textiles, chemicals and, I am afraid to say, local authorities.

The Government claim that they are easing the burden on business, but that is a ruse, as the Minister knows. In circumstances where it suits the Government, they have imposed unnecessary burdens on business. The administration of statutory sick pay is just one of the burdens that the Government have imposed on business. At first glance, the Bill may not appear to be that unreasonable in the area of health and safety. Clearly, laws need to be relevant and understandable. However, when the veneer is scratched away, we see clearly that there is more than meets the eye to the Bill.

The deregulation of health and safety must be seen in the context of the Government's hostility to the European Commission's social action programme. The Government are opposed to the health and safety legislation that is required by the "six pack" of European directives. That is the real intention of deregulating health and safety—it has nothing to do with abolishing obsolete legislation.

If the Government want to do something positive about health and safety, they should implement a new consultative machinery between the Health and Safety Executive and employers. They should increase the number of field inspectors and ensure that more resources are available for the training of shop floor health and safety inspectors. I hope that hon. Members on the Opposition Benches realise that if the new clause is not accepted—I am sorry, I meant to say Government Benches.

Mrs. Helen Jackson: They will be soon.

Mr. Clapham: It is true that Tory Members will be on the Opposition Benches soon. If the new clause is not accepted by the Government, the situation in industry will worsen, to the detriment of employers, employees and the community generally.

Ms Glenda Jackson: As my hon. Friends have said, it is the Government's inability to define what is meant by "burden" and "necessary protection" which causes us the most disquiet and which we are justified in being concerned about, because what we are discussing here are protections that will put at risk human health and, in extreme circumstances, take away human life.

The burden with which the Government are most concerned to lift from employers—be it in business, industry or the service sector—is that of responsibility. It is that responsibility, which carries with it a moral element —it certainly should in the field that we are discussing —that the Government wish to remove as a protective element for the British work force. We should not be surprised by that, because the Government have advertised the British work force in Germany not on the level of their skills or ability but on the fact that they will work for less than any other European workers.

The Government have also boasted that they have kept this country out of the EC health and safety directives. This country is becoming one of the most dangerous places in Europe in which to work.

It seems that the Government's proposals on the face of the Bill, which will preclude any future Parliament from examining such proposals in any detail, are something

[Ms Glenda Jackson]

which the whole House should take seriously, and to which it should give serious consideration. That is why I trust that the House will vote in support of our new clause.

We are at a time in the development of industry and business when workers are constantly being expected to use new materials and new procedures. We are in an area where dangers come from we do not know what. As my hon. Friend the Member for Sheffield, Hillsborough (Mrs. Jackson) pointed out, our existing health and safety legislation procedures usually came after some major and tragic accident. If the new clause is not accepted by the House tonight, we are at risk of increasing the possibility of such tragedies in a way that we have not seen before. Some of the processes and procedures which workers are now having to use are still very much an unknown area.

One can only look at the life that we as individuals know. It used to be that when we needed to go to the dentist and we needed an X-ray, the dentist and his assistant would stay in the room. We now know that that is a dangerous procedure—the dentist and his assistant now stand behind the protective screen or leave the room. If we look at the use of hypodermic needles in medicine, it used to be that they would be tossed with a cavalier disregard into any sort of receptacle. Since the discovery of how HIV and AIDS are transmitted, hypodermic needles and other such implements must go in protective boxes, cartons or bags.

We are constantly developing new procedures, processes and materials in a modern industrial society, but our knowledge of the possible dangers from those processes and procedures is not keeping pace with that forward thrust. That is why it is an extremely dangerous proposal on behalf of the Government simply to savage and sabotage those protections such as they have allowed to remain for the work force in this country. It is also the reason why I hope that the House will vote for the new clause tonight.

Mr. John Heppell (Nottingham, East): I am grateful for the opportunity to speak. Hon. Members will remember that I was unhappy at Second Reading not because of what was on the face of the Bill—things such as the market charters and other important things. This issue does not affect people's lives—it decides whether they live or not. It is probably the most important issue that we will discuss tonight.

When the Minister talks about burdens, he must recognise that there is not only a burden on people in terms of personal suffering as a result of accidents at work; there is also a burden on the state. It has been estimated that the cost to the country of accidents at work is between £10 billion and £15 billion, and that 70 per cent. of all accidents could have been avoided. At present, it seems that we should not be relaxing regulations—we should be ensuring that they are properly enforced.

7.15 pm

The Government's response is to make cuts in the Health and Safety Commission. They have cut spending by 5 per cent., and 120 jobs in the commission have been lost this year. However, we need to look beyond what the Health and Safety Commission and the health and safety legislation do, because people's health and safety are determined by other legislation. As hon. Members said, most legislation usually comes about as a result of some sort of disaster. It is usually the stable door approach. Some people would describe it as the tombstone approach—as the tombstones mount up, the pressure for legislation mounts up. We have seen that time and time again.

We have certainly seen that with regard to fire regulations. Before 1970, all fire regulations came about because of a major disaster. Since then, to our shame, every piece of legislation has come about because of a major disaster. What we have now are a Government who are prepared in one breath to say that they will ensure that proper safety is there, and at the same time in the background they are prepared to erode people's safety. I can give many examples of that.

I can understand why the hon. Member for Scarborough (Mr. Sykes) was happy to dismiss everything about Scarborough and say that they have not quite made up their mind about the problem. When we discussed the building and fire regulations in Committee, we were told that we were scaremongering and terrifying people when there was no need for it. I am happy to be a scaremonger if it makes the Government think twice about the legislation that they want to change. I was happy to be a scaremonger with regard to the regulations on furniture fittings. The Government were examining those regulations—they wanted to repeal the Furniture and Furnishings (Fire Safety) Regulations 1988. The regulations were amended in 1989, but they were still not properly in force in 1993.

The Government wanted to amend the Gas Cooking Appliances (Safety) Regulations 1989 with regard to second-hand cookers. People recognised the danger of that. The Government wanted to look at the Heating Appliances (Fire Guards) (Safety) Regulations 1991 and the Nightwear (Safety) Regulations 1985, which were introduced after a blaze of publicity—I am sorry; I did not intend to make that pun. We all saw the pictures on television of children whose nightgowns had caught fire. The Government wanted to examine the Toys (Safety) Regulations 1989, although only a couple of years ago a child was killed after throwing a dangerous toy on to a fire.

The Government wanted to look at all those things. That is why I cannot trust the Government and they should not be given a blank cheque in terms of fire safety. In Committee, we were told that the things that the Government were doing were all innocuous. They said that local building Acts were of no consequence and that they were getting rid of outdated Acts.

Within a fortnight of the Committee voting on that, "World In Action" showed what building regulations meant. It showed a good example in one of the companies which was advising the Government on deregulation—Sainsbury. The programme showed a Sainsbury store and the local building regulations said that the store should have sprinklers and divisions in the roof space to stop the spread of fire. Those were ignored, and there was an appeal to the Secretary of State about the regulations. The appeal was upheld and the sprinklers and the divisions in the roof space were not put in.

The building burned down, not because of any fire inside, but because a wheelie bin caught fire outside. The fire spread to the roof and across the building, which burned down. Luckily, no one's life was lost, but that could have happened so easily. If the fire had occurred during the day, and not in the evening, the fire brigade was quite certain that it would not have been able to evacuate people from the store. That is one example of the Government saying one thing but doing another.

I shall turn quickly to security at airports. I was quite happy to be a scaremonger after I found out that Government and the task force said that security at airports was belt and braces and that there was too much security at airports. Within days of that decision in Committee, somebody mortar-bombed Heathrow airport. I hope that the Government's view on that has changed now.

When we discussed the changes to public service vehicle and heavy goods vehicle licensing, there was talk about changing the rules governing drivers' hours which would allow them to drive for longer. It is only in the past few days that we have seen, following the M2 coach crash, that the driver had exceeded his hours and the speedometer had not been properly checked. The regulations which were there already should have been enforced more rigorously. We do not need less regulation, but more.

We get knee-jerk reactions. Following the fire in Scarborough, we are told that there will be a licensing system. That suggestion was rubbished when we were in Committee. Following the M2 disaster, we were told that there would be moves to stop coaches going into the fast lane. Again, any talk from the Opposition about the safety of HGVs and PSVs was rubbished in Committee. When we talked about the security of airports before the mortar-bombing of Heathrow, it was rubbished in Committee.

It is the Government's hypocrisy that gets me. They say they will promise people safety when they know that people with vested interests have sat on the task forces. For example, the task force on construction was chaired by Chris Spackman, the managing director of Bovis Construction, and included Derek Bernard Rimmer of Slough Estates and Dr. Margaret Lowe of Ove Arup. They all have vested interests and they will ensure that none of the measures are properly applied.

I shall finish by mentioning an interdepartmental fire safety scrutiny observation by the National Association of Fire Officers. In some ways, it sums up what the Government are doing. On the front page of the document, it says that a bonfire of red tape may prove an unfortunate phrase when human life is at stake.

Mr. Nell Hamilton: Blessed are those who expect nothing, Mr. Deputy Speaker, for they shall not be disappointed.

I never really expected any sensible and informed speeches from Opposition Members, and my expectations have been amply fulfilled in the past hour or so. It is a great misfortune that we cannot debate serious issues in a rational and proportionate way. The Opposition do themselves no favours with the kind of speeches that we have heard this afternoon, not least from the hon. Member for Hampstead and Highgate (Ms Jackson). She is never inhibited by any connection with the facts, and declared that this country was the most dangerous place in Europe. On the contrary, the latest Health and Safety Commission annual report shows that expected—

Ms Glenda Jackson: Will the Minister give way?

Mr. Hamilton: I will in a moment, but first I will give the hon. Lady some statistics. She lacked any statistics in her speech and a combination of my speech and hers may advance the debate. The HSC annual report shows that expected overall fatal injury rates have dropped to the lowest levels ever reported and now stand at 1.3 per 100,000 employees. Non-fatal injury rates for employees also fell slightly last year for the third successive year.

The fatal injury rate is now less than one quarter of the rate in the early 1960s, less than one half of that in the 1970s, and 20 per cent. lower than that of the mid-1980s.

Mr. Fatchett: The rate of accidents is important.

Mr. Hamilton: As the hon. Gentleman points out, that is the key factor. The rate of accidents per 100,000 employees has fallen also, I am delighted to confirm to him.

Ms Glenda Jackson *rose—*

Mr. Hamilton: I am delighted that the hon. Lady is about to contradict the facts.

Ms Jackson: Not at all. Yet again, the Minister is referring to figures which have been achieved in the past. Our argument is that, if the Bill goes through, such figures will be an impossibility in the future.

I believe that I did not say that this was the most dangerous place to work in Europe. I believe that I did say that, if the Government have their way, Britain will certainly become the most dangerous place in Europe in which to work.

Mr. Hamilton: I am afraid that the hon. Lady will discover when she has been here a little longer that, in this place, we are judged by what we have said, rather than by what we think we have said. That is sometimes very inconvenient.

The assorted members of the national union of shroud-wavers, scaremongers and conspiracy theorists sitting on the Opposition benches will be rejected by the people of this country. Everybody who thinks about it for a moment recognises that, if we have regulations which impose unnecessary costs upon businesses, those costs will flow through. Ultimately, they must be paid for by the very people whom Opposition Members claim they want to protect and defend, and whose interests they seek to advance.

Nobody with any sense takes the absolutist position that, on all matters concerning safety, we must do as much as we can without any consideration of costs to stamp out certain risks. They are all cases of balance. After all, if we were to take the view that we wanted to stamp out all road accidents, a simple way of doing so would be to ban all vehicles from using the roads. There would then be no accidents on the roads. But no sensible person takes that view. We all ultimately—consciously or subconsciously—make judgments about risks and we must bear in mind the costs that we are imposing upon society by the regulations that we introduce.

Among the many fantasies produced by Opposition Members is that we are in some way going to abolish all fire regulations, or that we are to reduce them in way that will increase substantially the risks to the public. The Government have no intention of doing that, and of course it would be a stupid thing to aim to do. I must admit that even this Government are not infallible, and we have from time to time made mistakes. However, I have stated categorically that our aim in the reviews that we have set up is to identify areas of overlap and duplication and where there is a lack of clarity between the responsibilities of enforcement bodies.

[Mr. Hamilton]

We want recommendations on the ways of dealing with those areas and we wish to address the practicability of bringing all the policy responsibilities for fire safety together in a single department to improve the clarity of the regulations and the effectiveness of their enforcement.

Mr. Galloway: Why were not the fire authorities and the fire service represented on the task force?

Mr. Hamilton: The task force was appointed to give the business view to the Government. *[Interruption.]* Of course that was the intention. It is extraordinary that Opposition Members think that business—the employers of the people whom they claim to represent—should not have their view heard by the Government. Opposition Front-Bench Members who slink around the dining rooms of the City and industry attempting to make friends among industrialists might have some difficult questions to answer if that were not the case.

Any sensible person knows that we must take into account the interests of industry, employees, professionals and the fire service. The views of business do not in any way require the Government to accept the recommendations, nor have we said that that would be the case. Having received that view, we have now instituted a wide review and an efficiency scrutiny of the areas of overlap and duplication. There are five members on the review team, as I mentioned earlier. I shall give everyone the names so that in future Opposition Members might not have the opportunity to scaremonger so much.

Mr. Stewart Kidd is the director of the Fire Protection Association, a subsidiary of the Loss Prevention Council. It certainly has no vested interest in increasing losses from fires. It has every vested interest in ensuring that there is greater safety to reduce its losses. Mr. David Smith is the president of the Institute of Building Control. It does not sound to me as if he is likely to be a fire-breathing extremist of the kind that Opposition Members have fantasised about.

Mr. Bill Yates works for Shell, a company that operates in the area of the hon. Member for Ellesmere Port and Neston (Mr. Miller). I do not know whether the hon. Gentleman would accuse that company of having the opinions of which his hon. Friends have spoken this evening. Mr. Alf Thompson is the chief officer of Durham fire service. Mr. Richard Saxon is a partner in the Building Design Partnership and, horror of horrors, a member of the construction deregulation task force.

7.30 pm

Mr. Heppell: The Minister read out a list of names. I am fairly certain that that list was not on the original task force. Is the Minister talking about the one that was set up after complaints were made or the original one?

Mr. Hamilton: The hon. Gentleman has woken up, I am glad to hear. I have already said that the deregulation task force was put together to give us the business view. The Government were not obliged to accept its view. The Government have not yet taken any decisions on any of the issues that it raised, but we have set up the second review, which is designed to give us a balanced view of the issues that I have set out.

So I am afraid that Opposition Members have been wasting their time and the time of the House in the past hour. They have been firing their muskets up alleyways down which the enemy is not coming, as someone once said of a speech made by Winston Churchill in the House.

Mr. Gordon Prentice (Pendle): Will the Minister give the House a categorical undertaking that the responsibility for fire safety will not be transferred from the fire authorities?

Mr. Hamilton: I do not know whether it is the hon. Gentleman's view that reviews should be prejudged or that the Government should take decisions in advance of appointing them. That was an absurd and preposterous question to ask. We are happy to be judged on safety by our experience of 15 years in office.

Since 1975 the Health and Safety Commission has repealed or modified some 350 pieces of old, outdated and detailed prescriptive legislation. They have been replaced with about 100 sets of modern regulations which focus on the goals to be achieved by employers. That is more flexible and practicable for all involved. As the hon. Member for Ellesmere Port and Neston said, we need the Bill because the Health and Safety at Work, etc. Act 1974 forbids us to repeal outdated and obsolete legislation by any means that are likely to be practicable. Consequently, it prevents us from doing in relation to pre-1974 legislation what we can already do in respect of post-1974 legislation.

Mr. Kevin Barron (Rother Valley): Will the Minister give way?

Mr. Hamilton: I shall not give way to the hon. Gentleman, because he was not here for the debate and I see that many Members have come into the Chamber. They have probably come to hear my speech rather than Opposition Members' interventions. I think that it is more likely that they have come in expecting a vote to take place, and I know that I have already been speaking for too long. [HON. MEMBERS: "Hear, hear."] On that note of unity, perhaps I should sit down. [HON. MEMBERS: "Yes."] By popular request. In that case, I can take a hint and I will sit down.

Mr. Fatchett: If ever there was an argument for new clause 5, it was the Minister's speech. It was an appalling speech and one that the Minister will come to regret. We were dealing with serious issues and the Minister was not prepared to take them seriously. My hon. Friends were not scaremongering. They were raising serious issues and factual cases. The Minister could not even bother to reply to the points that they made.

The most telling comment that the Minister made was his definition of a burden as a cost to business. He needs to understand that there is a balance that relates to employees, consumers and the general public. In the Scarborough fire case, there was a burden on a small business to bring the hotel up to acceptable and legitimate standards. The fact is that lives were lost and people were injured because that did not happen. That is the basis of the balance to which my hon. Friends have referred. It is a great shame that the Minister could not respond to those important points.

It is also a great shame that the Minister did not recognise the fears that the task force working parties were set up to reflect interests, and in particular interests, that have backed the Conservative party and will get what they want from the Government's deregulation initiatives.

New clause 5 deals with important issues and the Government are sending one clear signal. Last Thursday at Question Time, the Prime Minister said that he was prepared to take tougher action following the Scarborough fire. The fact is that the Under-Secretary of State for Corporate Affairs and the Minister of State, Department of Employment are driven by an ideology that favours deregulated labour markets and a free-for-all for entrepreneurs without any protection for consumers and employees. We reject that outdated ideology. That is why I ask my hon. Friends not to give more power to Ministers but to protect the House and those outside by supporting new clause 5.

Question put, That the clause be read a Second time:—

The House divided: Ayes 244, Noes 283.

Division No. 234] **[7.35 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge Hl)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Bdgn)*
Khabra, Piara S.
Kirkwood, Archy
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Peter Kilfoyle and
Mr. Dennis Turner.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul

Biffen, Rt Hon John
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Egger, Tim
Ellelson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Hendry, Charles
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Farnham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shephard, Colin *(Hereford)*
Shephard, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Soames, Nicholas
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Irvine Patnick and
Mr. Sydney Chapman.

Question accordingly negatived.

New Clause 6

HANDLING OF REDUNDANCIES

'No order shall be made under section 1 of this Act which includes any provision amending or repealing any provision of Chapter II of Part IV of the Trade Union and Labour Relations (Consolidation) Act 1992 (Procedure for handling redundancies) and "enactment" for the purposes of Chapter 1 of this Act shall be construed accordingly.'.—*[Mr. Nigel Griffiths.]*

Brought up, and read the First time.

Mr. Nigel Griffiths (Edinburgh, South): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to consider the following amendments: No. 7, in page 23, clause 27, leave out lines 14 to 21.

No. 15, in page 109, schedule 14, leave out lines 13 to 17.

No. 17, in page 2, line 43, clause 1, after (6)', insert 'and section (*Handling of redundancies*) below'.

Mr. Griffiths: I am pleased to recommend the new clause and the amendments for a number of reasons, not least because in the past 15 years workers have been left with precious few employment rights. The new clause and the amendments will ensure that what little protection they have is consolidated and extended.

The new clause would prevent the Government from amending or repealing any of the provisions in chapter II of part IV of the Trade Union and Labour Relations (Consolidation) Act 1992 through a deregulation order under the Bill.

Present legislation requires employers to consult recognised trade unions if they are contemplating large-scale redundancies. If 100 or more employees are to be dismissed in 90 days or less, consultations must take place at least 90 days in advance. If between 10 and 99 employees are to be dismissed in 30 days or less, under the present law, consultations must take place at least 30 days in advance. Failure to comply with the legislation can result in large protective awards. Employers are also required to notify the Secretary of State for Employment within equivalent periods if they are proposing to make 10 or more employees redundant.

Chapter II of the 1992 Act provides some moderate protection to employees. There are four modest reasons for moving the new clause to ensure that that protection continues. Under the present legislation, the employer has to inform the union of the reasons for the redundancies, the numbers and descriptions of the employees involved, the proposed selection criteria and method of carrying out dismissals, with due regard to any agreed procedures, and the period within which they will take place.

We want to ensure that those four provisions contained in present law are enshrined beyond the implementation of the Bill. They are essential to prevent a return to the Victorian days that we have heard about from the Conservatives. Gone are the days when employees had to touch their caps to employers or grovel for work and take whatever was handed out—or so we thought until we saw the Bill. This excellent new clause will ensure that employees at least have the right in law to be consulted and informed when redundancies are to take place.

We know what would happen if such protection were not enshrined in the Deregulation and Contracting Out Bill. In April, about 1,400 Swan Hunter workers lost their jobs and their colleagues took the shipyard's managers to court for failing to go through agreed procedures. They won substantial compensation settlements—many hundreds of thousands of pounds. Other large firms have gone into receivership—it has been common under this Government—for example, Ferranti and Leyland DAF, whose employees were dismissed at short notice and seemingly arbitrarily, in contravention of their legal rights. That comes as little surprise from the Conservative party, which as we know has gone soft on law and order.

Workers are entitled to that protection and we are determined to ensure that it continues through this clause. That is why we want to write the clause on the face of the Bill so that no zealot Tory Minister can try to come through the back door of the House of Commons to remove such protection, under the guise of deregulation. It is very important for the new clause to be carried.

The amendments touch on clause 27, which does two things. It removes workers' protection against unfair redundancy and allows selection for dismissal without any regard to customary procedures or even to procedures agreed with workers and their trade unions. The Government have again fallen foul of the law. They have failed to adhere to laws which came from Europe and which they accepted.

This year they have already been carpeted by an advisory ruling on 2 March in infraction proceedings that the European Commission brought against the United Kingdom for failing fully to implement laws safeguarding the rights of employees. If those laws do not touch on redundancy, they certainly touch on the rights of workers' representatives to be involved in consultations when a business changes hands and they entitle workers and their representatives to be consulted about collective redundancies. The Government never learn where the law is concerned.

In those cases, the law did not relate to businesses but to worker protection. It is important to remove clause 27 from the Bill so that we can ensure that workers remain fully protected under section 59 of the Employment Protection (Consolidation) Act 1978. The Government have clearly overlooked important cases. During the past week, there was a case in which people were selected for redundancy for the most pernicious of reasons—age. Thirty workers over the age of 59 were weeded out and selected for redundancy, in contravention of any common decency and despite the value that we place on experience, if not in actual contravention of the law. In that case, the industrial tribunal found in favour of the workers.

It is very sad that we do not have a law to protect workers and other people against age discrimination, as other countries do, but we saw what happened in the House last Friday. A law to protect disabled people was sabotaged by a Minister who first denied it and was then forced at last to tell part of the truth, although the whole truth has yet to come out. Given that they pick on the disabled, it would hardly be surprising if they stooped to picking on elderly people as well.

The amendments and the new clause will ensure that protection for employees is not only enhanced in the Bill, but extended to those who serve under the Crown. It is vitally important that the rights for which workers have fought during many decades, indeed centuries, are not arbitrarily scrapped by the Government in a Bill which contains many other measures—as has been demonstrated here and in Committee—which do so much harm to the rights of consumers, workers and others. We shall certainly press the new clause and the amendments to a vote.

8 pm

Mr. Miller: During the early 1980s, when I had industrial responsibility for parts of south Liverpool, I found myself dealing on a daily basis with the pain of people being made redundant. The official notifications—form HR 1 from the Department of Employment—came in so thick and fast from employers that I could have papered my office walls with those terrible notices. It was a period of great industrial change in the area, with the loss of major employers.

Nobody can doubt the pain that is associated with redundancy. Dr. Beal from Wiltshire carried out some important research, following the work by Harvey Brenner in the United States, illustrating beyond any doubt the connection between ill health and unemployment, based on

[Mr. Miller]

the closure of one factory. The pain associated with unemployment and redundancy must be considered in the context of these important amendments.

The legislation that my hon. Friend the Member for Edinburgh, South (Mr. Griffiths) has described so well is effective, but it is weak, even now. If we allow the Government's position to prevail, we shall further weaken the legislation and take away from people who have customary arrangements within their workplaces the one small grain of comfort they have—that if redundancy occurs in a workplace where there is a customary procedure, at least that customary procedure will be followed and discussions will take place around it.

In view of the number of people wishing to speak on this clause and others, I shall not repeat the arguments that were made in Committee, but it was clear that some Conservative Members did not understand the value of such customary procedures in the practical management of redundancy in any workplace. On that basis alone, simply to maintain the small amount of stability in what is undoubtedly, through proven medical research, a most painful period for any employee, I plead with the House to think most carefully and to support the amendments.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): I shall be brief. Many of my constituents in Oldham are employed by Ferranti and I have seen the pain and anguish of people who have worked there nearly all their lives suddenly being made redundant at a few hours' notice. It is a terrible thing. However, we have to strike a balance.

What do we want? Do we want to force receivers to carry on the head count for longer than they could reasonably be expected to do so because of human considerations, or do we want them to shed labour quickly and give confidence to customers and suppliers so that the components and materials keep flowing into the factory and the business is saved, as in the case of Leyland DAF? That company is now flourishing, but it had to drop labour rapidly.

Mr. Miller: I hope that the hon. Gentleman will acknowledge that the process by which labour was dropped in that company was in accordance with agreed procedures —and according to his own logic, the agreed procedures demonstrably worked.

Mr. Dickens: The workers I have spoken to in Ferranti—

Mr. Miller: I was referring to Leyland DAF.

Mr. Dickens: Of course. The workers at Ferranti did not think that the procedures had been followed and it was painful for many of my constituents. I went to Ferranti and met the receivers, the trade unions and the management. A decision had to be made whether to save the company by some rapid action or to go through normal procedures—which sometimes take a long time, until no one would supply the company with components or materials and the entire company would fold with the loss of hundreds more jobs.

I have listened carefully to the Opposition. There has to be a balance. If there are grievances, the tribunal system has been used quite successfully. We have to be extremely careful before adopting the Opposition amendments. At the end of the day, we are looking at saving entire businesses so that our constituents can enjoy having those factories there, paying charges to the local authority and taxes and so on, so that we benefit from their existence. Although there is merit in what the Opposition say, for the reasons that I have given, we should not support the amendments.

Mr. Galloway: I shall be brief so as to allow my colleagues a chance to speak, but we are dealing with a sensitive and potentially devastating issue in this clause —sudden and often unexpected redundancy. I have never had the experience of being made redundant, but as a Member of Parliament I have had to deal with it several times, not least in the case of Leyland DAF, which has a plant in my constituency.

Mr. William Cash (Stafford): The hon. Gentleman has come damned close.

Mr. Galloway: No, I have never come close to it, damned or otherwise. As a partisan jibe has been made, I shall say this. When a shiver of fear went along the Government Front Bench looking for a spine to run up after Thursday's election, no doubt a number of Conservative Members as well as Ministers had their minds concentrated on the issue of redundancy. They will no doubt be hoping for more than 90 days' notice of their impending demise as workers.

We have all had the experience of small or large-scale redundancies. I was in the Committee corridor when the hon. Member for Chingford (Mr. Duncan-Smith) was assiduously—desperately, even—trying to deal with the consequences of the sudden huge redundancy at the London Rubber Company in his constituency. I could sense from the expression on his face the upset and dread which must have been present in the hearts of his constituents. We have all had that experience.

In my own family, before the law laid down the 90-day requirement, I remember my father, having worked for 20 years at the National Cash Register company as a proud engineering worker, coming home crushed by the news that the factory was to make substantial lay-offs, and that he was one of those to be made redundant. We have all had that experience and we know how awesome the axe of sudden redundancy can be. The 90-day period of notice required under current law gives at least some opportunity to make some psychological adjustment, as well as for work force representatives and employers to argue across the table. When the blow ultimately falls at the end of that period, it is often not so bad as it might have been if the decision had been made at the beginning.

The Albion plant of Leyland DAF in my constituency is one of the oldest manufacturing operations in the Clyde area. I was at the factory gates when men who had worked there—for 32 years in one case—were told at nine o'clock in the morning that they must clear their lockers and be out of the plant by midday. They were crushed, dejected, even tearful, and the pitiful experience of watching that happen in such a proud industrial plant was extremely harrowing for me as a constituency Member of Parliament.

All that the new clause asks is that the Government do not use the device of a deregulation Bill to sweep away the little protection that workers have from such sudden and arbitrary redundancies. It is not asking too much of even this Government that they seriously consider that point.

Mr. George Stevenson (Stoke-on-Trent, South): The Government have made great play of the alleged reduction in unemployment, but every Member of the House knows that there is still a great fear of unemployment and the knock on the door that says, "You're out of a job."

The Government's proposal will make that fear much worse. It will hit morale and make people feel that the Government have embarked on a course which, step by step, will remove the protection that they have at the workplace. Serious though they are, we are not discussing health and safety at work or a regulation which may help to prevent a serious tragedy such as a fire. We are discussing some measure of protection for people who are to lose their livelihoods after decades of work, service, commitment and dedication.

In those circumstances, I cannot for the life of me see how the Government can resist the new clause. If they really believe in the rights of individuals, what can be more basic than a provision that agreed procedures will be applied and proper notification given when an individual's livelihood and the welfare of his family is to be taken away? That individual may not find further employment. We all know that the prospects of people over 40 or 45 finding a job are extremely bleak.

In reply to a debate on an earlier amendment, the Minister said that we should not scaremonger because the Government were not about to demolish all the necessary protections and regulations. In attempting to assuage our fears, he said that the Government were simply removing anything that overlapped, was unnecessary or smacked of duplication. Those were the justifications that he gave for the Bill. How in the world can proper notification and adherence to agreed procedures fit into those categories when we are considering people losing their livelihoods? I challenge the Minister to convince us that the new clause would contravene those objectives in any way.

8.15 pm

Anyone listening to the hon. Member for Littleborough and Saddleworth (Mr. Dickens) talk about the need for brevity in sacking people so that a phoenix could rise from the ashes would scarcely believe that, sadly, hundreds of thousands—perhaps millions—of people had been made redundant in the past 15 years. If the hon. Gentleman argues that business and industry need to be able to sack people more quickly—I do not accept that argument—what has happened in the past 15 years provides plenty of evidence that, even with the present protections, it has not been difficult.

Even on the Government's own criteria, the Minister's stated objectives for the Bill and the events of the past 15 years, the Government can put forward no reasonable objection to the new clause. Even if the Minister is not convinced about the practicalities and necessities, he must be convinced about the humanity of the new clause. When people are about to lose their jobs, they have the basic right to know about it, a right which exists under the protections provided by current law.

Mr. Burden: The reason for the new clause is illustrated by clause 27. Many of us suspected that the Bill, like so many of the Government's other proposals, would be a cowboys' charter. Nowhere else is that more evident than in clause 27, which sanctions unreasonable behaviour by bad employers. Without clause 27, an employer was required simply to abide by agreements and procedures which he had knowingly entered into with his work force. Even then, if an employer wanted to depart from those procedures, he could do so provided that he was prepared to test the matter at an industrial tribunal. The Government seem to believe that even that is too onerous for an employer. Interestingly, they do not adopt the same approach and standards on the rights of employers, but that is the logic behind clause 27.

Despite the arguments which Opposition Members put forward in Committee, the Government said that they were not prepared to remove or amend the clause. That is why we need the new clause. If they say that it is okay for an employer selecting employees for redundancy to break the rules and depart from procedures which they knowingly entered into, why would it be unreasonable, according to the Government's logic, to expect an employer to abide by basic time limits? Why would it be unreasonable to expect an employer not to sack someone under the guise of redundancy, when the real reason is because his face does not fit, he has been troublesome, an active trade unionist or whatever?

Under the first four clauses of the Bill, the Government could introduce legislation that would specify those factors, and the evidence in clause 27 is that they could well try precisely that, unless they are once again prepared to come to the House and say that their fine words about not wishing to remove necessary protection mean something.

All we are asking for in the new clause is that basic rules of fairness apply on redundancy, selection, time limits, discussions and talking. For goodness' sake, all we are asking the Government to do is guarantee that they will not use the powers that they are taking to themselves under the Bill to sanction an employer who refuses to talk to his employees in that painful situation of redundancy, to which my hon. Friends have referred. What is so difficult about that? It seems to me that the only difficulty for the Government is their ideological dogma—they are not prepared to lay down any basic standards or rules if they apply to employees rather than employers.

The hon. Member for Littleborough and Saddleworth (Mr. Dickens) was wrong when he said that, if an employer departed from the rules on redundancy, the employee could always go to an industrial tribunal. Clause 27 will remove that power. An employer could sack someone and select someone for redundancy quite unreasonably, but if clause 27 stays on the face of the Bill, the employee, on the basis of redundancy legislation, could not take that complaint forward and would have to go through a different route. We had that argument in Committee.

The Minister shook his head in response to what I said earlier, but I have a challenge for the Government. If he believes that what I have said is wrong, let him insert on the face of the Bill a clause, as we are suggesting, that says that Ministers and Conservative Members, or, indeed, hon. Members in any other part of the House, will not use the powers that the Bill will give them to take away redundancy procedures and standards that the House debated, discussed and arrived at, which are by no means as generous as those in many other parts of Europe, but which at least lay down some basic elements of protection.

The hon. Member for Littleborough and Saddleworth mentioned Leyland DAF. I do not want to go into it in detail, but I feel quite strongly about it, coming from the midlands. The argument about Leyland DAF was not about

[Mr. Burden]

how the selections for redundancy took place. The reason why it got into difficulty needs to be traced back far before that.

There are some arguments and lessons for the Government in the way in which they support manufacturing industry. What is relevant to the debete is the spectacle that one saw in Birmingham and elsewhere of brown paper envelopes being given out, with virtually a moment's notice, to say, "You are selected for redundancy," and "You are not." That is not a civilised way to go about things.

Unfortunately, our new clause will not put that one right, but it will at least lay down the basic principles of fairness of discussion of time limits, which existing legislation provides. I hope that even this Government will not find it too difficult to uphold those principles by accepting the new clause.

Dr. Tony Wright (Cannock and Burntwood): My hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway) spoke movingly about his own experience and that of his father, who, he said, had been crushed by redundancy. Although I wanted to say something about the constitutional importance of the measure, my hon. Friend's speech took me back to think of my own family experience.

My father came out of the RAF after the war—he had stayed in it for a while—then had a job at Stewart and Lloyds steel works in Corby. He would cycle 10 miles there and 10 miles back. He did shift work around the clock. One day, in the early 1960s, he was told that he was not wanted any more—just like that. Not only had his job finished, but in a sense his life. It was before the Labour Government of the 1960s had brought in the redundancy payments provisions, so there were no payments, either.

I thought that we had moved on, not just in a party sense but a social and political sense. I thought that, in terms of developing basic protections for workers, we had moved from one era into a different kind, as was said in the debate on the previous new clause, in health and safety, too. I thought that there had been a kind of growth, a cumulative process, that we had added on, not taken away.

The Government have changed all that. They said that we are not all together on that any more, that we are not all pulling together to improve standards, increase protections and guarantee securities. We have started a new process of chipping away, of erosion, of creating insecurities where previously there were securities. We do not have the time now, but I warn the Government that that will produce consequences for society of which they have the merest inkling at the moment.

Let me focus on the new clause, because it tests the good faith of the Government. It is asking, as the previous one did, whether the Government are prepared to set any parameters around the order-making power that is being claimed for Ministers in the Bill. Is everything possible, or are there parameters? Are some things no-go areas? I put it like that because in Committee we put various outrageous suggestions to the Minister about what those order-making powers might be used for. On the whole, his response was one of relish, that of course he could use them for that. The clause at least puts some parameters of decency around the Bill.

Let us say that the order-making powers that are being claimed in the first part of the Bill should not be against some of the things that define the kind of society that we were. One of those parameters is how we treat people when they are made redundant—a fairly basic parameter of decency. Let us say that, if the Government might want —perhaps they do—to erode those provisions, they should at least come to the House with primary legislation and argue it through. They should have to get that legislation through the House.

Instead, they are saying that they want an order-making power to repeal any legislation that they want to repeal, simply on some kind of spurious test of protection and burden. If the Government and the House are allowed to do that, they will be changing their mind not only about that but about how legislation should happen. That is the crucial point.

That is why I said just now that the new clause is a test of good faith. The test is to say on the face of the Bill that there are parameters beyond which the order-making power will not be used. In the case of the new clause, one of those parameters relates to the treatment of people when they are made redundant. If they fail that test, the conclusion will be of the direst kind. It will be conspicuous and the one that everybody who looks at our proceedings will draw.

Mr. Neil Hamilton: The debate has been in marked contrast to the previous one. It has been an excellent debate, and the speeches have, at times, been very moving. They were certainly eloquent and, in all cases, very sincere. I congratulate hon. Members on both sides of the House on this occasion, because of the intervention of my hon. Friend the Member for Littleborough and Saddleworth (Mr. Dickens). Hon. Members have done themselves credit. Even so, the fears of Opposition Members are misplaced, for reasons that I shall explain.

The proposal in new clause 6 relates to procedures for redundancies. I agree that this is a hugely significant sector involving vital elements of protection, and I well understand the anxieties expressed by hon. Members. However, as I have made clear many times, the deregulation order-making power that we seek could be used if, in a particular case, its use would not remove any necessary protection.

I know that we debated the precise meaning of that phrase in Committee, and I do not intend to repeat what I said then. I hope, however, that the circumstances in which the order-making power ought to be used will be clear to hon. Members from a combination of the measures that appear on the face of the Bill—in respect of which the powers do not apply—the illustrative list of measures that we have published separately from the Bill, to which they would apply, and the assurances that I have given in previous debates. There are further protections, with which I shall deal in a moment.

8.30 pm

Mr. Stevenson: I hope that the Minister will forgive me for intervening, as I was not a member of the Standing Committee. When he refers to "necessary protection" in the context of the new clause, is he telling us that protection under the relevant sections of the Act referred to is a necessary protection?

Mr. Hamilton: It clearly could be, but I cannot commit myself without examining a specific case.

Let me proceed to the second limb of my argument, which concerns a separate constitutional protection that ought to please hon. Members. We have built in a variety of other safeguards to ensure that use of the power could not be abused. First, consultation is required with representatives of those likely to be substantially affected. A detailed memorandum must then be submitted to Parliament, and an additional period is provided for parliamentary scrutiny, during which the special deregulation committee will consider the proposals—line by line, if appropriate. We shall debate those matters tomorrow night when we discuss the report of the Procedure Committee.

Even after following those stages, the Government present an order under the power, it will have to be passed under the affirmative resolution procedure, which means that it will require the positive approval of both Houses of Parliament. Hon. Members will have extensive opportunities to participate in debate. Indeed, in some respects the scrutiny procedures recommended by the Procedure Committee would frequently offer more practical opportunities to debate the proposals than are available when we debate primary legislation.

All hon. Members will recall occasions when vast rafts of amendments have been tabled—especially on Report—and there is very little discussion of them because it is late at night and everyone is champing at the bit to go home. In my experience, the procedures laid down as constitutional protections in the passing of Bills are far from being as effective as Opposition Members like to think. I prefer to rest my case on what I consider to be extensive protections.

Amendments Nos. 7, 13 and 15 to clause 27 also seem to be based on a misapprehension. Opposition Members appear mistakenly to believe that the clause will remove fundamental protection from those facing redundancy. They have described circumstances in which employees would be left at the mercy and whim of employers. As I said in Committee, that will not happen. Employees will remain protected against unfair treatment and employers will still be free to reach agreements with trade unions over redundancy procedures if they so wish. The clause simply removes out-of-date and unnecessary legislation whose principal effect is to prevent employers who have to make redundancies from taking the most sensible action to meet the needs of their business and its employees.

I cannot believe that Opposition Members would consider it preferable for an employer who thought it vital to the viability of his business for him to select one employee rather than another to be precluded from doing so by customary rules, with the result that the business foundered and all the employees lost their jobs. The removal of that outdated requirement was suggested by the deregulation task forces, which pointed out that the requirements of section 59(1)(b) of the Employment Protection (Consolidation) Act 1978 were an inflexible legacy of times now past, hampering employers in selecting for redundancy according to their modern business needs. The requirements also lead to uncertainty, while doing little to ensure that the individual concerned was selected fairly.

Those inflexible arrangements persist because of voluntary agreements that employers may have reached with trade unions many years ago about redundancy selection procedures. Such agreements—a common one being to select on a "last in, first out" basis—may be entirely inappropriate to current circumstances. As I have said, the very viability of a business might well depend on the skills of its work force, which do not necessarily equate to long service. I fully take the point made by the hon. Member for Edinburgh, South (Mr. Griffiths) about agism: constituency cases that I handle from time to time suggest that it operates in pernicious way. The points that he made, however, were rather wide of the subject that we are debating.

When the agreements to which I have referred have been entered into voluntarily, employers may find that, if they attempt to withdraw from them and introduce alternative selection methods, they fall foul of the statutory requirement to follow "customary arrangements". They may have little certainty that an industrial tribunal would agree that their business needs constituted a special reason justifying such action. Such employers could find themselves compelled to make redundant the very workers whom they most need, just at the time when they most need them. Clearly it is in no one's interests for employers faced with no alternative but to make redundancies to be hampered by additional difficulties presented by the provisions.

It is important to understand that removal of the special requirement will not leave employees unprotected. That leads me to the observations of the hon. Member for Birmingham, Northfield (Mr. Burden). The ordinary unfair dismissal provisions, on which employees would still be able to rely, require employers to follow fair procedures. In deciding what is a fair procedure, the tribunal will take into account all the circumstances of the case.

Mr. Miller: Does not the statute as currently written have a rider requiring the employer to take a series of steps having due regard to the circumstances? Does the Minister agree that, in the exceptional cases that he has described—let us say that a major order collapses and there is urgent pressure on the business—an employer can have due regard to the circumstances and carry out a redundancy exercise without using the legislation?

Mr. Hamilton: I said a moment ago that an uncertainty was involved in the current arrangement, which would not necessarily produce the result that the hon. Gentleman predicts. Among other matters, however, the tribunal will consider whether the ACAS code of practice has been followed. Employers will normally need to warn employees and consult them about the proposals. They will be expected to consider whether redeployment would be a viable alternative, and will need to have a fair basis for selecting those redeployed. Furthermore, if employees' individual contractual rights are not adhered to, the tribunal will want to be satisfied that that is justified.

I believe that the protections about which Opposition Members are so concerned would survive, but in a form that would not prejudice the viability of a business in the circumstances that I have described. The aim of our proposal is to introduce greater flexibility and to enable a business to survive when it might otherwise not do so, thus maximising the number of jobs that might be saved. My hon. Friend the Member for Littleborough and Saddleworth made much of that in his speech.

Our proposal does not give employers carte blanche to act indiscriminately, it does not leave employees unprotected against unfair treatment, it does not tear up

[Mr. Hamilton]

voluntary agreements that both sides voluntarily wish to retain and it does not affect any contractual arrangements that an employer may have with his individual employees. Hon. Members may be forgiven for thinking that, in the end, it may not do very much, but what it does do at the margin—I emphasise this—is provide a vital extra measure of flexibility in an already difficult employment situation in order to save the business.

In the past few years, we have lived through a pretty terrible recession and I should have thought that all hon. Members would wish to do as much as possible to ensure that, should such circumstances ever occur again, the maximum number of businesses should have the maximum amount of flexibility to save the maximum number of jobs. I rest my case on that explanation and commend the Government's proposals to the House. If the Opposition press the new clause to a vote, I hope that my hon. Friends will resist it.

Mr. Nigel Griffiths: The Minister has raised more concerns about employment issues in his summing up than were raised during a whole Committee sitting. In Committee we did not have the Government's response to the fourth report of the Select Committee on Procedure which covered the scrutiny of deregulation orders to which the Minister has just referred. If anything was going to give us cause for concern, it would be their response to the 17 recommendations made in that report. The Government felt able to accept only five unreservedly, and their reservations make worrying reading.

The Select Committee suggested:

"if the Deregulation Committee reports that the order-making power should not be used in respect of a specific deregulation proposal, no . . . order should be laid before the House in respect of that proposal."

I do not have to remind the House that the Government would form the majority on the committee and if a deregulation measure were to be opposed, some of the individuals forming part of that majority would have to agree with the Opposition. The decision could be unanimous, but that, in any case, would mean taking a determined stance against a foolish measure introduced by the Government. What is the Government's response? They state:

"The Government has made it clear that an adverse recommendation from the Deregulation Committee in respect of the deregulation proposal would be treated by Ministers with the utmost seriousness."

We all know what that means—it will be ignored.

Let us consider another example, which appears in paragraph 40 of the Government's response. The Select Committee had recommended that, for serious deregulation matters, Ministers could be summoned before the deregulation committee. The Government responded by saying that that would be "unprecedented", so the safeguards that the Minister mentioned specifically in his defence of the Government's position are not in the very document that he hoped to use to bolster his case.

Some powerful arguments were advanced by hon. Members other than the Minister and myself, and none was more powerful than that of the hon. Member for Littleborough and Saddleworth (Mr. Dickens). His contribution was the most persuasive that he has made in the House while I have been here. He made clear his concerns for employees in his constituency and they were graphically illustrated by my hon. Friends the Members for Glasgow, Hillhead (Mr. Galloway) and for Stoke-on-Trent, South (Mr. Stevenson). I think that I am quoting the hon. Member for Littleborough and Saddleworth correctly when I say that he believes that the tribunal system has been successful. Indeed, he conceded the merits of the case that we had advanced.

My fear is that, without the protection that we seek to incorporate in the Bill, any future deregulation could be put before the committee and, even if the committee unanimously rejected the Government's proposals, the Minister and his successor could ignore that fact. We wish to strike out clause 27 and introduce new clause 6 in order to ensure that proper protection for workers is guaranteed in the future, beyond the life of this Minister and this Government.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 245, Noes 276.

Division No. 235] **[8.45 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Home Robertson, John

Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
MacShane, Denis
McMaster, Gordon
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
Oliner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Illsley and
Mr. Alan Meale.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Bonsor, Sir Nicholas
Boswell, Tim
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Durant, Sir Anthony
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Hendry, Charles
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian

Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Moate, Sir Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Soames, Nicholas
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and Mr. Timothy Kirkhope.

Question accordingly negatived.

New clause 9

APPROVAL OF CERTAIN MARKETS (No. 3)

'(1) Where a person proposes to set up a commercial market within the relevant area which but for the provisions of section 22(1) above would constitute a disturbance of the right of market of a local authority to which subsection 22(2) above applies, the person proposing to set up the market shall apply to that local authority for approval of the setting up of that market.

(2) Where an application for the grant or renewal of approval has been made under subsection (1) above to a local authority, the local authority shall—

(a) give or renew that approval subject to such reasonable conditions as the local authority think fit; or

(b) refuse to give that approval, provided that approval shall not be unreasonably withheld.

(3) A grant or renewal of approval under subsection (2) above shall cease to have effect after a period of twelve months beginning with the date on which it is granted or such other longer period as the local authority giving or renewing the approval may determine.

(4) The local authority may charge a reasonable fee in respect of an application for the grant or renewal of an approval under subsection (2) above and different fees may be charged for different classes, sizes and locations of market.

(5) The Secretary of State may by order make further provision as to approvals and regulation in relation to the setting up of rival commercial markets.

(6) A person who sets up a rival commercial market within the relevant area, which but for the provisions of section 22(1) above would constitute a disturbance of a right of market to which section 22(2) above applies without approval of the setting up of that market having been given or as the case may be renewed under subsection (2) above, or who carries on such a market in breach of any conditions attached to the grant or renewal of an approval, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(7) In this section, "local authority", "market" and "right of market", have the same meaning as in section 22 above and "commercial market" means a market other than a market—

(a) which is a temporary market within the meaning of section 37 of the Local Government (Miscellaneous Provisions) Act 1982; and

(b) the proceeds of which are to be applied solely or principally for charitable, social, sporting or political purposes, and

"the relevant area" means the area of the local authority in whom the right of market is vested.'.—*[Sir Michael Neubert.]*

Brought up, and read the First time.

Sir Michael Neubert (Romford): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 51, in clause 22, page 20, leave out lines 24 to 40.

No. 48, in page 20, line 27, after 'right', insert

'provided that the operator of the rival market makes payment to the owner of the right of market of an amount calculated on such basis as shall be prescribed by the Secretary of State by order'.

No. 53, in page 20, line 27, after 'right', insert

'provided that the rival market is set up outside the relevant area'.

No. 59, in page 20, line 27, at end insert

'but without prejudice to the requirement for that market to be approved under section *(Approval of certain markets (No. 3))* below.'.

No. 60, in page 20, line 32, leave out from 'above' to end of line 33 and insert

'and section *(Approval of certain markets (No. 3))* below the references to setting up a rival market or a commercial market include continuing to hold such a market.'.

No. 55, in page 20, line 33, at end insert—

'(3A) The Secretary of State may, by order made by statutory instrument and after consultation with interested bodies including, in particular, bodies representing the interests of market operators and market traders, make such provision with regard to the licensing of market operators and the licensing of market traders as he may think expedient in consequence of the operation of this section.

(3B) No order shall be made under subsection (3A) above unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.'.

No. 47, in page 20, leave out lines 35 to 38 and insert "local authority" has the same meaning as in section 61 of the Food Act 1984'.

No. 54, in page 20, line 39, after 'fair', insert

' "the relevant area", means the area of the local authority in whom the right of market is vested.'.

No. 6, in clause 23, page 20, line 41, leave out from beginning to end of line 18 on page 21.

No. 52, in page 21, in clause 24, leave out lines 19 to 25.

No. 57, in page 21, line 21, after 'effect', insert
'save in its application to a livestock or wholesale market.'.
No. 58, in page 21, line 25, after 'effect', insert
'save in their application to a livestock or wholesale market'.

Sir Michael Neubert: My interest in the subject of the new clause and amendments is twofold. First, there is Romford market, in my constituency, which has been established for nearly 750 years. It is the heart of the town and the fountainhead of its prosperity. The first connection with Romford that I can remember, long before being selected as candidate for the constituency 25 years ago last month, was when my grandmother took me on the bus to see the cattle in the market. There have not been cattle there since 1959, but I intend to return to the subject of livestock later.

9 pm

My second interest lies in the fact that I am one of a panel of parliamentary advisers to the National Market Traders Federation, which represents the 40,000 or so individual stallholders whose livelihoods are at stake. That risk, together with all the other factors that represent the public interest, must be taken into account.

I do not often find myself out of line with the Government, but on this occasion I am, and must be. I certainly oppose clauses 22, 23 and 24, so it follows that I support amendments Nos. 51 and 52, in my name, which would delete clauses 22 and 24. I also support amendment No. 6, which would delete clause 23, and which was tabled by the hon. Member for Leeds, Central (Mr. Fatchett) before I could get to the Table Office.

I am supported in my views by the Campaign for Quality Markets, which consists of a whole list of organisations. At the head of the list is the National Association of British Market Authorities, supported by the Association of British Chambers of Commerce, the Association of District Councils, the Association of Metropolitan Authorities, the Federation of Small Businesses, the Institute of Market Officers, the Manorial Society of Great Britain, the National Market Traders Federation and the Showmen's Guild.

That is a formidable array of opponents for the Government to take on, and one wonders why they are doing it. As recently as March 1991 a letter from the Department of the Environment to the secretary of the National Association of British Market Authorities—NABMA—acknowledged that there had been

"very few complaints about market rights, and that in 1987-88 the government had reviewed the system."

At that time, it had been concluded that franchised market rights could not be compulsorily appropriated without compensation. Taking into account the requirements to pay compensation, the scarcity of complaints, the minimal part that markets play in United Kingdom trading activities, and the possible damage to centuries of tradition and heritage, the Government decided not to pursue the question of abolition.

However, two or three years later the Government are changing tack. One wonders why. The rights in question are known to have existed for centuries. It is easy to see why they might provoke attention. The concept of a market as having an exclusive area within a radius of six and two thirds miles, within which no rival market may start without permission, and without paying compensation, is of course archaic. Indeed, it is medieval in origin.

For the benefit of those who are not cognoscenti in such matters, let me explain that in the middle ages 20 miles was considered to be the distance covered by a journeyman in a day. The day was divided into three parts—six and two thirds miles to travel to the market, one third of the day—equivalent to another six and two thirds miles—at the market, and another six and two thirds miles back. That is the reason for the restrictions.

One has to ask, given that that right has existed for hundreds of years, why it has never been challenged by an ambitious, thrusting Minister. Why has no aspiring Asquith, a budding Baldwin, or even an up-and-coming Churchill thought fit to make his fame and fortune by challenging that archaic and medieval right? If one examines the issue, the answer is that, although it may seem, like the conventions of the House, to be a little outdated, it is an effective means of control of markets, and it has ensured that markets have prospered in towns up and down the country. That is why I seek to defend the status quo. On balance, the advantages and the public interest lie in retaining it rather than abolishing it.

Mr. David Nicholson (Taunton): Would my hon. Friend tell the House whether there is evidence that bodies wanting to run rival or competitive markets have been disadvantaged by the existing situation? On Friday, when I had a meeting with my local authority in Taunton Deane, I put that question to it and was told that nobody had applied to hold a rival or competitive market, but that there was the constant danger of fly-by-night traders—here today and gone tomorrow—and that they were the bane, not only of health and safety, environmental health, Customs and Excise and Inland Revenue officers, but of the police.

Sir Michael Neubert: My hon. Friend makes a timely intervention, because I was about to ask what evidence there was to justify the change of tack. We had a period of consultation last summer, in which almost 3,000 representations were received—10 to one against the Government's proposals. None the less, the Government decided to go ahead with the proposition. That does not lend encouragement to consultation or, certainly, does not engender confidence in consultation.

My hon. Friend the Member for Taunton (Mr. Nicholson) asks what other evidence exists. The only evidence I have is of an enterprise called In Shops, which has 57 stores in which it operates markets under licence. It has a multi-million pound turnover and, as far as I can see, is doing very nicely thank you with the law as it is. I hope that my right hon. Friend the Minister for Industry will forgive me the comparison, but it seems that In Shops wants to acquire the same dominant position in markets as Sainsbury plc has in supermarket retailing.

If the Government want to make a change, why make it now? My understanding of the public's opinion is that the change is being introduced just at a time when they are becoming increasingly concerned about the proliferation of fly-by-night markets and, especially, car boot sales. Some hon. Members in the Chamber may still believe car boot sales to be charity fairs in people's back gardens. I can tell my hon. Friends that they are now big business. It is not simply distressed stately home owners who find the need to stage car boots sales, but, in the midlands, one can have as many as 15,000 people attending such markets and buying goods that are obviously not the contents of somebody's

[Sir Michael Neubert]

home, but are simply stock taken in to sell at those unlicensed markets, which can start up anywhere—in a farmer's field or where they will.

Mr. Anthony Steen (South Hams): I am listening to my hon. Friend's speech with great interest, but will he tell me whether the car boot sale is the kind of sale in which he would expect to find second-hand filing cabinets—without the anti-tilt mechanism—such as those, as we all know, the House is getting rid of in their hundreds, if not thousands, to abide by a regulation which is not mandatory and which will cost the taxpayer tens of thousand of pounds?

Sir Michael Neubert: It is one of my greatest concerns that second-hand House of Commons filing cabinets may find their way into car boot sales, be purchased at a knock-down price, taken into the home of some unsuspecting person and fall over on an innocent child or several innocent children in circumstances that I dare not envisage. Certainly the sale of stolen property is now, very often, facilitated by car boot sales. That is why the Association of Chief Police Officers is also opposed to the Government's proposal to remove all restrictions.

Why, having decided to make the change, should the Government decide to make the change in this way? I regret that I find myself at odds with the Government here. It is not the first time that that has been the case, and certainly not in relation to market rights. For two years, both in and out of government, I successfully frustrated the passage of a private Bill, the Redbridge London Borough Council Bill, which sought, in the late 1980s and early 1990s, to undermine the Romford market charter.

Mr. Robert Banks (Harrogate): My hon. Friend will recognise that there are markets that are governed by the statute of market ouvert. The Sale of Goods (Amendment) Bill, which has come from another place, seeks to repeal 800 years of that statute. Does my hon. Friend believe that the repeal of the statute will expose those markets to competition and that rival markets will be set up? The market ouvert statute provides for certain conditions for the sale of goods. Would my hon. Friend comment on that?

Sir Michael Neubert: It is difficult to comment without the necessary background and briefing. Although, with my hon. Friend the Member for Harrogate (Mr. Banks), I am a member of the Committee which considered the matter this morning, I am in ignorance of which markets have market ouvert rights and which would be affected. However, my hon. Friend raises a matter that might apply to the whole question of markets. The right of market ouvert is as ancient as, if not more ancient than, the rights I am discussing now in relation to the new clause. There is a degree of incoherence and inconsistency in the proposals.

Mr. Mike Gapes (Ilford, South): The hon. Gentleman mentioned the Redbridge London Borough Council Bill and he said that he had played a role in successfully frustrating it. Conservative Redbridge council spent £176,000 in preparing the legal work and promoting the Bill, only to have it blocked in the House. The council then tried to reintroduce the Bill. It is now paying £4,000 a year to the hon. Gentleman's local authority of Havering for a desolate site underneath a flyover, which has no stall in operation, although there is a sign in the middle of Ilford which says, "Redbridge market". If one follows the sign, one sees nothing. Does the hon. Gentleman agree that that is an indictment of the Conservative council which has just been defeated in Redbridge?

Sir Michael Neubert: Wittingly or not, the hon. Member for Ilford, South (Mr. Gapes) has supported my case, both in what I have said earlier and in what I shall say later, if he allows me to reach that point. There is an excess of market capacity, which makes this proposal especially serious for those who have established markets.

The proposal runs counter to recent guidance from the Department of the Environment on out-of-town shopping centres. We are at last realising that such centres drain trade from the centre of towns, disembowelling towns and villages and leaving them empty, with shutters up. To allow markets to start up anywhere within the periphery of a town runs counter to that realisation because it would have exactly the effect that the Government are now concerned to limit by their guidance to planning authorities.

The proposal excludes the private owners of market charters. If the argument is that market charter rights and exclusive franchises limit competition, how can it be justifiable to allow those rights to continue in private hands but not in the hands of local authorities? There is some inconsistency there, I should have thought.

A further inconsistency is that the proposal apparently excludes Covent Garden. Covent Garden has protection for a mile around its market by virtue of the Covent Garden Market Act 1966; that protection would remain. There is also the proposition that there should be no compensation. That presumably is the reason for sparing privately owned markets from the proposal. It seems open to challenge that local authorities should not be compensated for the loss of their rights; some of them have paid heavily for those rights in years gone by. Expropriation without compensation seems to me, as a non-lawyer, to be a denial of natural justice.

Surely there is also an unseen cost to the Treasury and taxpayers. If local authorities currently derive benefit—income—from the holding of such markets, and if markets are to be affected by the new competition which will be introduced by the proposal, surely there will be a shortfall that will need to be made up by either the council tax payer or the general taxpayer in support grant. I wonder whether the Treasury has noticed that.

Mr. Peter L. Pike (Burnley): I supported the hon. Gentleman when he opposed the Redbridge London Borough Council Bill. Many local authorities have modernised their town centres. One of the areas in which there has been great investment in many cases is that of new open-air and indoor markets, and they will suffer severe financial loss if the problem that he has highlighted is not addressed seriously.

9.15 pm

Sir Michael Neubert: Investment is also a consideration.

I shall mention one further feature of the proposals—the abolition of byelaw powers. Apparently, it is only those that refer to markets, not those that are generally available. My own London borough of Havering used the powers as recently as 1989. That is especially important with regard to livestock or wholesale markets where the clearing of

passageways, the conduct of buyers, hygiene matters and general management are often the subject of byelaws which are necessary.

What my new clause and the amendments associated with it seek to do is to provide counter-proposals, which I hope the Government will be prepared to consider. I shall summarise my proposals as follows. Control would be limited not to the six-and-two-thirds miles radius but to that part which is in the administrative area of the relevant local authority. There would be a special case needed for the City of London because its principal markets—Billingsgate, Spitalfields and Smithfield—are outside the square mile. That would remove the vexatious question of one local authority having jurisdiction over a market in another local authority area. Control would be by means of approval; it is not to be unreasonably withheld and not at an unreasonable fee for the application. Markets solely or principally—I am sure that this will reassure my hon. Friends—for charitable, social, sporting or political purposes would not require that approval; and byelaws would be retained as necessary.

To sum up, that alternative approach would be better than removing centuries-old safeguards and putting nothing in their place. I trust that the Government will think again. Just as tower blocks are monuments to the architecture of the 1960s, empty shops, empty stalls and empty marketplaces could be the consequence of mistaken planning policies. This could be another mistaken judgment. The Government should recognise charter markets for what they are—the heart of communities in towns throughout the country. Markets need to thrive and prosper. They deserve better by the Bill.

Mr. Fatchett: I welcome the new clause of the hon. Member for Romford (Sir M. Neubert) and the consequential amendments. For those of us who served on the Standing Committee, may I say that we wholly agree with the hon. Gentleman's comment about the interest in this issue and the importance of markets to many communities up and down the country. Markets are a cherished part of local communities and an important part of local economic activity.

I agree almost wholly with the hon. Gentleman in asking how the Government have got themselves into the situation in which they now find themselves, because it seems that there is little support for the proposals in the Bill. If there were a straw poll of public opinion or, indeed, in terms of the consultation process, it is abundantly clear that virtually everyone would be against the Government's proposals.

The hon. Gentleman was absolutely right to take us back to the consultation process. The result of that process was a 10:1 vote against the proposals. The hon. Gentleman argued that there were particular interests. There were some keen interests which were represented by local communities, consumers and those with legitimate market trading interests. Those people took the initiative to write in. It is sometimes easy for Ministers to dismiss a consultation process if it does not come up with the right result for Ministers, but the hon. Member for Romford is absolutely correct in saying that there will be no faith in the consultation process if Ministers simply dismiss it and go ahead with their own proposals.

In the Standing Committee, the Opposition tabled a new clause which we thought would provide a way forward and which would deal with the concerns on the issue. The new clause would have given licensing powers to local authorities which they could not use unreasonably. Those powers were designed to protect legitimate traders, small business interests and the rights of consumers. Unfortunately, it was rejected in Committee, but it seems to me—I say this to my hon. Friends—that what the hon. Gentleman is aiming for with new clause 9 is extremely close to our objectives in the new clause which was discussed in Standing Committee.

There is a wide acceptance that there is a need to modernise the existing law, and I have not spoken to any local authority representative who does not recognise that. However, they also recognise that there are legitimate interests which must be protected. What the Government have done with the clauses which currently stand on the face of the Bill is to throw out those legitimate interests. There are genuine and deep concerns among market traders who have run businesses for many years. They feel that their interests will be undermined by people who will not maintain the same standards and who will not employ the same consumer protection.

There are consumer interests. We all know about the proliferation of car boot sales; and what is happening in relation to them. An article in *The Times* last August described what happened when a journalist went to look at a car boot sale which took place not far from the hon. Member for Romford's constituency. The organisers said that all that they had done was to pick up goods from individual households which were trying to clear items which were no longer needed and which then could be sold off at a cheap price. The reporter said that it was quite surprising to see one household selling more than a dozen exercise bicycles at £5 a time. There seemed to be some doubt about the interests of one family or of their legitimate ownership of the exercise bicycles.

There are real problems which must be sorted out in terms of protecting the public at car boot sales. There is a need to modernise, but also to recognise the legitimate interests which exist, and that is the basis of the hon. Gentleman's new clause.

What is the way forward? I suggest to the Government that the way forward is to start again and, this time, to listen and get it right. They must modernise the law and protect legitimate interests. They must withdraw the existing clauses from the Bill, and listen to what the opposition have had to say—not just the Opposition in this place, but the opposition throughout the country. They must recognise the deep community interests, and they must talk to the parties who have legitimate concerns.

I know that local authorities are prepared to talk to the Government to come up with a sensible and modernised law which will meet all requirements. The Government must get away from their ideological drive which says that deregulation is the only way forward. There are interests which need to be balanced, and good government and good administration are about balancing those interests. The Opposition will co-operate as far as possible if the Government withdraw the existing clauses from the face of Bill. We will work with them to come up with a new, sensible and modernised law which will protect all of the interests that the hon. Member for Romford mentioned in his speech.

I shall finish with what may be my only partisan point. I have a letter from a market trader, who is a constituent of the Minister for Corporate Affairs. This person wrote to me

[Mr. Fatchett]

suggesting that clauses 21, 22 and 23—as they then were—of the Bill should be taken out and scrapped. He said in the final paragraph:

"The only way to secure my vote at the next election is if you ensure that these proposals are thrown out immediately."

The Parliamentary Under-Secretary of State for Schools (Mr. Eric Forth): Oh, dear.

Mr. Fatchett: The hon. Gentleman says, "Oh, dear." I should have thought that it was in the interests of Conservative Members to listen to that. Votes and support are rather limited. Market traders throughout the country would welcome the changes that we are talking about.

Dame Jill Knight (Birmingham, Edgbaston): There was some disagreement among market traders about that particular statement. I think that I speak for hon. Members from all parties when I say that we are not much impressed by blackmail. We are impressed by good arguments.

Mr. Fatchett: I would hardly call it blackmail. We are offering to support a modernised approach and a modernised law. That is the way to make progress. We are offering that co-operation.

Mr. Andrew Robathan (Blaby): The point about the threat that was made in the letter is that it shows that the campaign has been highly orchestrated. I happen to support my hon. Friend the Member for Romford (Sir Michael Neubert) because I wish to see changes to the Bill, for good reasons. However, the thing that almost made me decide not to support the amendment was people using in 20 or 30 letters that I have received exactly the same phrase. It was taken straight off the typescript that was issued by an organisation. Lobbying in that way is surely not the way to conduct a campaign.

Mr. Fatchett: It is probably a basic rule of democracy that our constituents have a right to say that they will not vote for us in a future election. Sometimes that is reflected in the ballot box. They have that right and they have expressed it. As Members of Parliament, we all know that there are organised campaigns. Good luck to people. That is part of an essential, vibrant democracy. People have expressed their views. Many communities up and down the country have expressed their views.

I repeat that the Government should withdraw the clauses. Let us start again, take the clauses out of the Bill and have a proper, modern perspective on the law.

Mr. Sainsbury: It gives me particular pleasure to begin by congratulating my hon. Friend the Member for Romford (Sir M. Neubert) on his powerful and eloquent defence of his historic market, which is almost 750 years old, and what he described as centuries-old safeguards. My hon. Friend and I started a period of silence together in the House in 1983 when we became members of that important organisation, the Whips Office. The House will be aware of what it missed during the period when my hon. Friend had to be silent except when moving those important motions that brought our proceedings to an end.

I remind the House that we passed what are now clauses 22 to 24 in Committee. However, we have listened carefully to the views that have been expressed and the points that have been put to us on the measure, most forcefully and eloquently by my hon. Friend the Member for Romford, but also by several other hon. Members and other interested parties, including many market traders across the country.

In the past few days we have given particular consideration to the proposals for reform which have been suggested by the National Association of British Market Authorities, supported, as my hon. Friend said, by several other distinguished organisations. I should like to stress that it has never been the Government's intention to remove the ability of authorities to run markets. However, I recognise that fears have been expressed that removal of market franchise rights would seriously weaken the ability of local authorities to control temporary markets such as car boot sales.

Fears have also been expressed that there would be a real threat to some city centres—a threat which has already been reflected in tonight's debate—if those rights were entirely removed. We have had detailed discussions with interested parties about those fears.

We remain very much of the opinion that the present untrammelled rights of authorities cannot be justified. I agree with the hon. Member for Leeds, Central (Mr. Fatchett) that there is a need to modernise the law. I am grateful to the hon. Gentleman for what he said about doing that. However, we also recognise the strength of concern that has been expressed. We now believe that the right approach is to withdraw clauses 22, 23 and 24 and discuss further with all interested parties how best to remove the adverse effects of market franchise monopoly rights. We hope then to bring forward amendments, on an agreed basis, in another place.

Having said that, I might help the House by turning to some key points in the new clause and the amendments that are before us, as well as in the proposals that have been put forward by the National Association of British Market Authorities.

Mr. Iain Duncan Smith (Chingford): When the Government are reconsidering this matter will they bear in mind the fact that it concerns deregulation, and not regulation? We do not seek, under the Bill, to bring back provisions to regulate car boot sales. Such regulation should be the subject of different legislation.

9.30 pm

Mr. Sainsbury: My hon. Friend is quite right to emphasise the deregulatory nature of this important Bill. When I comment on some of the key points he will perhaps realise what we are seeking to do.

The new clause and the other amendments, which reflect the proposals of NABMA, have been eloquently presented by my hon. Friend. They contain some very constructive proposals on how to remove the potential for abuse of market franchise rights. The NABMA proposals would introduce a measure of deregulation while retaining the underlying need for some regulation of markets to protect the consumer interest. It is those suggestions that lie behind new clause 9.

The first NABMA proposal is that a system of approval for markets should replace market franchise rights and that approval should not be withheld unreasonably. The House will recognise that an approval system would, in turn, require detailed provisions covering the applications for approvals, the procedures by which they were handled and related matters. It might be preferable simply to restrict the exercise of existing franchise rights so that they cannot be

exercised in an unreasonable way. If this approach were adopted it would certainly be necessary to define "unreasonable" so that all concerned know where they stand. I suggest that we should seek to prevent authorities from being able to stop rival markets when it is clearly in the public interest for them to operate. But this is clearly a complex area on which further discussion is needed.

Mr. Miller: I am very pleased about the position that the Government have adopted in respect of this matter. If what we have here returns to the House in a different form will the Minister, given my hon. Friend's commitment and given the points that were made in relation to some local authority issues—in Committee, I cited as an example the difficulties faced by local authorities in Ellesmere Port and Neston and in Chester in relation to a particular car boot sale—commit the Government to in-depth consultation with local authorities before introducing further legislation?

Mr. Sainsbury: I thought that I had already made it clear that, following the withdrawal of the provisions—and I hope that my hon. Friend will think it right to seek leave to withdraw his proposed new clause—we should consult very fully before introducing in another place what I hope would be agreed proposals, which would then come to this Chamber at a later stage.

The second of NABMA's proposals suggests that there is a need to ensure that any licence fees levied on a new market by a local authority for the right to trade in restricted areas would be reasonable. I agree with that proposal, and I hope that it will be endorsed by the whole House.

Thirdly, we agree that there is a clear distinction between commercial markets, which operate primarily for commercial profit, and those whose purpose is to raise money for charitable, sporting, social or even political purposes. It follows from that distinction that non-commercial markets should not be treated in the same way.

Mr. Thomas Graham (Renfrew, West and Inverclyde): Hon. Members probably do not realise that I often attend car boot sales on a Sunday if I have a couple of hours to spare. I see the car boot sale as very much a people's market. That is a very modern right and there has been an explosion of car boot sales. I welcome them and I know that millions of people enjoy them. Surely Ministers must consider them closely. People want car boot sales and they do not want unnecessary regulations to boot them out again. If someone who owns property says, "I'll lease this to you, to run a car boot sale," surely that is good business and if I come along in my car with whatever I want to sell, I can do so.

Mr. Sainsbury: Clearly the hon. Gentleman is reflecting a view that I hope that the whole House will recognise. Many people derive pleasure from attending car boot sales—the hon. Gentleman clearly does.

Mrs. Teresa Gorman (Billericay): Does my right hon. Friend agree that today's markets started off as cart boot sales and that if legislation of this sort had existed and Parliament had debated it they would never have got off the ground—not Sainsbury or Marks and Spencer or Mr. Alan Sugar, who also started on a barrow in a market?

Mr. Sainsbury: I would love to enter into a longer discussion of the historic development of retailing, but there is a risk that you might rule me out of order, Mr. Deputy Speaker. Perhaps my hon. Friend the Member for Billericay (Mrs. Gorman) and I could discuss that on another occasion.

Nothing that I have said so far has been directly relevant to car boot sales, but it is clear that there are both concerns about them and concerns that they should not be unreasonably restrained. I said that we intended to consult interested parties on market franchise rights, with a view to producing agreed measures in another place. We intend that the powers available to local authorities to control commercial car boot sales would in no way be weakened by those measures. It is clear from the existing position that those powers do not prevent car boot sales from taking place.

Mr. Kevin Hughes (Doncaster, North): My hon. Friend the Member for Renfrew, West and Inverclyde (Mr. Graham) voiced the minority view. Does the Minister agree that car boot sales are not regulated and have become a conduit for stolen, counterfeit and unsafe goods, especially unsafe electrical goods? While I am on my feet, I must tell him that I am grateful that he has seen fit to withdraw the clauses. It is a sign of strength and not of weakness.

Mr. Sainsbury: We are running the risk of debating car boot sales, which are clearly a matter of interest to hon. Members on both sides of the House, rather than market franchise rights, which are the subject of new clause 9, tabled by my hon. Friend the Member for Romford.

Mr. Nicholas Winterton (Macclesfield): May I advise my hon. Friend that his announcement to the House will be warmly welcomed, not least by those of my constituents who operate and make their living in the indoor and outdoor markets and who administer them?

Does he believe that there will be adequate time after the passage of the Bill through the House for the necessary meaningful consultation with all the interested parties, to enable the other place to introduce new clauses into the Bill, which will come back here in due course? Might it not be appropriate for the matter to be dealt with in separate legislation?

Mr. Sainsbury: We are not starting from scratch. There has already been much consultation. The NABMA letter dated 26 April—it is very recent—was the result of many deliberations by that organisation and the others that supported its letter. We look forward to taking those consultations further, on the basis of the proposals in the letter, of my hon. Friend's new clause and in the light of my remarks. I have no reason to suppose that we will not have adequate time to produce amendments, if we can reach agreement on them in another place.

Mr. Robert Banks: Will my right hon. Friend give way?

Mr. Sainsbury: If my hon. Friend will forgive me, I should like to make some progress.

The next point that we need to address in any further proposals is that the present market franchise rights can spill over into neighbouring local authority areas with the wholly undesirable result that one local authority with a franchise market can frustrate the attempts of a neighbouring council to set up a new market. Examples of the undesirable effects of that have been provided in earlier

[Mr. Sainsbury]

discussions by my hon. Friends the Members for Harborough (Mr. Garnier) and for Rutland and Melton (Mr. Duncan). NABMA, therefore, proposes that a local authority's market rights should be restricted to its boundaries or a radius of six and two thirds miles from the market—whichever is the nearer—and we see a great deal of sense in that.

Mr. Robert Banks: I am grateful to my right hon. Friend for giving way. He has spoken about the historic rights of markets and I appreciate what he has said tonight and the decisions that have been taken. In the course of the consultations that he is proposing, will he look carefully at the Sale of Goods (Amendment) Bill, which has come to the House from another place, so that he can carefully examine the rights that appertain to certain markets—those called market ouvert—which go back some 800 years, and to consider whether the Government will withdraw their support for that Bill?

Mr. Sainsbury: The market ouvert arrangements are archaic, to say the least, and there is grave concern about the way in which they give rights to purchasers of goods in certain markets during the hours of daylight perhaps providing too much opportunity for the handling of stolen goods. That is a different measure, however, and perhaps we will discuss it further on another occasion.

Obviously we have not had time since the NABMA letter came in and since my hon. Friend tabled his new clause, for full and detailed discussion of these proposals, but we believe that they may well offer the basis of an agreed approach. We intend to discuss the matters further with the interested parties, including consumer bodies as well as market operators and traders, with the aim of achieving deregulation which does not threaten legitimate interests, including the continuance of historic markets and authorities' existing powers over car boot sales. We hope, therefore, to table amendments on an agreed basis in another place.

In the meantime, we accept that clauses 22 to 24, as drafted, go too far and we propose that those clauses be deleted. Therefore, I ask the House to accept amendments Nos. 51 and 52 in the name of my hon. Friend the Member for Romford and others, which would delete respectively clauses 22 and 24 and to accept amendment No. 6, in the name of the hon. Member for Leeds, Central (Mr. Fatchett), which would delete clause 23. I invite my hon. Friend the Member for Romford, if he thinks fit, to withdraw new clause 9. In that way we shall clear the way to further discussion with a view to reaching agreed proposals.

Mr. Eric Illsley (Barnsley, Central): I rise very briefly to support the hon. Member for Romford (Sir M. Neubert). He and I both spoke in the debate on the Romford markets in the Redbridge London Borough Council Bill, to which he referred earlier. I am pleased that Government have decided to withdraw the clauses.

I represent the constituency of Barnsley, Central. Barnsley has a market right dating back to the 13th century which led to the development of Barnsley as a market town. In the 1960s and 1970s Barnsley had the largest open-air market in the country. I wish that we still had it, but unfortunately it has now gone.

I am extremely grateful that the Government have decided to withdraw the clauses and I hope that, with the co-operation of all concerned, particularly the Campaign for Quality Markets in which the hon. Member for Romford has taken a lead role, sensible proposals can be brought before the House for the regulation of markets in the future. I should make just one brief comment on the idea that car boot sales are something that a local charity will organise on a Sunday afternoon when everyone can turn up and sell the contents of their attics.

Things have moved on and car boot sales are now commercial enterprises. In Leeds, people queue from 10 o'clock on Saturday nights to be first in line to take part in a car boot sale that opens at 6.30 on Sunday mornings. It takes place not in cars but in transit vans and lorries that bring goods to be sold at commercial markets. Those traders do not sell at car boot sales; they are commercial traders and a great number of car boot sales have now become commercial markets. The idea of a Sunday afternoon charity car boot sale has now been overtaken by commercial traders.

Another example in Barnsley—

Mr. Deputy Speaker (Mr. Michael Morris): Order. We need no more examples of car boot sales under the new clause. I call Mr. Anthony Coombs.

9.45 pm

Mr. Anthony Coombs (Wyre Forest): It would be remiss of an hon. Member whose constituency has market franchise rights and who voted enthusiastically for the Bill in Committee not to say that I am concerned about the Government's reaction. The reason is that I believe that market franchise rights are anti-competitive and therefore against the interests of consumers. They prevent competition from legitimately springing up and, incidentally, have little effect on car boot sales. My council does not benefit, as a result of having market franchise rights, from being able to deter car boot sales.

My hon. Friend the Member for Romford (Sir M. Neubert) mentioned the campaign for quality markets and mentioned a series of organisations. Interestingly, the only organisations that he did not mention were those that represent consumers. It is significant that the Consumers Association is strongly in favour of the Bill, although it says that car boot sales should be better regulated. We made that point in Committee and I reiterate it today. But that is far from saying that to give only 50 per cent. of local authorities powers that effectively allow them to restrict competition from their own markets is viable, logical or appropriate for a country approaching the 21st century.

Mr. Clapham: How does the hon. Gentleman reach the conclusion that market franchise rights are anti-competitive when they provide the context for market competition?

Mr. Coombs: The reason why market franchise rights are anti-competitive is that people in my constituency have been trying to set up a reasonable, well-regulated service to consumers but have been unable to do so as a result of the operation of market franchise rights. That is anti-competitive and against the interests of consumers. It is therefore dangerous to argue for the retention of market franchise rights as the hon. Gentleman just has.

Mr. Jim Marshall (Leicester, South): May I congratulate the Minister on seeing the sense of the argument against the Government's position? The hon. Member for Wyre Forest (Mr. Coombs) is arguing that franchise rights exercised by local authorities are anti-competitive. Why, then, does he not support legislation to remove similar rights from private markets?

Mr. Coombs: I support any legislation that increases competition. By abolishing market franchise rights that give local councils an opportunity to restrict competition in favour of markets in their own areas or those markets to which they choose to give that right, competition and thereby consumer choice will be increased.

Although I understand the tactical reasons for the changes that my hon. Friend the Minister announced tonight, in any consultations that he has in the Lords, he should bear in mind that any changes that he brings back to this House must satisfy one criterion: they should not allow councils or any other operators a monopoly power over alternative operators who wish to set up in an area, in a way that would restrict consumer choice and therefore give the customer a worse deal.

The Conservative party is all about free enterprise and giving consumers the choice that they want. It is about competition, because that gives consumers the best deal. I hope that that will be reflected in any proposals that my hon. Friend the Minister brings back to the House.

Sir Michael Neubert: Before I respond to what my right hon. Friend the Minister has generously said this evening, I shall make two points and attempt to restore my right-wing credentials with one or two of my hon. Friends who are not persuaded, notably my hon. Friends the Members for Chingford (Mr. Duncan Smith) and for Billericay (Mrs. Gorman), who contributed to this short debate. The debate would have been much longer if it had not been for the what my right hon. Friend said.

I would like to think of myself as an enthusiastic supporter of the free market, but I have never been in favour of a complete free-for-all. All markets are regulated. For a start, we operate within the European Community, which is a controlled protected market. Whatever level one goes down, one will find regulations. So we are seeking to achieve a degree of balance.

My hon. Friend the Member for Wyre Forest (Mr. Coombs) spoke about market franchise rights being anti-competitive. I invite him to come along to Romford market on a Saturday morning, where he will see 300 individual stallholders engaged in intensive competition. Obviously, checks and balances are provided, but little evidence was provided, either in Committee or tonight, and he has not been able to provide evidence of the way in which that is seriously inhibiting competition from other enterprises. It has simply has not been demonstrated. The overwhelming weight of evidence is against the case that he makes.

I now come to my right hon. Friend and his warm personal recollections of our entry into government together in 1983. I am very glad that, at this stage of our partnership, he was able to respond to the debate, because he has seen that what he proposed—the withdrawal of the three clauses relating to market franchise rights, and the reconsideration of the whole issue—has been welcomed by the whole House, not least myself, and in time for amendments to be tabled in the Lords along the lines of the new clauses and amendments presented tonight, and by me in moving the new clause. It is a constructive approach, which has shown the House of Commons at its best. It is an issue that is more important, perhaps, than was first thought by the people coming across it.

There are serious implications for the public interest in what will be decided by the House. I hope that my right hon. Friend will not exclude the possibility that, when he considers all the matters once again, it may require a further measure of Government legislation rather than amendments to the Bill, which, as one of my hon. Friends rightly pointed out, is a deregulation Bill and may not necessarily lend itself to meet the circumstances of changing commercial practice, particularly the incidence of car boot sales. But, my right hon. Friend having so generously responded to the representations made tonight, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 11

CHANGE OF LANDLORD: SECURE TENANTS

'(1) The Housing Act 1988 shall be amended as set out in subsections (2) and (3) below.

(2) In section 94—

(a) for subsection (1) there shall be substituted—

"(1) The right conferred by this Part shall not be exercisable by a public sector landlord, the council of a county or any other body which is not independent of such a landlord or council."

(b) subsections(3) to (7) shall be omitted.

(3) Subsections (1)(a) and (2) of section 106 shall be omitted'.—*[Mr. Thurnham.]*

Brought up, and read the First time.

Mr. Peter Thurnham (Bolton, North-East): I beg to move, That the clause be read a Second time.

I am delighted to have this opportunity to move the new clause and to explain that it is very simple. Its purpose is to allow the tenant of a council house to choose who his landlord should be, without any restrictions. It is in the nature of a probing amendment and I am grateful for the opportunity that I had a few days ago to discuss the proposal with my hon. Friend the Minister. I congratulate him on this excellent Bill, and on the opportunity that the Bill allows to introduce another proposal to get rid of regulation. I am grateful for the support of many of my hon. Friends, including my hon. Friends the Members for Wyre Forest (Mr. Coombs)—I see that he is in his place—for Chingford (Mr. Duncan Smith), for High Peak (Mr. Hendry) and for Rutland and Melton (Mr. Duncan).

Colleagues may already be aware of arguments that I made in a Conservative Political Centre pamphlet entitled "Choose Your Landlord":

"I have always thought it unfair that elderly pensioners and council tenants unable to obtain a mortgage easily should lose out on valuable discounts under the Right-to-Buy."

The new clause would, for instance, help the elderly tenant of a council who did not wish to enjoy that right but who wanted, perhaps, his son or another relative or friend to become his landlord. At present such a tenant would have to contrive an arrangement to bring that about, and I have no doubt that that happens. He would have to borrow money from his son, purchase the house under the right to buy and keep it for three years in order not to lose any of his discounts. He would then be free to sell it—if he wished—to his son, who could become his landlord and to whom he could repay the loan. The new clause would help to avoid that rigmarole.

[Mr. Peter Thurnham]

Under the existing law, the council would not be allowed to sell such a tenanted house directly to the chosen new landlord without first gaining the approval of the Housing Corporation, which would have to be satisfied that the new owner was financially viable and demonstrably committed to long-term rental and repair. In practice, that rules out deals within a family or between friends.

As my right hon. Friend the Minister will know, under the excellent "tenants' choice" arrangements, some 24 local authorities have sold all their housing to housing associations, following a ballot producing a majority decision in favour. Such large-scale voluntary transfers are very welcome, but they do not help the single tenant who wants to have the landlord of his or her choice, especially in areas where local authorities might be entirely opposed to transfers of that kind.

My new clause would allow private individuals to become landlords on council estates. It would give a boost to the right-to-buy scheme, which has already benefited 1.4 million tenants and is now benefiting some 50,000 per annum—not the rate of earlier years, but still significant. Moreover, it would give the sale of council houses in general a big boost.

The proposals should be welcomed. They will further the revival of the private rented sector, which—in the north-west, at any rate—is already making a large contribution to the social rented sector. Some 60 per cent. of the North West Landlords Association's tenants are on benefits, according to a recent survey.

I look forward to my right hon. Friend's presenting a housing Bill, perhaps next year; that would enable these unnecessary restrictions to be removed, if we do not remove them tonight, and make for a free housing market. I wish this excellent Bill well—I congratulate my right hon. Friend on the way in which he has guided it—and welcome the opportunity to flag up the need to deregulate the sale of council houses.

Mr. Nigel Griffiths: I do not wish to impugn the motives of the hon. Member for Bolton, North-East (Mr. Thurnham) in giving an individual tenant the chance to choose his or her landlord, but I must point out the pitfalls. Those of us whose constituencies contain council houses are probably all aware of the problems that some tenants —especially elderly tenants—have experienced when relatives who are less than scrupulous have bought houses for them and then left them without repairs. If that can happen to a small minority—I do not pretend that it is a majority problem—even when relatives are involved, I am concerned about the plight in which some people would find themselves when opting for another landlord.

Moreover, we know that a number of tenants have been induced to buy their houses by concerted advertising campaigns run by people who see a chance of acquiring an asset on behalf of the resident. In return for a long-term lease from a private person, tenants have been induced to buy their council houses; they have then found that they do not actually own them, have run into problems with getting repairs done and have come to grief. I do not wish to overstate the case, but it has happened, and not only on a few occasions.

In the past fortnight or so, there has been a fire in a hostel owned by a private landlord in Scarborough. Two of that landlord's companies have gone bust with debts of £350,000. The council was instructing him to carry out repairs, but he did not feel obliged to do so until he had the funds, and we are all aware of the fatal consequences of that delay. I do not want to prejudge the case, but it is important that there is some mechanism—

It being Ten o'clock, the debate stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 14 (Exempted business).

That at this day's sitting, the Deregulation and Contracting Out Bill may be proceeded with, though opposed, until any hour.—*[Mr. Andrew Mitchell.]*

Question agreed to.

As amended (in the Standing Committee), again considered.

Question again proposed, That the clause be read a Second time.

Mr. Griffiths: I conclude my remarks by tying together the three points that I have made.

I have here a copy of a press release issued by the hon. Member for Bolton, North-East (Mr. Thurnham). It states:

"Peter Thurnham's New Clause 2 calls for an amendment to the regulations covering sales of council houses to private landlords; councils would not be allowed to reject a bidder on the basis of his quality or previous record".

On the face of it, that statement may not seem threatening, provided that the landlord's previous record was good and that he was someone of good standing. However, I ask the hon. Gentleman to consider what would happen if a landlord such as the one in whose property the fire occurred last week were now to offer to buy that property. Again, without wishing to judge the case, I think that it is unlikely that such a person would in the present circumstances be allowed by a responsible council to bid although, if he were to be exonerated after the inquiry, his reputation may be restored. They are my genuine reservations about the new clause.

Mr. Neil Hamilton: I welcome the opportunity provided by my hon. Friend the Member for Bolton, North-East (Mr. Thurnham) to debate this important topic. I also welcome his comments, especially those that were personally flattering to me. This is an important topic, and the sale of council houses has been one of the Government's most successful policies of the past 15 years. That policy will endure and I share my hon. Friend's aspiration that more council tenants can be provided with the opportunity to own their own homes in the years to come.

The main effect of the new clause would be to delete the current requirement under tenants' choice legislation for potential new landlords to be approved by the Housing Corporation or Housing for Wales. Tenants' choice, which was introduced by part IV of the Housing Act 1988, gives council tenants who want to go on renting their homes but who are dissatisfied with the services that they receive from their present landlord the opportunity to change to another landlord of their choice. Under the scheme, the final outcome is decided by a ballot of all eligible tenants which will take place only after the alternative landlord has set out clearly the terms and conditions on offer. Tenants who vote against transfer stay with the council. Only socially responsible stable bodies committed to the long-term business of rented housing are able to acquire property under tenants' choice and all such landlords must therefore be approved by the Housing Corporation or Housing for Wales.

The role of the Housing Corporation in approving landlords is to ensure that potential new landlords will retain housing acquired for letting at rents which those in low-paid employment can afford to demonstrate proper systems of financial control, financial viability and high standards of housing management. The Government are keen to encourage the private rented sector, and the Housing Corporation's requirements are intended to provide reassurance to tenants about their potential future landlord's standards. The requirements are not intended to limit the types of landlord who may come forward with a bid to acquire housing under the tenants' choice legislation. Indeed, the Housing Corporation's own guidance makes it clear that new landlords could include not just housing associations but commercial landlords, individuals such as those my hon. Friend referred to in his speech, and tenant-controlled bodies as well. An individual or organisation which does not have approved status can then apply for it.

The Housing Corporation also has an important role to play in assessing the financial viability and management of potential landlords. In tenants' choice cases, a sum of money is generally paid by the local authority to the new landlord to meet the cost of priority catch-up repairs to the housing stock. In one case, the sum amounted to £17 million. That level of payment to a new landlord from public funds demands the scrutiny of the suitability of new landlords that the current provisions supply.

I am sure that I carry my hon. Friend the Member for Bolton, North-East with me when I say that it will be desirable to retain that feature of the legislation. I have had the opportunity to discuss at length outside the House many of the ideas that my hon. Friend has put forward not only in his speech this evening, but also in the many publications in his name.

He has made a very important contribution to the continuing debate upon the democratisation of housing and the spread of home ownership. I believe that the independence which comes from owning one's house has been a significant factor in the other important changes which have taken place in society in this country in the last 15 or 20 years.

I welcome my hon. Friend's contribution to the debate. I hope that he will agree that the proposals that he has put forward this evening in his new clause are only part of a wider agenda for housing. It would not be sensible to just pick and choose odd pieces from the jigsaw. While I believe that his ideas merit further serious consideration, I do not think that the deregulation Bill is the appropriate vehicle to achieve the objectives that he has in view. He should not use the Bill simply to include one important ingredient of his general proposals.

I suggest that my hon. Friend—I hope that he will be agreeable to this course of action—withdraws his new clause this evening and that we pursue his ideas outside the House. He can then work them into a more wide-ranging and properly constructed set of proposals which might be more appropriate to include in a Bill directed specifically at housing, rather than a general Bill about deregulation within which many of the essential features of the liberalisations that he wishes to bring about could not figure because they would be beyond the scope of the Bill.

I thank my hon. Friend for his contribution to the debate. I hope that we may be able to continue the debate later when he may be successful in putting together some workable proposals which will achieve the laudable objectives that he has set out.

Mr. Thurnham: I am grateful to my hon. Friend the Minister for his comments. I shall be happy to withdraw the new clause on the basis of what has been said, but first I will comment briefly on the points raised during the debate.

I was interested to hear the speech of the hon. Member for Edinburgh, South (Mr. Griffiths). I think that he would agree that the multiple occupation case in Scarborough is very different from what is being discussed in the new clause, which relates specifically to council tenants choosing a new landlord. The Labour party said in one of its recent policy documents that the private rented sector badly needs a boost. But I think that the hon. Gentleman would accept that in the private rented sector there is no restriction whatever on one landlord passing a property to another landlord. It may occur on the death of a previous landlord, for example.

The new landlord does not have to be approved by the Housing Corporation. No checks have to be made on his financial viability, reputation or anything else. The security for the tenant lies in the tenancy agreement itself, not in anything relating to the individual who may or may not be the landlord at a particular moment in time. The hon. Gentleman should trust the judgment of the tenant who wants to choose a new landlord and look for security in the tenancy agreement itself.

Mr. Nigel Griffiths: I would consider that the hon. Gentleman's argument had a little more conviction if, when housing association or Housing Corporation tenants in Scotland and elsewhere wanted to choose their landlord, they were not deliberately barred from opting for a district council. The Government do not want to extend that choice to tenants. It is a bit much for the hon. Gentleman to pretend that the Conservatives support tenants' choice. We support tenants' right to choose their landlord, and we believe that if they want to choose the district council they should be allowed to do so.

Mr. Thurnham: The hon. Gentleman must be aware of the weight of evidence showing, I believe, that local authorities are among the worst landlords that exist. The Council of Mortgage Lenders has sent me information from a survey entitled, "Housing in Britain", which shows that between 1986 and 1993 the proportion of tenants dissatisfied with council renting rose from 11 per cent. to 13 per cent. whereas with private renting the proportion fell to 10 per cent. It is clear where the dissatisfaction lies.

The hon. Gentleman has only to read the most recent report of the local government ombudsman to discover that housing was the single biggest cause of complaints to local authorities. There were more than 5,000 complaints relating to council house management, repairs, mortgages, housing benefit, housing grants, and so on, and there are many references to failure to comply with legal requirements, failure to investigate issues properly, failure to take appropriate action, failure to provide adequate information, and so on. The direction in which people are heading is clear.

I took considerable heart from what the Minister said, and on the basis that we can look forward to a comprehensive housing Bill in the next Session of Parliament—I hope that what I have said both in the new

[Mr. Thurnham]

clause and elsewhere, such as in my pamphlet, may be included in such a Bill—I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Schedule 4

Striking off of Non-trading Private Companies: Great Britain

Amendments made: No. 63, in page 68, line 34, after 'if' insert

', at any time in the previous 3 months,'.

No. 64, in page 68 leave out lines 35 to 40 and insert—

'(a) changed its name,

(b) traded or otherwise carried on business,

(c) made a disposal for value of property or rights which, immediately before ceasing to trade or otherwise carry on business, it held for the purpose of disposal for gain in the normal course of trading or otherwise carrying on business, or

(d) engaged in any other activity, except one which is—

(i) necessary or expedient for the purpose of making an application under section 652A, or deciding whether to do so,

(ii) necessary or expedient for the purpose of concluding the affairs of the company,

(iii) necessary or expedient for the purpose of complying with any statutory requirement, or

(iv) specified by the Secretary of State by order for the purposes of this sub-paragraph.

(1A) For the purposes of subsection (1), a company shall not be treated as trading or otherwise carrying on business by virtue only of the fact that it makes a payment in respect of a liability incurred in the course of trading or otherwise carrying on business.'.

No. 65, in page 70, line 14, leave out '(c)' and insert '(d)'.

No. 66, in page 70, leave out lines 41 to 45 and insert—

'(i) changes its name,

(ii) trades or otherwise carries on business,

(iii) makes a disposal for value of any property or rights other than those which it was necessary or expedient for it to hold for the purpose of making, or proceeding with, an application under section 652A, or

(iv) engages in any other activity, except one to which subsection (6) applies.'.

No. 67, in page 71, line 16, at end insert—

'(6) This subsection applies to any activity which is—

(a) necessary or expedient for the purpose of making, or proceeding with, an application under section 652A,

(b) necessary or expedient for the purpose of concluding affairs of the company which are outstanding because of what has been necessary or expedient for the purpose of making, or proceeding with, such an application,

(c) necessary or expedient for the purpose of complying with any statutory requirement, or

(d) specified by the Secretary of State by order for the purposes of this subsection.

(7) For the purposes of subsection (4)(a), a company shall not be treated as trading or otherwise carrying on business by virtue only of the fact that it makes a payment in respect of a liability incurred in the course of trading or otherwise carrying on business.'.

No. 68, in page 71, line 17, leave out from '652D.—(1)' to 'For' in line 30.

No. 70, in page 72, line 9, at end insert—

'( ) include power to make different provision for different cases or classes of case,'.

No. 69, in page 72, leave out lines 19 to 22 and insert—

'(9) In sections 652B and 652C, "disposal" includes part disposal.'.—*[Mr. Neil Hamilton.]*

Schedule 5

Striking Off of Non-trading Private Companies: Northern Ireland

Amendments made: No. 71, in page 75, line 3, after 'if' insert

', at any time in the previous 3 months,'.

No. 72, in page 75, leave out lines 4 to 8 and insert—

'(a) changed its name,

(b) traded or otherwise carried on business,

(c) made a disposal for value of property or rights which, immediately before ceasing to trade or otherwise carry on business, it held for the purpose of disposal for gain in the normal course of trading or otherwise carrying on business, or

(d) engaged in any other activity, except one which is—

(i) necessary or expedient for the purpose of making an application under Article 603A, or deciding whether to do so,

(ii) necessary or expedient for the purpose of concluding the affairs of the company,

(iii) necessary or expedient for the purpose of complying with any statutory requirement, or

(iv) specified for the purposes of this head by the Department by order made subject to negative resolution.

(1A) For the purposes of paragraph (1), a company shall not be treated as trading or otherwise carrying on business by virtue only of the fact that it makes a payment in respect of a liability incurred in the course of trading or otherwise carrying on business.'.

No. 73, in page 76, line 15, leave out '(c)' and insert '(d)'.

No. 74, in page 76, leave out lines 40 to 43 and insert—

'(i) changes its name,

(ii) trades or otherwise carries on business,

(iii) makes a disposal for value of any property or rights other than those which it was necessary or expedient for it to hold for the purpose of making, or proceeding with, an application under Article 603A, or

(iv) engages in any other activity, except one to which paragraph (6) applies.'.

No. 75, in page 77, line 9, at end insert—

'(6) This paragraph applies to any activity which is—

(a) necessary or expedient for the purpose of making, or proceeding with, an application under Article 603A,

(b) necessary or expedient for the purpose of concluding affairs of the company which are outstanding because of what has been necessary or expedient for the purpose of making, or proceeding with, such an application,

(c) necessary or expedient for the purpose of complying with any statutory requirement, or

(d) specified for the purposes of this paragraph by the Department by order made subject to negative resolution.

(7) For the purposes of paragraph (4)(a), a company shall not be treated as trading or otherwise carrying on business by virtue only of the fact that it makes a payment in respect of a liability incurred in the course of trading or otherwise carrying on business.'.

No. 76, in page 77, line 11, leave out from '603D.—(1)' to 'For' in line 22.

No. 77, in page 77, leave out lines 44 to 47 and insert—

'(7) In Articles 603B and 603C, "disposal" includes part disposal.'.—*[Mr. Neil Hamilton.]*

Clause 14

BUILDING SOCIETIES: CLASS 1 AND 2 ADVANCED-THIRD PARTY MORTGAGES

Amendment made: No. 78, in page 16, line 37, leave out 'by someone other than' and insert 'otherwise than by'. —*[Mr. Neil Hamilton.]*

Clause 16

BARS IN LICENSED PREMISES IN ENGLAND AND WALES: CHILDREN'S CERTIFICATES

Mr. Sainsbury: I beg to move amendment No. 83, in page 18, line 21, at end insert

'or subsection (3AA) of this section applies.

(3AA) This subsection applies where—

(a) the person under fourteen, or a person in whose company he is, is consuming a meal purchased before the certificate ceased to be operational, and

(b) no more than thirty minutes have elapsed since the certificate ceased to be operational.'.

Madam Speaker: With this it will be convenient to take the following amendments: Government amendment No. 85.

No. 10, in schedule 6, page 81, line 11, after 'police', insert 'or any other person'.

No. 11, in page 81, line 22, after 'police', insert 'or any other person'.

No. 14, in page 81, line 25, after 'police', insert 'or the person making the application, as the case may be,'.

Government amendment No. 84.

Mr. Sainsbury: Amendments Nos. 83 and 84 fulfil an undertaking given in Committee. Under the children's certificate provisions as they stand, every certificate will cease to be operational at some predetermined time. That will normally be 9 o'clock in the evening, but it may be earlier or later in an individual case. Immediately a children's certificate has ceased to be operational, the provisions of section 168 of the Licensing Act 1964—under which it is a criminal offence for the licensee to allow, or anyone else to cause or procure, a young person under the age of 14 to be in a bar in licensed premises during permitted hours—automatically resume their application to the bar concerned.

The absolute nature of the "guillotine" thus imposed could cause problems for families with young children to whom a meal has been served in a bar in which a children's certificate was in force, shortly before the certificate ceased to be operational. Such a family might have insufficient time to complete their meal comfortably before they had to leave the bar so that neither they nor the licensee would be committing a criminal offence. Hon. Members with children and grandchildren will know that they cannot always be persuaded to eat up quickly. The provision would therefore seem unreasonable.

The amendment therefore makes provision for a period of up to 30 minutes eating-up time immediately after the children's certificate has ceased to be operational. That will apply only for the purpose of allowing a young person under 14, or the adult in whose company he or she is, to consume a meal purchased before the certificate ceased to be operational. The amendment offers a sensible solution to a minor practical problem identified during the passage of the Bill and I commend it to the House.

Amendment No. 85 fulfils the undertaking given to my hon. Friend the Member for Wyre Forest (Mr. Coombs) in Committee. It will require licensing justices who refuse to grant a children's certificate to give the unsuccessful applicant a written explanation of their reasons for refusing the application. That will, I am sure, introduce a greater element of transparency and openness into decision making in that context. It would also give unsuccessful applicants a better opportunity to consider, with their legal adviser as necessary, whether they have good grounds on which to exercise their right, for which the Bill already makes provision, to appeal to the Crown court against a justices' decision, or perhaps even to seek to have it reviewed in the High Court. I commend the amendments to the House.

10.15 pm

Mr. Fatchett: I welcome the Minister's words on amendments Nos. 83 and 85 and I am grateful to him for carrying out the commitments that were given in Committee. I shall not detain the House for any great length of time at this stage. However, the amendments in my name—Nos. 10, 11 and 14—raised an especial point that came up in Committee, relating to the duration of children's certificates and the locus of various parties to appear before the licensing justices. I am advised that, despite the assurance given to me by the Parliamentary Under-Secretary of State for Corporate Affairs the Bill as currently drafted would allow only an officer of the police and not any other person to appear and therefore would not be consistent with other legislation dealing with licences in that area. My amendments would therefore add "any other person", which I understand would be consistent with previous licensing legislation.

I do not intend to push the point much further at this stage. I believe that there is agreement between me and the Minister in terms of locus and if the Minister looks at the words and the commitments given by his colleague the Under-Secretary of State he will see that. Before the Bill goes to another place, may I ask the Minister to have another look at my amendments to see whether they are technically necessary? Perhaps he would write to reassure me on that point.

Mr. Sainsbury: I am happy to confirm that I shall look carefully at what the hon. Member for Leeds, Central (Mr. Fatchett) said and I shall write to him. I hope that I will be able to reassure him that what is proposed in the Bill is consistent with other aspects of licensing legislation.

Amendment agreed to.

Schedule 6

CHILDREN'S CERTIFICATES: SUPPLEMENTARY PROVISIONS

Amendment made: No. 85, in page 80, line 25, at end insert—

'Refusal

2A. Where licensing justices refuse an application for a children's certificate, they shall specify their reasons in writing to the applicant.'.—*[Mr. Sainsbury.]*

Clause 17

Sunday opening of certain licensed premises in Scotland

Mr. Phil Gallie (Ayr): I beg to move amendment No. 86, in page 19, leave out lines 25 to 35.

The amendment is intended to delete clause 17 and refers basically to the situation in Scotland where off-sales are not permitted on a Sunday. The amendment, by deleting clause 17, retains that restriction, which dates back to the Licensing (Scotland) Act 1976. It is important to many people in Scotland that the situation is maintained and that Sunday represents, in some respects, a day apart from others. I supported the recent moves in England to introduce supermarket and other shop opening for limited hours on Sunday in a way that brought English law into line with Scots law. We have had that facility for many years in Scotland and, to an extent, it has been well used. If anything, it has encouraged family participation in the shopping scenario at weekends.

Before giving my support to the reform of Sunday trading in England, I spent some time in the supermarkets in my constituency before the votes on the subject. I found that there was absolutely no problem arising from the fact that they had to shut off the licensing facilities on Sunday. The public accepted that and there was no great demand for such sales. It was widely accepted that that, in part, made Sunday different. When I spoke to those who ran town centre off-licences, they again said that there was no demand.

Somewhere along the line, something has changed and I am not sure why. As far as I can detect, there has been no real lobby in Scotland for that relaxation. I am aware that a small pressure group has raised the issue, but I feel that it is not a major issue of the day in the towns and villages of Scotland. I welcome the Bill, but I believe that clause 17 is neither necessary nor desirable.

My concerns relate to under-age drinking and, in part, to those unfortunates who suffer from alcoholism. In terms of under-age drinking, I feel that there is no real problem with off-sales from pubs and hotels and, to an extent, from the small off-licences. However, when liquor gets on to the streets, much of it comes from the major stores and the supermarkets. That is not deliberate; in many instances, there is no direct sale to young people. It comes about through volume trade in the larger stores and through secondary purchases—youngsters who encourage others to buy drink for them. Problems arise, especially on Fridays and Saturdays, when youngsters take drink on to the streets and into the parks. Scots, at least, should expect one day in the week when that does not happen. Sunday should be maintained as it is.

Mr. John Maxton (Glasgow, Cathcart): Is the hon. Gentleman therefore proposing that pubs and hotels in Scotland should not be allowed to serve drink to be consumed off the premises, as well as proposing that off-licences should not be opened? What he suggests implies that.

Mr. Gallie: If the hon. Gentleman had listened to my words a moment ago, he would have heard me say that the problems did not exist with the pubs and the hotels. The problems exist with the volume sales in the supermarkets, as I remarked.

Under-age drinking is one thing the lot of the alcoholic, which must also be considered, is another. There is a major problem here for the unfortunate individuals who drink whatever they can get their hands on. We see that with the sale of cheap, high-alcohol lagers, with fortified wines and, to an extent, with new drinks such as Buckfast. To open up the off-licences on Sunday would offer another temptation, present another problem, for people who suffer from that disease.

By going down that line, we are pushing at an open door. We have relaxed the law on Sunday trading and there is a constant push by the major superstores to seek further advantage. The time has come to say that enough is enough.

Mr. George Kynoch (Kincardine and Deeside): Will my hon. Friend give way?

Mr. Gallie: No, I must be fairly brief. I do not have time.

We should look at our Christian heritage and our culture. We should not throw that away altogether. In Scotland, especially in the islands, we have managed to preserve Sundays. If we accept clause 17, we shall impose something on the people of Scotland which they do not want. I ask the House to support the amendment and, therefore, to reject clause 17.

Mr. George Robertson (Hamilton): It is a rare event for me to follow the hon. Member for Ayr (Mr. Gallie) and support his amendment, although I do not necessarily accept every item in the arguments that he deployed this evening. It is all the stranger since, in the local elections last week, not many people supported the hon. Gentleman, given the loss of the three regional seats in the Ayr constituency. I fear that that is a severe warning for the future.

Mr. Peter Luff (Worcester): Cheap.

Mr. Robertson: I would say in answer to that that it is extremely expensive for the hon. Member for Ayr, whose wafer-thin majority is certainly no longer there to protect him.

This is an important issue. In Committee, the Minister for Industry, who has departed, said;

"I recognise that there is genuine concern in Scotland about the measure."—[*Official Report, Standing Committee F*, 8 March 1994; c. 429.]

One must ask why the measure is in the Deregulation and Contracting Out Bill, in which context it sits uneasily. It was not in the Conservative manifesto in Scotland at the election two years ago, and there has been little or no consultation about it with the public at large and little or no warning that it would appear in such a measure in this Parliament. As the hon. Member for Ayr pointed out, there is a slight suspicion that it is in response to a specific lobby that the House is being asked to legislate on this.

I must make it clear at the beginning of my remarks that for the Opposition—as, indeed, I believe for the Government—there will be a completely free vote when the amendment is pressed to a Division. My hon. Friends will not—I underline this—be asked to support the hon. Member for Ayr as he has simply tabled the amendment in order to facilitate the debate and to get the Government off the procedural hook on which they found themselves in the Standing Committee. I hope that my hon. Friends will

listen to the argument that I shall deploy and, at the end of the debate, vote in favour of the hon. Gentleman's amendment and delete clause 17 from the Bill.

The law in Scotland was comprehensively changed by Parliament in 1976 following the Clayson committee report. Although the Clayson committee recommended that off-licences should be open on a Sunday, Parliament, in its wisdom in 1976 decided that that was one recommendation that it would not accept—1976 is a long time ago.

Parliament had another opportunity to consider in some detail the form of the measure that we are talking about this evening. In 1990, when the Government introduced the Law Reform (Miscellaneous Provisions) (Scotland) Bill, there was another opportunity to debate the measure, but once again Parliament—this is not a partisan point because opinion differed across the board, and I shall come to that in a moment—decided that there should be no change to the law as it was established in 1976. We are talking about a period of three years between Parliament making a definitive decision—it was a definitive decision—not to change the law and the Government including a clause in this Bill to change it completely.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): Is the hon. Gentleman aware that the provision in the Law Reform (Miscellaneous Provisions) (Scotland) Bill was withdrawn in 1990 owing to lack of parliamentary time, not for any other reason?

Mr. Robertson: On Second Reading in 1990, the Minister said that a great deal of time would be spent in Committee but it was not—the matter was dispensed with. Indeed, the hon. Members for Dumfries (Sir H. Monro) and for Tayside, North (Mr. Walker)—the latter is here this evening—spoke against that provision on Second Reading.

Only three years later, the Government have introduced a comprehensive change to the law based on a single clause put into wholly inappropriate legislation. I suggest that the case that was put forward in 1990 for retaining the difference between the Scottish law and the situation in England remains as valid now as it was then. Our more liberal regime in Scotland does not need any alteration, and it should not be altered until there has been a review of the way in which it has operated up to now.

Unlike the hon. Member for Ayr, I am not articulating a keep Sunday special argument in this debate, although I recognise that some who will follow my advice tonight will do so for that precise reason. Hon. Members have been written to by the Church of Scotland's board of social responsibility, which has expressed a strong view that we should oppose the Government's proposal. I could hardly say that, since earlier this evening I voted for horse racing to take place on Sunday, and I did so consciously and consistent with all my views.

10.30 pm

I do not make this recommendation this evening because I hold illiberal views on the licensing laws in Scotland. I think that the liberalisation of the law in Scotland has been beneficial. It has worked well and has eliminated some of the anti-social consequences of the pre-existing legislation. Even if I held to those arguments, the reality is that people who want to buy alcohol to consume in their own home in Scotland can do so. Although off-licences are not permitted to open for very good reasons, Parliament in 1990 and 1976 laid forth that pubs and hotels can sell alcohol.

Mr. Kynoch: The hon. Gentleman makes the point that anybody who wants to buy alcohol for consumption on Sunday in his own home can buy it from a pub, hotel or similar establishment, but the cost of the alcohol is much higher than it is in a supermarket. People can shop in a supermarket on Sunday, but when they reach the wine section the shutters are down. Does not the hon. Gentleman see an inconsistency there? Does he not accept that those who want to keep Sunday special do not have to buy their alcohol on Sunday if they do not wish to?

Mr. Robertson: First, I was not arguing for the keep Sunday special campaign in general terms in any event. Parliament decided in 1976 and in 1990 that the difference between pubs and hotels and off-licences is that there is a greater degree of control in the sale of alcohol from the licensed premises. That is distinct from the level of control that was anticipated then and that we have seen since then in off-licences and in licensed grocers. There is a major distinction. Yes, there is a price to pay. If people want to buy alcohol, they can do so, but they do so in regulated circumstances which perhaps prevent some of the excesses that were anticipated when the law was last looked at.

I ask the House to resist the change in the law because its consequences have simply not been thought through in relation to the peace and quiet of many citizens in Scotland today. I go back to some of the wise words which were expressed in 1990. My hon. Friend the Member for Edinburgh, South (Mr. Griffiths) in his speech in the Standing Committee brought together a number of sentiments that are worth repeating.

The hon. Member for Dumfries, who was not a Minister at the time, said on Second Reading:

"The provision allowing alcohol to be available at off-licences on Sundays will make control that much harder."—[*Official Report*, 12 June 1990; Vol. 174, c. 198.]

The hon. Gentleman, who is not here this evening, is now a Scottish Office Minister. Although there is a free vote, there is no doubt some informal arrangement among those on the Government Front Bench which the Minister will explain.

The hon. Member for Tayside, North is here this evening and he may well speak for himself. I do not know whether he has changed his mind or whether he is still with us.

Mr. Bill Walker (Tayside, North) *rose—*

Mr. Robertson: Let me remind the hon. Gentleman of his words in 1990 before he intervenes.

"Like other hon. Members, I am concerned about supermarkets and off-licences and I hope that we can deal in detail with them in Committee."—[*Official Report*, 12 June 1990; Vol. 174, c. 206.]

Mr. Walker: I shall be brief. For the hon. Gentleman's benefit, I have changed my mind and I hope to explain why.

Mr. Robertson: It will be interesting to hear why the hon. Gentleman has changed his mind. He is a man of independent spirit on some occasions and we shall see whether he took an independent decision or he has changed his mind in response to any particular lobbying. I have quoted what he said in the previous debate.

[Mr. Robertson]

In 1990, when he was Secretary of State for Scotland, the right and learned hon. Member for Edinburgh, Pentlands (Mr. Rifkind) said eventually that the opposition was so great that the Government would not pursue the matter. He has moved on to greater things in another area, and who knows what decision he will make this evening?

I believe that the law should not be changed until there has been a review of three specific points. I am not implacably opposed to the measure on principle, if on three grounds the Government can prove their case. First, some conclusions of the open-air drinking experimental byelaws upon which the Government embarked two years ago must be published and discussed. The Government rightly tested the idea of a ban on open-air drinking in the centres of Motherwell, Dundee and Galashiels. It was an extremely good experiment. The Government resisted allowing any other local authority in Scotland to adopt such byelaws, even though there was considerable demand for them to do so, until the experiment had been concluded.

The Government said that the experiment could be concluded only after a sensibly long period. That period apparently has finished, but the Government have not yet published the outcome of the experiment. We should not contemplate in one clause in one Bill a substantial change in the law when the experiment that the Government themselves set up has not yet had a chance to prove itself one way or another.

The reality today is that in so many housing estates across Scotland open-air drinking is becoming the norm rather than the exception. All Members of Parliament have found that people complain bitterly about it. The problem is not confined to the centres of towns. In many cases, it is a problem on peripheral housing estates.

Mr. Bill Walker: Is the hon. Gentleman aware that I moved amendments to the Criminal Justice and Public Order Bill on open-air drinking and under-age drinking? I am sorry that the hon. Gentleman was not here to support me when I moved those amendments.

Mr. Robertson: I understand that the Government refused to accept the hon. Gentleman's amendments. We acknowledge that there is a demand for implementation of the byelaws in a large number of towns throughout Scotland. The Government have an experiment in place which they say we must allow to finish. They say that the conclusions must be published before they will allow such byelaws to be implemented. Surely to goodness the Government should not legislate until they have the results of the experiment, have published them and have had them debated. I firmly believe that that is part and parcel of the subject that we are discussing today.

The reality is that a large number of youngsters purchase alcohol, or have alcohol purchased for them, in off-licences and consume it in the streets round about. *Scottish Take Home News* is published as a supplement to the *Scottish Licensed Trade News*. It is a worthwhile publication which I have received for many years. It has a front-page headline this week about Smugglers Off Sales in Saltcoats. I am not certain whether any of my hon. Friends from Cunninghame are here this evening.

The headline is:

"Licensee survives local authority supervision bid. Council hits at off-sales".

The story is of the licensee of an off-licence in Saltcoats who almost lost her licence as a consequence of under-age drinking outside the premises. The article says that Mrs. Eileen Scott, the proprietor of the Smugglers off-licence

"who had previously been fined £200 for selling drink to under-agers, says she's 'paranoid' about youngsters around her shop who still attempt to buy alcohol and who regularly bribe or threaten older people to buy it for them."

The article goes on:

"Mrs. Scott is angry at the older men who buy alcohol for youngsters. She claims that some unemployed men in the area buy alcohol for under-age drinkers for £1.

'We have been weeding it out, but it is difficult when somebody is left in the shop and gives the alcohol to others. I have been out in the street chasing children up town and phoning the police if kids are loitering with intent'."

That is only example, but it is part and parcel of the picture across Scotland.

The second matter that needs to be reviewed before such a change in the law is contemplated is the anomaly created by the fact that, under the law, people under 18 are not allowed to buy alcohol but are allowed to consume it, even on the streets. Again, the reality is that it is all too easy, even where the holder of the off-licence is law-abiding, for such individuals to purchase alcohol. Some of the drink in question is of very high strength. It includes spirits and the famous Buckfast fortified wine. It includes also new exotic beers with alcohol strengths of 9 to 11 per cent.—very close to the strength of wine—many of which are brewed in Scotland. They are very powerful, especially in some of the lethal cocktails that are consumed today.

There is something at least anomalous, and perhaps daft, about a situation in which it can be a serious criminal offence for an off-licensee to sell alcohol to, or for an adult to buy alcohol for, youngsters but those youngsters may consume it legally, even if they are causing a major problem for the surrounding area. Recently I spoke to a policeman who strongly supported the campaign on this subject in which I was involved. He said that on many occasions he had taken alcohol from youngsters and poured it down a drain but worried that, in taking away other people's property, he was himself committing a criminal offence in the course of his public service. In that respect the law is in need of careful examination in advance of any change.

The third ground for a review before legislation is passed relates to the need for an investigation by the Scottish Office into the number of off-licences that are granted. We are given the easy comparison between England and Wales, where off-licences are open on Sunday, and Scotland where, anomalously, they are not. Tradition and culture in England and Wales are, I submit, almost completely different from those in Scotland. There is a tradition of very small licensed grocers who are willing and able to sell alcohol at any time of the day or night. I seriously believe that the Government must examine carefully the facility with which grocers can secure licences and must consider whether a tough enough regime has been put in place.

As the Department of Trade and Industry has conceded, this is an important subject that gives rise to anxiety. We have an obligation to people who have some right to respite from a plague that afflicts so many for six out of every seven days. If that plague could be dealt with effectively in some other way, if the Government have a proposal in mind, if they carry out a review of the three sectors that I have suggested should be investigated and if they can

satisfy us that the citizens on whose behalf we are complaining can be made content, they might, with some judiciousness, bring forward legislative change.

We are embarking on the change much too hurriedly, without sufficient examination. In doing so we do a disservice to the constituents we serve. Therefore, I ask my hon Friends to support the amendment and to eliminate clause 17.

10.45 pm

Mr. Bill Walker: I rise to oppose the amendment and I shall tell the House why.

The hon. Member for Hamilton (Mr. Robertson) properly drew attention to the fact that, on Second Reading of the Law Reform (Miscellaneous Provisions) Bill 1985, I spoke against. Since then I have conducted some inquiries.

The hon. Member for Hamilton drew attention to the experiment carried out in Dundee. As a result of my inquiries into that experiment I tabled two amendments at the Report stage of the Criminal Justice Bill. My objective was to draw attention to the problem, which is not opening licensed premises, but drinking in open spaces around such premises, as the hon. Gentleman said, and—what is worse—under-age drinking.

Under-age drinking should be a criminal offence—not merely selling alcohol to people who are under age—and, more importantly, the police should have powers to deal with that offence on the spot. We are attempting to deal with a social problem and to do so by the wrong mechanism. I can explain why it is wrong with my hand on my heart because I am teetotal, so it does not matter to me what the licensing laws are.

I am concerned with my constituents, as is the hon. Member for Hamilton. Why should the distillery shops in my constituency not be able to sell their products to the many thousands of visitors who come to my constituency and who visit the distilleries? We quite properly want all those overseas visitors to acquire a taste for Scotch whisky and to buy it in quantities—as many of them do, but we want many more to do so. With exports at £2,000 million it is very important that our licensing structure recognises the importance of the Scotch whisky industry to the Scottish economy. It is vital that we deal with that narrow, but important, aspect.

It is also true to say that instead of banning things we should be liberalising, so that we can deal with the social problems, which do exist. If hon. Members had been seriously interested in the problem I would have hoped to see many more of them here. A number of hon. Members are present and I am pleased to see the hon. Member for Kilmarnock and Loudon (Mr. McKelvey), who supported me in my efforts to get the Government to deal with the real problem—a problem that exists on other days—which is people drinking in public places.

My hon. Friend the Minister said that the byelaw procedures would be encouraged—I hoped that the hon. Member for Hamilton would recognise that. I am paraphrasing, but my hon. Friend told me that the experiments had been encouraging, although there had been problems, to which I and the hon. Member for Dundee, East (Mr. McAllion) drew attention during the debate on my amendments. If an area is outlined and detailed and alcohol consumption is banned, there is a danger of moving the problem somewhere else.

In his reply to the debate on my amendments my hon. Friend the Minister said that other areas could also be designated and that the Government would look kindly on that. That is part of the method of dealing with the problem, but I agree with the hon. Member for Hamilton that we should have legislation that addresses the real problem—anti-social drinking at whatever age by anyone. That is no reason for not allowing the off-licences, which quite properly are in competition—I am a great believer in competition—to open on Sundays.

I disagree with my hon. Friend the Member for Ayr (Mr. Gallie) and I am probably as good a Christian as he is—at least I hope I am. I try very hard, but as with many other things, one is never as good as one would like to be. I take the view that Sunday is a day when I want to do the things that I enjoy. If I enjoy going to church, that is fine. If I enjoy doing other things, that is also fine, but I have never seen Sunday as a day on which I want to prevent others from doing what they enjoy.

I have always thought that, in Scotland, Sunday is the day when we enjoy our family life and get together. Although most of my family are teetotal, my brothers and sisters have inherited the fine Scottish habit of consuming a wee dram. They often do that on Sundays and I have never noticed any adverse effects. If they were to run out, they would want to go out and get supplies, particularly when they have barbecues on Sundays.

We should look seriously at the real problems and not try to prevent drinking through the mechanism of this legislation.

Mr. Maxton: This debate is creating some very strange alliances across the Floor of the House. My hon. Friend for Hamilton (Mr. Robertson) was supporting the hon. Member for Ayr (Mr. Gallie) and I am about to support the hon. Member for Tayside, North (Mr. Walker) and, presumably, the hon. Member for Kincardine and Deeside (Mr. Kynoch).

There have been very few occasions on which I have been in alliance with the hon. Member for Tayside, North. I have been convinced of the arguments for opening off-licences on Sundays, particularly in supermarkets, but a strange anomaly developed, which the hon. Member for Ayr did not take into account. Supermarkets were opening illegally in England, but were able to sell drink from their off-licence departments yet no action was taken against them whereas in Scotland supermarkets were opening perfectly legally—it was within the law for them to do so—but their off-licences were closed.

Although Scots were able to go into supermarkets and buy what they wanted perfectly legally, they could not buy drink as part of what was often their weekly shopping. My wife often does a full weekly shop in Safeway on a Sunday afternoon. Of course, she cannot buy a bottle of sherry, whisky or wine along with the rest of the shopping. That is absurd. It is equally absurd that hotels and pubs are perfectly able to sell drink for consumption outside their premises, while supermarkets and off-licences which may be just a couple of doors down the street from the pub or hotel cannot sell it.

As the hon. Member for Kincardine and Deeside pointed out, when people have to go into a pub or hotel to buy their drink, they pay considerably more.

It seems to me that the argument of both the hon. Member for Ayr and my hon. Friend the Member for Hamilton was about not selling drink for off-licence

[Mr. Maxton]

purposes in Scotland so that people could not drink outside or anywhere else. That is not an argument for closing off-licences and leaving pubs and hotels open.

Mr. Sam Galbraith (Strathkelvin and Bearsden): Does my hon. Friend have information on the amount of alcohol sold for consumption outside pubs on Sundays? What would the figures be if alcohol now became available in off-licences as well? Would not there be a tremendous increase in the amount of alcohol sold once it became available in the other outlets?

Mr. Maxton: I am not sure that that would be so. I openly admit that I have no figures, but I doubt whether my hon. Friend has, either. If he can produce figures to prove his point, that is fair enough, but I doubt whether he can.

I accept the arguments which my hon. Friend the Member for Hamilton made against outside drinking and tighter controls on under-age drinking and off-licences generally and I should like to see the review that he suggests. However, those arguments apply for the six days a week on which off-licences are now open and it would not make an enormous difference if they were also open on Sundays. So although his arguments are legitimate, they are not necessarily against keeping the clause in the Bill.

Mr. George Robertson: I welcome the remarks by my hon. Friend and distinguished constituent. But are not the products sold by pubs and hotels, which can sell on the seventh day of the week, different? Although most pubs and hotels are entitled to sell alcohol, they are wary and usually do not sell Buckfast fortified wine and some other products that seem to be available in licensed grocers, with only one destination. Although I am asking for a review because a change in the law is proposed, many people who live in close proximity to off-licences and licensed grocers have at least some relief from the aggravation that they suffer on one day out of the seven.

Mr. Maxton: My hon. Friend has made his point but it is not an argument against opening off-licences on Sundays. I should have been happy to accept an amendment that would allow the opening of off-licences only in supermarkets. I put forward the idea as a possible way to deal with the problem but it was not widely accepted by other Opposition Members. It would have been a way to deal with smaller off-licences, but it was not suggested that I should table such an amendment.

I have tabled a new clause, which has not yet been debated, on putting fluoride into water in Scotland. The only argument that has been put to me against my new clause is that public opinion in Scotland is against putting fluoride into water. Evidence from all opinion polls on this issue in Scotland shows that an overwhelming majority of Scottish people favour opening off-licences in Scotland.

Reluctantly, therefore, as my hon. Friend the Member for Hamilton is my Member of Parliament, I shall be in the opposite Lobby to him tonight, voting against the amendment.

Mr. Michael J. Martin (Glasgow, Springburn): The hon. and learned Member for Fife, North-East (Mr. Campbell) has made a good suggestion in a private conversation here in the Chamber—that more such matters should be examined by the licensing board, which consists of men and women who live in the community and know the problems close at hand.

United Distillers and Tennents breweries are in my constituency. They are both excellent employers and I want no harm done to their sales. It is all very well for hon. Members to say that they would like to buy a bottle of wine in a supermarket on a Sunday because they have run short and are having friends for dinner. But in some parts of my constituency shopping facilities have housing above them, and to enter the housing one has to go through a door situated in the centre of the shops. Because of the terrible weather that we have in Glasgow, when young people and people over a certain age buy their carry-outs and cans of super lager it is natural for them to consume them in the close mouth. It is not a question of saying, "Keep the Sabbath holy", but at least those tenants will have one day a week with a bit of peace and quiet.

11 pm

That brings me back to the argument about Sunday opening. No one ever gave a thought to the fact that most of our major cities in Scotland have tenement property, and that people in such property are being annoyed on a Sunday by drinkers urinating in the close mouth. Sometimes, because of the behaviour of those drinkers, people are ashamed to invite their friends and relatives to visit them. If they want to meet them, they do so in the town and elsewhere.

I recognise that perhaps that problem does not exist in a big supermarket complex that has received all the considerations of the planning committee and the advice of the planning officials, and where it is away from built-up areas. People who go to a supermarket to buy alcohol usually go there by car. They are not drinking and driving; they buy the alcohol, put it in the boot of the car and go home. But a few hardened drinkers gather in little congregations all over my constituency—sometimes around schools. They call them "garden parties". In fact, if we have good weather, there they are with their cans of super lager. Quite frankly, they demean the area.

If we said that we should undertake a review of under-age drinking and of the people who are abusing alcohol, it still would not address the problem, but it would go some way to doing so if we gave the local licensing authorities a chance to say, "This is an application for a licence for Sunday opening in a built-up area. What do the neighbours have to say?" The neighbours could then go to the licensing committee and say, "It is all very well for someone living in the leafy suburbs, but we live next to multi-storey flats; the off-licence is at the bottom and people will be hanging around the lifts after they have bought a drink and annoying women and elderly people."

We must admit that we are living in a society in which more and more of our aged citizens are being frightened. It is, perhaps, not the danger that they are in but the danger that they perceive themselves to be in. That adds to their insecurity. I recognise that it is a serious problem.

Are we supporting the hon. Member for Ayr (Mr. Gallie)? I pay him the compliment of saying that there is a large supermarket in the centre of the town of Ayr with a big notice telling everyone to campaign and lobby him —it uses his name—to say that the drinking laws should be changed in favour of the supermarkets. I believe that his amendment gives some consideration to his constituents and many other people who feel that, if one wants to get a

carry-out—that is what it is called in Glasgow; if one wants to buy some products from the off-licence, it is called "getting your carry-out"—one can do it six days a weeks.

Mr. David Jamieson (Plymouth, Devonport): It is the same in Plymouth.

Mr. Martin: Perhaps it is the same in Plymouth; I do not know. It can be done. I know that, when we try to control the sale of alcohol, we find ourselves involved in all sorts of ridiculous legislation. We must consider those who want a wee bit of peace and quiet on a Sunday.

Mr. Galbraith: I fear that I shall develop a reputation as a killjoy, which would amaze some former colleagues from my previous incarnation. I support the amendment —for a number of reasons, but first on the basis of the general principle that this is not the way in which to handle Scottish legislation that significantly affects the nature of Scottish society. I think that even my hon. Friends—and any Conservative Members who support Sunday opening for off licences—ought to oppose this method of introducing an important piece of Scottish legislation that should have been subject to wide consultation, considered in the Scottish Grand Committee and only then introduced in the House. It is premature and wrong.

Mr. Brian Wilson (Cunninghame, North): May I remind my hon. Friend that the Government introduced the proposal in the considered setting of the Law Reform (Miscellaneous Provisions) (Scotland) Bill, enacted in 1990, but it was rejected by a Scottish Committee and went no further? They are now trying to reintroduce it in a particularly back-door way.

Mr. Galbraith: I agree. Once again Scottish legislation has been tacked on to a United Kingdom Bill at an inappropriate time, and I hope that my hon. Friends who favour Sunday opening for off-licences will none the less oppose it on that basis.

A number of matters must be considered. I make no apology for again using the "Keep Sunday Special" argument, but it need not be advanced from a Christian perspective; it can be advanced from the perspective of a society in which, for non-Christian reasons, it is considered appropriate to set aside one day when people can have a bit of peace and quiet and not be bothered by the run-of-the-mill hassles of everyday life. That is an important requirement that is at the heart of Scottish culture and society, and we should not throw it away without further consideration.

The measure will not only affect supermarkets—my hon. Friend the Member for Glasgow, Cathcart (Mr. Maxton) has agreed that the position may differ there—or off-licences; it will affect licensed grocers. Together, the two constitute a problem. Licensed grocers often operate on large housing estates that may be areas of deprivation, trouble and hooliganism; they can open at 8 am on Sundays and start selling huge ranges of cheap alcohol. My hon. Friend the Member for Cathcart suggested that that was no different from pubs being open, but it is. Pubs are generally open for people to consume alcohol on the premises. I do not know the figures, but it must represent at least 95 per cent. of Sunday sales. They do not have a wide range, and alcohol is expensive. People do not generally come out of pubs with large amounts; it is drunk on the premises. That does not apply to licensed grocers, which are poorly regulated and sell other products.

Off-licences, too, are a problem in my constituency. I receive numerous complaints about off-licences' opening at 8 am, when queues of customers—often from the outer parts of my constituency—have already formed, and corner boys hang around disturbing the neighbourhood. Surely we can allow local residents one day on which they will not be troubled in such a way; surely that is not too much to ask. It is all very well for those of us like myself and my hon. Friend the Member for Cathcart who disappear elsewhere at weekends, but many others find it a disturbing time, and I hope that we can consider them.

The hon. Member for Tayside, North (Mr. Walker) claims that this can all be dealt with through byelaws banning open-air drinking. I caution hon. Members against that argument. I have no doubt that such measures would deal with the problem to some extent, and I hope that my local authorities will introduce them soon—I have already spoken to them—but we should not be deceived into believing that they would effectively eliminate it.

Let us remember that the experiment was carried out in three areas. It is in the nature of experiments that they change things and the results of an experiment are always preferable to what happens when the subsequent legislation is introduced because the police and the shopkeepers are on their toes during an experiment and everyone involved is engaged in keeping the areas under a microscope. The results are not so good once the experiment involves the general population.

The issues should be considered fully before any decision is taken. The Government are remiss in tagging this proposal on to a United Kingdom Bill. For that reason, I hope that my hon. Friends will oppose clause 17 and accept amendment No. 86.

Mr. Galloway: I, too, congratulate the hon. Member for Ayr (Mr. Gallie) on the sincere and powerful way in which he moved the amendment. The last time I agreed with him in public was in George square in Glasgow when we shared a platform during the "Save the Whale" demonstration.

I deal first with the allegation made in a number of speeches by Labour and Conservative Members that the amendment is intended to stop people in Scotland having a whale of a time on Sunday. My hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith) has just said that it is not necessary to sign up to the Keep Sunday Special campaign to accept that there is a certain rhythm to life on these islands, that Sunday has been a different kind of day from the rest and that many people like it and want to keep it that way, especially with regard to licensing hours. I am a lower case "keep Sunday special" man: I do not think that I fit easily the caricature of the Sabbatarian killjoy, and I am certainly not arguing from that standpoint.

As in Committee, I am tonight arguing from the standpoint that has been identified by a number of my hon. Friends. The first argument that I hope the serried ranks of my colleagues behind me will find persuasive is that we are debating what is, in effect, a constitutional outrage. The Government are trying to slip in a proposal that would materially change the rhythm of Scottish life and they are trying to do so by means of a little clause added on to a controversial United Kingdom Bill, which has absolutely nothing to do with when and where people in Scotland can and should consume alcohol. Indeed, it was voted on by a

[Mr. Galloway]

Committee where the majority was provided by English Members of Parliament who knew nothing about the arguments but were whipped to support the legislation.

If such a change is to be considered, there should be full public consultation in Scotland involving Scottish Members on a Scottish Committee. I should prefer consideration to take place in a Scottish Parliament, but, if it is to take place before there is such a thing—before the next election—it should be done properly after an informed debate in Scotland, not by this subterfuge.

Through you, Madam Deputy Speaker, I caution the Minister to be very careful in the current climate about inadvertently misleading the House. It cannot be true that the only reason why the proposal was withdrawn in 1990 was the lack of parliamentary time. My hon. Friend the Member for Hamilton (Mr. Robertson) cited the then Secretary of State's assertion that it was to be withdrawn under fire from all sides in an appropriate place—a Scottish Committee. If it is to be reintroduced, that is where it should happen. That is the first argument against the clause.

11.15 pm

My hon. Friend the Member for Glasgow, Cathcart (Mr. Maxton) talked about unusual alliances, but I find myself in the usual position of disagreeing with my hon. Friend the Member for Hamilton (Mr. Robertson) in the nicest possible way. We are not talking about the Oddbins, pukka, posh wine shop in the Elysian fields of Hamilton where he lives—he has fought for those fields over the years—or, for that matter, in Byres road in my constituency. We are not talking about the person who decides to have a barbecue on a nice day and rolls up to Oddbins in the west end to stock up on Chablis or Chateauneuf du Pape.

We are talking about what is effectively a super-lager lout's charter. The problem is not in Hamilton's Elysian fields or in Byres road; the problem is in the peripheral housing estates—the deserts with windows—which were constructed by ill-advised Governments and councils in the past. People are imprisoned on those housing estates, and at the moment they have one day's relief from the problem which has been identified in the House this evening but which is worth repeating. I refer to the problem of the licensed grocery which, all too often, is owned by a shopkeeper who is not sufficiently alert to the fine print of the licensing laws—and not only the licensing laws, but this is not the place to develop that argument.

We are not talking about the posh Oddbins in the west end of Glasgow, but about barbed-wired, iron-barred licensed grocery stores in housing estates. They are usually in a parade of shops with, as my hon. Friend the Member for Glasgow, Springburn (Mr. Martin) correctly said, people living above them and in the surrounding houses and tenement buildings. Those people have to go to the shops to buy their milk, bread and newspapers on Sundays. If this measure is passed, they will have to run the gauntlet —as they do on the other six days of the week—

Mr. Martin O'Neill (Clackmannan): Will my hon. Friend give way?

Mr. Galloway: I will give way in a moment.

They will have to run the gauntlet of corner boys and louts who are drinking their high-octane, super-charged super-lager and cheap wine. That is the social problem that we are dealing with. We simply ask: why should people who are already suffering that six days a week, have to suffer it on a seventh day?

Mr. O'Neill: Will my hon. Friend give way?

Mr. Galloway: I will give way in a moment.

Why should they suffer that, especially when there has been no proper debate about the matter in Scotland and the measure is not being taken in the full light of informed public opinion?

Mr. O'Neill: I am grateful to my hon. Friend for giving way. I did not mean to interrupt him, but I thought that he would forget that I wanted to intervene.

I have followed his argument very carefully. The abuse which he mapped out very dramatically over the six days seems to be a result of the working of the existing licensing codes in granting licences to these grocers' shops. The answer to the problem which he has identified so accurately is to prevent the grocers from being given licences in the first place; or, alternatively, to police them far more fiercely than they are at present.

It is quite clear that there are alternative retail outlets which could provide alcoholic beverages if necessary. The sale of alcohol in this manner is wholly inappropriate in particular areas. My hon. Friend should be attacking that problem, not the Bill.

Mr. Galloway: Can my hon. Friend see that if we cannot prevent this behaviour six days a week, we have little chance of preventing it seven days a week? I am well aware that, to some extent, the current law is not being implemented properly. But we will not solve that problem by visiting it upon people on a seventh day.

People ask me: if these abuses are occurring outside off-licences, why cannot people telephone the police? In Scotstoun in my constituency if people telephone the police on a Friday or Saturday to say that there is a lout urinating outside an off-licence, they will be lucky if the police arrive the next day. There are not enough police in the areas that I am talking about. When I was in Newton Mearns the other day, I saw plenty of police on patrol, but there do not seem to be quite so many police around when one needs them on the housing estates that we are talking about. It involves a different class of criminal.

The women, children and others who have to run that gauntlet and walk past the lout with the bottle of cheap sherry in one hand, who is urinating, shouting abuse and indulging in all the other anti-social behaviour that takes place outside licensed grocers and off-licences, are saying to us, "Solve the problem for the other six days a week before you try to force it down our throats on the seventh day."

My hon. Friend the Member for Hamilton carefully set out the improvements and reforms that we would like to be made before we would agree to allowing alcohol to be sold on the seventh day. If the Government said that they had proposals to deal with the abuses and problems, and if they said it persuasively enough for us to believe them, no doubt we would drop our objection. Unlike the hon. Member for Ayr, we do not oppose in principle selling drink on a Sunday.

We are mounting the case, persuasively, I hope, that our people—working-class people in Labour constituencies —are those worst affected by the problems. We shall not

solve the problems by introducing a seventh day in the week on which they will be allowed to get worse. On behalf of those people, and in support of the leadership of my hon. Friend the Member for Hamilton, I hope that the amendment will be accepted.

Mrs. Ray Michie (Argyll and Bute): I, too, have much sympathy with the amendment and I shall certainly support it. However, I was interested to discover that the hon. Member for Ayr (Mr. Gallie) is not making any alternative suggestions. I am not sure how the Minister will react to his proposal, but I hope that it will be favourably.

I am sorry that the amendment tabled by my hon. Friends and myself was not selected for debate, because we suggested that the opening of off-licences on Sunday should come under the direction of the local licensing board. As the hon. Member for Glasgow, Springburn (Mr. Martin) suggested, board members are the people who should have the right to decide whether off-licences should open.

I believe that there is no need for off-licences to open on a Sunday. There are already plenty of outlets for the purchase of alcohol, and, as we have heard, we have enough problems already with alcohol, alcoholism, alcohol-related crimes and under-age drinking. We do not need to add to those difficulties by allowing a greater supply of alcohol, especially on a Sunday.

I am prepared to argue on behalf of the many churchgoing communities in Scotland. They will be appalled if clause 17 stands. Over the years they have seen their Sunday, which they believe is holy, and should be treated as a day of reverence and of rest, eroded. Many others, too, believe that Sunday is a special day. It is a day for the family, a day on which people can try to recover from the traumas of their lives during the rest of the week.

The hon. Member for Ayr said that he supported the Sunday Trading Bill. I did not. Although we already had deregulation in Scotland, I was aware that if it came about in England, too, many stores that did not previously open on a Sunday in England would start opening on a Sunday in Scotland. Only this afternoon, a measure was passed that will allow more gambling with betting offices being opened for off-course betting. So, on a Sunday, we shall see gambling and more alcohol, which I believe that the people of Scotland, on the whole, do not want.

Sunday is a special day and it is a day that the people of Scotland want to keep special. The hon. Member for Tayside, North (Mr. Walker) said that the tourists would not be able to buy whisky. However, they can buy whisky on every other day of the week and it will not spoil their visit to Scotland if they go there to find that we have a different day and a special type of Sunday, which we cherish and care about.

Mr. Bill Walker: I trust that the hon. Lady is not suggesting that, in Oban, it is any different from the position in Pitlochry on Sunday, where all the shops are open and all the traders are catering for the many thousands of visitors who we welcome. It seems that the hon. Lady is making allegations that just do not represent what happens in our constituencies, where we are very much for tourism. They are full of life on Sunday. It is not a day of rest. All the people working in the shops are certainly not resting.

Mrs. Michie: I referred to the fact that there are many places in many parts of Scotland where people care deeply about their Sunday. Indeed, there are many people in Pitlochry who also care about their Sunday.

Mr. George Kynoch (Kincardine and Deeside): Will the hon. Lady give way?

Mrs. Michie: Just once.

Mr. Kynoch: With regard to those people who want to keep their Sunday different and want to have a day of rest, does not the hon. Lady agree that they can still have their day of rest? First, they do not have to open if they are a shopkeeper and, secondly, if they are a customer, they do not have to buy. There is no compulsion in the clause. It is freedom of choice.

Mrs. Michie: But that is not the reality of what happens. We have heard what happens, especially on the housing estates. What will happen in the smaller communities? I can think of one where the people will be in church and, if the betting office is open, it will be just alongside the church. In the next street, the off-licence will be open and, up the road, the big superstore will be open. What I am trying to say is that Sunday is a special day in Scotland and something that we should care about.

Every community is different. They are different in the north of Scotland in comparison to the south. I accept that. Strong views are held in some communities and perhaps less strong views in others, but by including clause 17 in the Bill, the Government will be riding roughshod over local opinion. That opinion should be reflected by community councils, local organisations, and district councils, and any action taken on that subject should be done by the licensing boards, as I have already said. I hope that the Minister will accept the amendment and perhaps consider coming back here, or in the other place, to introduce legislation under which local licensing boards have the authority to allow places to be open or shut. That would be acceptable to the majority of hon. Members and to the majority of communities in Scotland.

Mr. William McKelvey (Kilmarnock and Loudoun): On this occasion, I do not agree with the hon. Member for Ayr (Mr. Gallie), who moved the amendment, and I also disagree with some colleagues with whom, formerly, I would have agreed. May I also declare an interest? I was a former chairman of a licensing board and had the reputation of being a liberal chairman—with a small "l" and with a big heart. My hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway), who spoke so eloquently about his passion for keeping Sunday safe, supported me in some of the liberalising measures, such as being the first area in Scotland to have pavement licences. He very much applauded that.

I am also the chairman of the all-party Scotch whisky group. It has a very serious interest in allowing premises to be open on Sunday, not so much for the sale of whisky from off-licences as for very important tourist reasons. The 100 or so distilleries that open their doors for visitors on a Sunday and allow them to see the reception areas and the museum areas, because the distilleries are part of the heritage of Scotland, find it an anomaly that, while they may provide the visitors with a free dram, which they regularly do, once those visitors to our shores have acquired an instant liking for the spirit of life, they cannot —they are somewhat disturbed by this—purchase whisky

[Mr. William McKelvey]

on a Sunday from the distillery. They could, of course, go to the nearest pub to buy the same drink at an inflated price. However, I have never argued that inflated prices should be paid by visitors to our shores. Tourists, especially in highland areas, add a great deal to the local economy.

11.30 pm

Mr. Galloway: We find ourselves in the very foreign relationship, as my hon. Friend the Member for Kilmarnock and Loudoun (Mr. McKelvey) says, of disagreeing with each other. It strikes me that, if it was so much in the distilleries' interest to seduce the visitor or to hook him on the spirit of life, they could give it away in miniatures as a kind of loss leader. Discovering that they like it so much, the tourists could buy it on Monday in great quantities.

Mr. McKelvey: The difficulty with that approach is that some of the tourists might be winging their way out of Prestwick on a Sunday evening back to their homeland.

My hon. Friend the Member for Hillhead will be interested to know that it will soon be the 500th anniversary of the discovery—or invention—of Scotch whisky. The Scotch Whisky Association has put together an up-to-date programme listing the 42 distilleries which, on a Saturday, will welcome anyone to their premises and which will give free entry in most cases. In all cases, they will give a free dram to those who wish to see how a distillery works and to understand and learn about the history of Scotch whisky, as part of our heritage. The visitors will even be allowed to purchase, perhaps on a Saturday, a bottle of whisky. It is the nonsense of the legislation—or the lack of it—to which I object.

It is crazy to say that on a Saturday, the licensed grocers or the off-licences can open and dispense their drink, but not on a Sunday. If there is a difficulty about the drinks that they are dispensing, that is something with which we must deal. The one big mystery is where the lager louts go on a Sunday. Where do the groups of people who hang about and urinate in the closes on a Saturday go on a Sunday?

I agree that all licence-holders should be very careful about what they sell on their premises. However, I have yet to come across a publican who would not give someone a carry-out provided that he had the money to pay for it. Anyone can buy a case of strong lager from the pub. He can then, presumably, hump it on his back to the nearest close where people can gather in a group, start to drink and do all the unpleasant things of which they are accused. I know that lager louts gather in groups in some housing schemes and that they create difficulties for respectable people. That problem should be dealt with instantly by the police. Authorities already have that power.

We asked the Minister about an amendment proposed by the hon. Member for Tayside, North (Mr. Walker). Through our amendment, we said that we wanted the measures that had applied in the experiment in Dundee and in other areas to be introduced elsewhere. The experiment was partially successful, certainly in central areas where a large number of lager louts had been gathering and creating abuse not only for Dundee's respectable citizens but, visitors as well. It also happens in some central areas in our capital city. In the experiment, we were able to legislate to disperse the lager louts and—I agree—in some cases simply to move them to back streets or some underground howff which they may have chosen. However, they could still be pursued if the areas were extended.

I hope that the Minister is not going back on the promise that he made at the time. At the Dispatch Box, he said that, if any authority applied for areas where drinking in public would be a criminal offence, the Scottish Office would move with alacrity to supply the means to do that.

We were also concerned that the measure might go too far. If people are having a garden party or a barbecue out in the country and a bottle of wine is produced, suddenly half a dozen detectives could swoop on them from the trees and whisk them away. That is not what is intended, but it could happen if the Government are not careful about the way in which they couch the legislation. There is no need —and there should not be a case for it—for respectable citizens to be molested by drunken louts on any of our streets. As it is an offence, the police have the right to take care of that sort of situation, and they should do so.

Are we suggesting that drunkards do not pour out of pubs on occasions, and that we do not see gangs of drunken louts, not particularly at close heads but in the main streets of Glasgow, creating difficulties for people and visitors? They are there. At certain times of the night when clubs close, there is a huge exodus of people who are high sometimes on drink and sometimes on illicit drugs. There are great difficulties in those areas and we must legislate for that.

To come out with pious nonsense and say that we must keep Sunday special in order to give a rest to people who are molested six days a week is intolerable. I do not want anyone to be molested for six days a week. I do not want them to be molested for five, four, three, two days or one day a week. I would agree with legislating along those lines. Some may argue that this is an underhanded method of finding a piece of legislation, but if one happens to agree, it is acceptable. *[Interruption.]* That happens in the House time after time. If legislation happens to be introduced, by whatever device, and we are in favour of it, we often find that it is acceptable. It is not a question of principle. I stand here as principled as other hon. Members, but perhaps a bit more honest than some.

Mr. Gallie: The hon. Gentleman referred to the problem of drugs on our streets. Recently, I heard him talk about the problems of alcoholism; he said that there is no real cure. Clause 17 will exacerbate the problem because it goes too far. Will the hon. Gentleman consider his position with regard to his recent comments on alcoholism and accept that it is something that cannot be cured totally?

Mr. McKelvey: I accept that the situation is not out of control. With the police acting promptly, the problem can be solved. There is absolutely no need for anyone to tolerate the sort of scenes that have been outlined in the debate. I know that the hon. Gentleman does not agree with me that town councils and local authorities should have more power, not less, as has been happening under other Government legislation. Licensing boards should have, as they once did, the power to legislate and not to grant licences where either an off-licence or a licensed grocer was selling to children, or where a public house was not being kept properly. Today, if there is evidence of under-age drinking in public houses, the licence can be

taken from the publican. The publican safeguards the licence and regards it as a precious piece of property since, in effect, it is his livelihood.

It is not true that we are awash in Scotland with outlets for drink. Recent surveys have shown, incredibly, that the macho-like Scots are not—as they might imagine—the heaviest or hardest drinkers in the United Kingdom. In some parts of England and Wales, the drink consumed per capita is one and a half times what it is in Scotland.

Mr. Bill Walker: Does the hon. Gentleman remember Dundee in the days when the pubs closed at 9.30? There were enormous problems with drunkenness in the city of Dundee, which vanished when the licensing laws were changed and were made much more sensible and relaxed.

Mr. McKelvey: My hon. Friend the Member for Hillhead, who spoke so eloquently, may recall that on Friday evening, it was a great event, as a child in Atholl street in Lochee—where I lived and where my hon. Friend was born—to wait until the pubs emptied so we could line up in the streets and see the street fighting. It was not the kind of gang attacks which occur there now—it was quite artistic pugilism when the pubs emptied.

I argued at the time on the licensing board that one of the reasons why we had so much trouble at half-past nine was that those people who finished their overtime at 9 o'clock got into the pub and downed as many nips and halves as they could in a short period which knocked them squidgy. They went outside, were not their usual selves and some trouble occurred.

When we extended the licensing times, the holy Willies told us that it was hell and damnation and that the whole nation would be drunk from morning till night, and even beyond that. In fact, that has not been the case at all. First, people could not consume that amount of alcohol and remain on their feet. Secondly, there is the question of cost. People simply cannot afford to spend their money over that period of time.

Irrespective of the means by which the legislation has been introduced to the House—I should have preferred it to have been done through a proper survey—I have a strange feeling that, even if in a referendum 90 per cent. had been in favour of opening, the same opposition as we are hearing tonight would have been voiced in the Chamber for a variety of reasons.

I firmly believe that we should legislate to bring the matter into a proper balance. If the experiment were to be done, it would show that, in the long term, no additional harm would be done to our society and to the life we live in Scotland. There would certainly be no reason why life would be any worse.

Lord James Douglas-Hamilton: I find myself very much in sympathy with many of the points made by the hon. Member for Kilmarnock and Loudoun (Mr. McKelvey).

In response to the hon. Member for Hamilton (Mr. Robertson), I shall say that my hon. Friend the Minister for Corporate Affairs made it clear in Standing Committee that, to provide an opportunity for a debate on the Floor of the House, he invited the Committee to allow the clause to remain in the Bill. He said that we could have a proper debate with as many participants as possible—in particular Scottish Members—and in circumstances where the Whips would not try to determine the outcome.

I warmly welcome the fact that this will be a free vote, certainly for every Government Member and I hope that that includes Opposition Front-Bench Members. The hon. Member for Hamilton also raised the issue of there being too many off-licences in some areas. That is, of course, entirely a matter for local licensing boards, which can refuse applications for new off-licences if they are satisfied that the granting of a licence would result in an over-provision in a particular locality.

11.45 pm

That provision was introduced in the Licensing (Scotland) Act 1976, which was piloted onto the statute book by Harry Ewing, now Lord Ewing, for the last Labour Government, whom I recall. Unlike many of my colleagues on the Front Bench, I remember what it was like to be in opposition.

Mr. Calum Macdonald (Western Isles): If it is right that the licensing boards have a power in respect of provision, why is it not equally right that the licensing board should have the power to determine whether it is in the community's interests for an off-licence to be open on a Sunday? The Minister is familiar with my constituency. Does he honestly think that it is right that one individual can thwart and defy the wishes of an entire community such as that in the Western Isles on this matter? Would not it be more democratic for the local licensing boards to have the option?

Lord James Douglas-Hamilton: The Guest committee considered whether the matter should be discretionary in its 1960 report. It recommended that, instead of the varied hours fixed by the licensing courts of the day, there should be standard permitted hours for licensed premises for the whole of Scotland. That was accepted by the Clayson committee.

Mr. Menzies Campbell (Fife, North-East): I do not think that the Minister is giving the House the whole story. Perhaps I ought to declare an interest. I have some professional expertise in licensing matters and from time to time appear on behalf of companies and individuals who might be thought to have some pecuniary interest in the outcome of our deliberations. The Minister piloted the Law Reform (Miscellaneous Provisions) (Scotland) Bill through the Committee in 1990. He knows that the determination of the regular extension of permitted hours is a matter entirely within the discretion of local licensing boards. Why does he not use that as a parallel when considering the issue that has just been put to him? Why should it not be within the discretion of licensing boards in Scotland to determine whether off-sales shops should be open to reflect the different social conditions throughout Scotland?

Lord James Douglas-Hamilton: As a member of the Clayson committee, the hon. and learned Member will recall that the committee recommended that there should be standard permitted hours. That provision was included in the Licensing (Scotland) Act 1962 and continued by the Licensing (Scotland) Act 1976. The crux of the matter is that it would be anomalous to introduce a specific discretion for licensing boards solely in relation to Sunday hours for off-sale premises in their areas.

The crux of the matter was referred to by the hon. Member for Glasgow, Cathcart (Mr. Maxton). He made it clear that it was a striking anomaly that, whereas the

[Lord James Douglas-Hamilton]

off-sales sections in supermarkets and other shops have to be cordoned off, off-sales from public houses and hotels are available, although much more expensively.

As for enforcement, licensing boards have powers to suspend the licence of off-licence premises on receipt of a complaint. They rightly have those powers at present.

Mr. Macdonald: Will the Minister give way?

Lord James Douglas-Hamilton: No. I have given way to the hon. Gentleman and I have many points to cover.

With regard to choice, under clause 17 licensed retailers will be able to assess the commercial opportunities for themselves. The hon. Member for Kilmarnock and Loudoun and my hon. Friend the Member for Tayside, North (Mr. Walker) properly mentioned distilleries which provide conducted visits for tourists. The distilleries would have the opportunity, if they wished to do so, to sell souvenirs of their products. That would undoubtedly be good for tourism. I have to point out again to the House that tourists businesses are the largest single employer in the whole of Scotland.

Clause 17 does not permit off-licences to trade on a Sunday morning before 12.30, having regard to the existing opening time of 12.30 for licensed premises generally. The hon. Member for Glasgow, Cathcart (Mr. Maxton) raised the issue on 27 October and I made it clear that one day it might come before the House and be put to the vote. I support the clause on the grounds that it removes an anomaly, benefits tourism and increases consumer choice.

Relevant points were made earlier about nuisance. I want to deal with the points made by the hon. Member for Glasgow, Hillhead (Mr. Galloway). Many statutory offences already exist and should be used. The hon. Gentleman gave the example of someone urinating. This is covered by the Civic Government (Scotland) Act (1982), which deals with drunken and incapable behaviour, urination in public places in circumstances that would cause annoyance and obstruction of the lawful passage of another person. The Criminal Justice (Scotland) Act (1980) includes an offence of vandalism, as well as augmenting the common law on malicious mischief, and behaviour likely to cause alarm or annoyance may constitute the common law crime of breach of the peace. All those offences attract sizeable fines or imprisonment.

I want to deal with the key issue concerning byelaws that was raised by the hon. Member for Hamilton. I agree that this is the way forward. The experiments have been successful, and we hope that local authorities will come forward with proposals. Indeed, seven are already discussing possible byelaws with the Scottish Office. I hope very much that the process will be completed successfully. The maximum penalty for breach of the byelaws is a fine of £500.

Mr. George Robertson: When does the Minister intend to publish the results of the byelaw experiment so that the rest of Scotland may share the experience of the three towns that were chosen? Have the fears about displacement of the nuisance been realised? Surely the proper way to proceed is to publish the report on what has been an ambitious, and what the Minister has just described as a successful, experiment so that the people of Scotland may themselves come to a conclusion, rather than to provide an add-on to a deregulation measure that has little or nothing to do with the problem that we know exists.

Lord James Douglas-Hamilton: We have already debated this issue in the context of criminal justice legislation. Although the final results of the experiment have yet to be published, the main conclusions, with guidance, have already been issued to the local authorities, and we are prepared to consider any application sympathetically. I have also mentioned the fact that licensing boards already have the relevant sanctions to withdraw or suspend a licence where there is a nuisance. The purchase by an older person of alcohol for a person under 18 is already an offence.

Mr. Galloway: The Minister is advancing the fatuous argument that all the nuisances that we have described are already offences. We realise that. But how many prosecutions does the Minister think there have been in the city of Glasgow, or anywhere else, in the past 10 years? Given the burden on the overstretched police forces, does the Minister really think that a constituent of mine phoning up to say that a lout is urinating outside an off-licence will see the arrival of police in less than four or five hours, by which time the lout has staggered off?

Lord James Douglas-Hamilton: Enforcement of the law is very much a matter for the police. *[Interruption.]* The hon. Gentleman raised the point. His party kept the police force in Strathclyde under strength. I am glad to say that it has had a change of heart and that the police are now becoming much stronger. I can assure the House that there has been no change whatsoever in the treatment of alleged offences that come before the law enforcement agencies, which will pursue cases vigorously.

We are very concerned about under-age drinking. We encourage schools to tackle alcohol issues in the context of health and education programmes. Currently we are engaging in a poster campaign. But, more important, statutory obligations have been introduced. There is a statutory embargo on unsupervised sales by people under 18 in off-licence or wholesale premises; it is an offence for any person to buy alcohol for or to sell alcohol to a person under 18; and it is an offence for a person under 18 to buy alcohol for his own or any other person's consumption. Indeed, we have made various other changes.

Mr. Gallie: It has been pointed out that it is illegal to sell drink to young people. But it is not illegal for young people to consume drink. What does my hon. Friend intend to do about that?

Lord James Douglas-Hamilton: It most certainly is illegal for a person under the age of 18 to buy alcohol for his own or any other person's consumption. I made that absolutely clear to the House, so the circumstances that the hon. Member for Hamilton mentioned may well be illegal.

Attitudes have changed. In a recent survey for the Scottish Retailers Licensing Law Reform Group, by System 3 Scotland, 63 per cent. of a sample of more than 1,000 adults were in favour of retail stores selling alcohol on Sundays and 37 per cent. said that they would be likely to buy alcohol from a licensed retailer on a Sunday. The commercial reality will simply be that off-licences will remain closed on a Sunday unless they have sufficient customers to make opening worth their while.

Mr. Macdonald *rose—*

Lord James Douglas-Hamilton: I must get on.

In a letter to all Members of Parliament representing Scotland, the Scottish Consumer Council made it clear that it supports the clause because it believes that it is a sensible extension of choice to consumers, allowing them greater freedom to decide when they wish to purchase alcohol.

The introduction of the new law in 1976 did not result in any significant overall increase in alcohol consumption. A 1984 survey showed that consumption among men was virtually the same in 1984 as in 1976 and that an increase in women's drinking seemed to reflect the more relaxed attitude to their drinking.

This has been a wide-ranging debate, in which matters of principle have been debated with great passion. Members have deeply held convictions on the issue and it is right and proper that the House should decide on a free vote. For my part, I believe that clause 17 should remain part of the Bill. It removes an anomaly and extends a new freedom to retailers and—much more importantly—to consumers, who will benefit from enhanced choice and more competitive prices. People who are concerned with potential public nuisance can be reassured that a battery of statutory and common law sanctions is already available and permits the police and licensing boards to take the appropriate action against those who might act irresponsibly. The clause represents steady and sensible progress. It is a reform consistent with current social attitudes and I commend it to the House as being in keeping with the spirit of the last year of the 20th century. I ask the House to reject the amendment.

Mr. Darling: As usual, the Minister's response was not very satisfactory. It was longer than his response to the debate on extending aggravated trespass to the law of Scotland, but the content was not much better, which is a pity because, despite what he said, I agree with the conclusion that he reached.

I represent the city centre in Edinburgh and, perhaps more than some other hon. Members, I have reason to know of the problems that arise because of the abuse of alcohol. I do not see much difference between meeting someone in the street who has had far too much to drink in a pub and meeting someone who has had far too much to drink from cans bought from an off-licence. The clinch point is that it is absurd that one can buy as much drink as one wants in a pub in Scotland and that one can buy drink to take home from a pub in Scotland on a Sunday, but one cannot buy it from a supermarket or other off-licence premises. That is an anomaly that ought to be ended.

I understand the problems that exist in parts of Scotland with regard to off-licence premises. I am prepared to accept what my hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway) and others said about that. My hon. Friend must also accept that the problems in Edinburgh and its city centre tend to arise not from off-licence premises but from fully licensed premises.

My hon. Friend the Member for Glasgow, Springburn (Mr. Martin) mentioned the fact that many licensed premises are underneath tenemental property. In fact, 90 per cent. of my constituents live in such property and most of the pubs in Edinburgh are also under such property. That is where the problems arise.

My conclusion is that the problem that we need to review is not off-licence premises in Scotland but the licensing regime. We must face up to that fact. As many hon. Members said, it is not merely a problem on Sunday, but one that goes on for six days a week. If the clause is passed, it will be a problem that we shall have to deal with all of the time.

It is high time that the House examined how the licensing laws operate. I have every sympathy with my hon. Friends who say that it is probably the wrong place and the wrong Bill to do that, but the measure is before us tonight and we have to reach a judgment. It is a free vote and we are all entitled to express our opinions according to our experience and that of our constituents. That is how it ought to be.

The licensing laws need to be examined as they are biased against the objectors—the ordinary members of the public. Licensees tend not only to have access to representation, which they can well afford, but rights of appeal; they have greater opportunities than ordinary objectors. It is high time that the balance was redressed.

12 midnight

I do not see why my constituents should have to put up with far too many late licence outlets that stay open until all hours of the morning when they also have to put up with people coming out of pubs and nightclubs late at night and causing disturbances. I have sympathy with people living next to off-licence premises where there is a problem, but we will not tackle that problem by banning everything for everyone all the time. That is a wrong response; it cannot be right as a matter of public policy.

If there are problems—my hon. Friend the Member for Hillhead has said that there are certain problems with off-licence premises—the licensing boards should be given powers to stop shops from opening. At the moment they have great difficulty because they can be challenged if they are do not operate a consistent policy.

I am prepared to let them be inconsistent; I am even prepared to do away with the normal standards of proof in some cases where there is a good suspicion that problems are occurring at certain premises, but that cannot be proved, even on the balance of probabilities. I am prepared to do that because the rights of ordinary citizens who live next door to licensed premises ought to be protected.

However, I cannot accept that it is right to ban people from buying alcohol from supermarkets on a Sunday when at the same time, on the same day of the week, we let them go to the pub and drink as much as they want or buy alcohol to take home. That cannot be right; it is inconsistent. I accept that there is a problem. Let us deal with it through the licensing regime rather than by a blanket ban.

Mr. Macdonald: I make no apology for detaining the House—or the Government Whip who seems in a hurry to conclude the debate—for a few minutes longer, not just because of the unacceptable approach, the back-door method of tackling the policy, but because the Minister failed to address one of the key points that I tried to put to him and that was made earlier by the hon. Member for Argyll and Bute (Mrs. Michie).

We are talking about the objection to the Government's proposal. It is not simply a question of public order, or the nuisance and disturbance that having off-licences open creates in certain areas. That was discussed by many hon. Members. The Minister seemed to focus his entire reply, in an unsatisfactory way, on public order, but there is a

[Mr. Macdonald]

separate issue—the right of local communities to pursue, protect and defend a particular way of life and a particular set of values.

The Minister knows the Western Isles very well. He has a great love and affection for them. One of the things that he likes about the Western Isles is the particular way of life there. The Minister and the Government are proposing to take away from the community in the islands the right to shape, determine and maintain that way of life.

The Minister, in refusing any more interventions from me, was displaying a bit of a guilty conscience. He is familiar with the area. It is not just a question of freedom of choice for individuals, which is an important value, but the freedom of choice for communities. Communities should be able to pursue a culture and set of values that suit and benefit them and are attractive for others to observe and even visit. The Minister referred to the measure's value for tourism, but many tourists come to the Western Isles for the way of life there, especially the observance of the Sabbath, which is one of the major linchpins and attractions of the community in the islands.

Although the measure may not result in off-licences opening in the Western Isles, the community will no longer have a defence against that happening. How can the Minister think that it is right, in communities like those in Lewis, Stornoway or Harris, for one individual to go against the wishes of the community? It is not a question of that individual going his own way without affecting the rest of the community as others do not have to open or man the shop or buy goods there. If a shop is open and being utilised, it immediately affects the surrounding community, and the way of life is irretrievably lost.

The Minister knows the great effort that the community in the islands has made in recent years to preserve its way of life. He is also responsible for transport issues in Scotland and will know the uproar that was created when Caledonian MacBrayne proposed sailing a ferry service into Tarbert on Sundays. The outrage went extremely deep and, ultimately, Caledonian MacBrayne had to back off from its proposal. The Minister appreciates that aspect of life in the Western Isles, so why cannot he acknowledge that local communities, through their licensing board as has been suggested, should be able to exercise that key, vital say?

It is no good the Minister referring to committees and saying that that is the position with which they came up and it should be standardised throughout Scotland. I am asking for the Minister's personal view of the matter. In his heart of hearts, he cannot oppose the suggestion in the amendment that was unfortunately not selected, but that is still open for the Government to pursue later in another place.

I appeal to the Minister to think of the community that he loves to visit and consider whether it is right for it to retain that essential democratic ability to preserve its unique way of life.

Mr. Wilson: I shall be extremely brief—in case the pubs shut.

I congratulate the hon. Member for Ayr (Mr. Gallie) on introducing the amendment. This robust debate has crossed party lines. We have had serious and well-argued disagreement about the amendment within the ranks of three of the Scottish parties. It is a tribute to the Labour, Conservative and Liberal Democrat parties that they have bothered to participate. There is one notable omission from the ranks on an issue that affects the lives of every Scottish citizen, for better or worse.

The fact that we are able to have this debate and, hopefully, a free vote on the matter is healthy, and I hope that the outcome is the one that I favour. The important point is that the debate has crossed party lines because every hon. Member who has participated has different experiences to reflect.

I was involved over many months with the Committee that considered the Law Reform (Miscellaneous Provisions) Bill, in which the matter was brought forward by the Government. Again, the divisions in that Bill crossed party lines. On that occasion the Government were obliged to back off because of a consensus in the Committee against the opening of off-sales premises on Sundays. The arguments that we have heard tonight were very much in the same vein.

The charge that must be levelled against the Minister is that four years have passed since that Committee sat. I remember it well because it was during the time of the previous world cup. Four years ago, we had exactly the same debate, argument and dichotomy. We are talking not about one subject—whether all licensed premises in Scotland should be able to open on a Sunday—but the fact that there is a whole range of different types of premises to which different arguments apply.

Of course it is sensible that, if one goes into a supermarket that is legally open on a Sunday, one should be able to buy a bottle of wine, or whatever. Of course it is sensible, as the hon. Member for Tayside, North (Mr. Walker) says, that if one is visiting a distillery on a tourist bus, one should be able to buy the miniatures from that distillery. But, as was argued by my hon. Friends the Members for Glasgow, Springburn (Mr. Martin), for Glasgow, Hillhead (Mr. Galloway) and for Strathkelvin and Bearsden (Mr. Galbraith), and by the hon. Member for Ayr, there is a totally qualitatively different kind of problem in many areas of Scotland.

The fact is that, on other issues that we debate, behind the facade of reasonableness of the case, other people are waiting to take advantage of something that is not at all reasonable—in areas where the facility is not wanted, the opening of off-licences from morning to night, which will be imposed on them for seven days of the week instead of six.

The charge that must be levelled against the Government is that, in four years, they have done nothing to separate those arguments and come up with something that would be acceptable to everybody in the House, and in which some discretion was permitted or in which the difference in the arguments was recognised by the legislation. All that has happened is that, four years later, through a back door, the same blanket proposal comes forward, and we are having the same arguments again tonight. Because of that, I will vote against the amendment.

Of course, if the legislation took account of the light and shade of the argument and the different circumstances that prevail, I would want there to be some Sunday off-sales in Scotland. But instead of that, the Government are trying to get through, on the basis of a reasonable approach, the unreasonable proposition that every off-sales premises in Scotland should be open. The Government have not taken account of any popular feeling. They have not taken account of the different arguments.

The arguments that the Minister adduced are perfectly good in some respects, but, as he knows—or certainly should know—they are not in others. I very much hope that the Government will learn this lesson tonight: for heaven's sake, take account of what people think. Go out and listen to the constituents who do not want this sort of thing on their doorstep seven days a week. Listen to people who want the facility, such as supermarkets, and then try to draw up some reasonably sensitive legislation that takes account of both points of view. They have failed to do so, so the amendment tabled by the hon. Member for Ayr deserves to be carried tonight.

Mr. John Home Robertson (East Lothian): This subject revives happy memories of our late colleague, Gregor MacKenzie, the former right hon. Member for Glasgow, Rutherglen, who, I recall, enjoyed inviting his colleagues to join him in the Smoking Room from time to time for a small Christian refreshment. I certainly enjoy the produce of Belhaven brewery, or Glenkinchie distillery in East Lothian, in my home, on a Sunday from time to time, but find myself rather uncomfortably in the middle of the argument this evening.

I accept the case for relaxing absurd regulations, and would be quite happy for local licensing boards to be able to allow appropriate businesses and premises to sell alcoholic drinks on a Sunday, but I am very worried about the prospect of passing a law that would require all off-licences to be allowed to open seven days a week. I think that there is a middle way. I agree with my hon. Friends the Members for Glasgow, Springburn (Mr. Martin) and for Glasgow, Hillhead (Mr. Galloway) that allowing all off-licences to sell alcoholic drinks seven days a week could cause a serious problem in many neighbourhoods: it could constitute a diabolical imposition on residents.

12.15 am

I think that local licensing boards should be allowed discretion. The point has been raised by my hon. Friend the Member for Western Isles (Mr. Macdonald), the hon. and learned Member for Fife, North-East (Mr. Campbell) and others. It is a pity that we are not able to consider amendment No 103, tabled by the hon. Member for Orkney and Shetland (Mr. Wallace), and I am still concerned about the prospect of the legislation being passed as it stands without such a safeguard; but it would be possible for the Government to bring the idea back in the House of Lords.

If the Minister is prepared to give an undertaking to enable local licensing boards to be given discretion by means of amendments tabled in the House of Lords, I shall be happy to leave the legislation in its present form, but in the absence of such an undertaking I feel that we have no choice but to accept the amendment; otherwise we shall end up with some very bad legislation for Scotland.

Mr. Menzies Campbell: To some extent, I have been stung into joining the debate by what I must describe as the Minister's rather inadequate response to a debate that has clearly demonstrated the considerable and legitimate anxiety felt by many people with direct experience of the consequences of the substantial change in the licensing law effected by the Licensing (Scotland) Act 1976.

To those who have argued that it is time for another review of Scottish licensing law, I can only say that I consider their argument well founded: it is more than 20 years since the Clayson committee reported, and at least 16 years since the first legislative implementation of its recommendations. Anyone with any knowledge of the way in which the licensing trade has developed in Scotland will probably appreciate that there have been substantial changes, far beyond any of those contemplated by Dr. Clayson.

One of the significant recommendations of the Clayson report which has not been acted on was that the radical solutions that it proposed should be subject to constant monitoring to ensure that the consequences of enshrining them in legislation were properly understood and evaluated. In view of that, I feel that the case for a further review is overwhelming.

Some hon. Members have drawn attention to an anomaly: it is possible to go into a public house and buy off-sales liquor, but not to go into the off-sales outlet or licensed grocer next door and perform the same transaction. That anomaly was created when we allowed public houses to sell by way of off sales on Sundays. When the issue was under discussion in 1990, while we were debating the Law Reform (Miscellaneous Provisions) (Scotland) Bill, a number of people expressed considerable reservations about the piecemeal way in which the Government were proceeding, and emphasised the obvious fact that an anomaly was being created. We are now being asked not to remedy the original anomaly but to compound it. The Government have presented the House with an ill-thought-out piece of legislation that does not take proper account of its consequences.

One of the most notable features of the debate has been the anxiety of individual hon. Members to argue that, given the circumstances of the communities that they represent, a blanket permission for all off-sales premises to open is inadequate. One could not but be impressed by the case advanced by the hon. Member for Western Isles (Mr. Macdonald). It is not simply that the Western Isles are different from Hillhead, north-east Fife or Dundee; the point is that there may be significant differences even within those communities. One has only to consider the constituency of Glasgow, Hillhead to realise that even within one area there are circumstances in which the opening of an off-sales premises on a Sunday might be entirely legitimate while in other circumstances it is likely to produce the adverse social effects to which the hon. Member for Glasgow, Hillhead (Mr. Galloway) referred.

The Government are failing to allow local licensing boards the opportunity to discriminate. However, they of course already allow them to discriminate in relation to the regular extension of permitted hours. When a licensing board determines permitted hours, it does not do so on a blanket basis throughout the area under its jurisdiction. Each outlet has to argue for the extension of permitted hours that it seeks, so that there already exists a substantial discretion in that regard.

There is no evidence to suggest that, having been invested with that discretion, licensing boards have exercised it unreasonably. Indeed, all the evidence points to the fact that they have been entirely conscientious and reasonable in the exercise of a substantial discretion. If the Government are prepared to trust licensing boards on the regular extension of permitted hours—sometimes extensions are sought until 4 am—why are they not prepared to invest the same trust in the same democratically elected people to determine whether, in their jurisdiction, a particular off-sales outlet should be entitled to open on a Sunday?

[Mr. Menzies Campbell]

I fear that the Minister gave no answer to that fundamental question, and for that reason, in addition to many others advanced in the debate, I am minded to support the amendment.

Question put, That the amendment be made:—

The House divided: Ayes 55, Noes 108.

Division No. 236] **[12.21 am**

AYES

Alison, Rt Hon Michael *(Selby)*
Amess, David
Banks, Tony *(Newham NW)*
Barnes, Harry
Bates, Michael
Beggs, Roy
Beith, Rt Hon A. J.
Booth, Hartley
Bray, Dr Jeremy
Brazier, Julian
Campbell, Menzies *(Fife NE)*
Cohen, Harry
Coombs, Simon *(Swindon)*
Cunningham, Jim *(Covy SE)*
Dalyell, Tam
Davies, Quentin *(Stamford)*
Davis, Terry *(B'ham, H'dge Hl)*
Dixon, Don
Eastham, Ken
Ellelson, Harold
Etherington, Bill
Evans, Roger *(Monmouth)*
Foster, Rt Hon Derek
Galbraith, Sam
Galloway, George
Godman, Dr Norman A.
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Home Robertson, John
Kennedy, Charles *(Ross,C&S)*
Kilfoyle, Peter
Kirkhope, Timothy
Kirkwood, Archy
Lewis, Terry
Llwyd, Elfyn
McAvoy, Thomas
Macdonald, Calum
McFall, John
McLeish, Henry
McMaster, Gordon
Martin, Michael J. *(Springburn)*
Michael, Alun
Michie, Mrs Ray *(Argyll Bute)*
Morley, Elliot
Neubert, Sir Michael
Powell, Ray *(Ogmore)*
Randel, David
Robertson, George *(Hamilton)*
Ross, William *(E Londonderry)*
Salmond, Alex
Skinner, Dennis
Spellar, John
Spink, Dr Robert
Wallace, James
Wilson, Brian
Wray, Jimmy

Tellers for the Ayes:
Mr. Phil Gallie and
Mr. Jonathan Evans.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Batiste, Spencer
Betts, Clive
Biffen, Rt Hon John
Blackburn, Dr John G.
Boswell, Tim
Brandreth, Gyles
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Callaghan, Jim
Canavan, Dennis
Chapman, Sydney
Chisholm, Malcolm
Clifton-Brown, Geoffrey
Coe, Sebastian
Connarty, Michael
Conway, Derek
Cook, Robin *(Livingston)*
Darling, Alistair
Day, Stephen
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel *(Ribble Valley)*
Fatchett, Derek
Fox, Dr Liam *(Woodspring)*
Gale, Roger
Gardiner, Sir George
Goodson-Wickes, Dr Charles
Gorst, John
Greenway, Harry *(Ealing N)*
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hawkins, Nick
Heald, Oliver
Hill, Keith *(Streatham)*
Hughes, Robert *(Aberdeen N)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Illsley, Eric
Ingram, Adam
Jenkin, Bernard
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
McAllion, John
MacGregor, Rt Hon John
McKelvey, William
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Monro, Sir Hector
Moonie, Dr Lewis
Nelson, Anthony
Newton, Rt Hon Tony
O'Neill, Martin
Patnick, Irvine
Pickles, Eric
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Rathbone, Tim
Richards, Rod
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Ross, Ernie *(Dundee W)*
Ryder, Rt Hon Richard
Scott, Rt Hon Nicholas
Shephard, Colin *(Hereford)*
Sims, Roger
Spencer, Sir Derek
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Strang, Dr. Gavin
Sykes, John
Taylor, Ian *(Esher)*
Thomason, Roy
Thurnham, Peter
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wood, Timothy
Worthington, Tony
Yeo, Tim

Tellers for the Noes:
Mr. Bill Walker and
Mr. John Maxton.

Question accordingly negatived.

Further consideration adjourned.—*[Mr. Nicholas Baker.]*

Bill, as amended (in the Standing Committee), to be further considered this day.

LOCAL GOVERNMENT FINANCE

Ordered,

That the provisions of paragraph (2) of Standing Order No. 84 (Constitution of standing committees), paragraph (1) of Standing Order No. 86 (Nomination of standing committees) and Standing Order No. 101 (Standing Committees on Statutory Instruments, &c.) shall apply to the Special Grant Report (Metropolitan Railway Grant) (House of Commons Paper No. 370) as if it were a statutory instrument; and that the said Report be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Nicholas Baker.]*

Boxing (Brain Injuries)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

12.33 am

Mr. Jim Callaghan (Heywood and Middleton): As a young sports teacher, many years ago, I had serious doubts about the merits of boxing. As a result of those doubts I refused to organise boxing activities in the school. I have never regretted that decision.

I well remember, too, the answer given to me by the son of a former world champion when I asked him whether he would follow in the footsteps of his father and go into boxing. He replied, "Have you seen my father recently?" I had to admit that I had. That boy took up football and became a good soccer player.

Only when my attention was drawn to the present plight of Muhammad Ali was I totally converted with regard to the terrible hazards and tragedies connected with professional boxing. Muhammad Ali was known as "The Greatest"; in my view he is the greatest advertisement for the necessity to investigate the safety of boxing. One look at his condition is enough to register the insidious effect of a life spent absorbing blows to the head. His legs are leaden and his hands tremble. It is said that he has Parkinson's syndrome and that his condition is not due to boxing. However, I have video tapes of his later fights, which would suggest otherwise and that he took one punch too many. A former boxing fan said of him:

"I stood talking to Ali, embarrassed by his inarticulateness and deeply ashamed, as it was not his own superb body that had done this terrible thing. I had done it, too, as part of the crowd urging him on, applauding the blood.

I have not watched a boxing match since."

Subsequently, because of the impact that that left on me, on 25 September 1991 I asked the then Minister for Sport for his views and the intentions of his Department regarding professional boxing, given the then medical condition of a professional boxer, Mike Watson, following a contest between him and Chris Eubank. The Minister replied on 30 October 1991 and I shall paraphrase his answer. He said that the Government did not control boxing or any other sport in the country and, in the case cited, the responsibility lay with the British Boxing Board of Control. He went on to say that injuries occur in many sports where physical exertion is excessive, that what is paramount is that the risk is controllable and containable and that the medical safeguards in British boxing are among the most rigorous in the world.

He therefore did not believe that there was sufficient evidence to justify the initiation of an inquiry into the future of amateur or professional boxing. Nevertheless, he said that he took a serious view of what had happened and that he had asked the BBBC to provide him with a full account of the events and its conclusions about what action, if any, it regarded as necessary, including the need for a BBBC inquiry.

The Minister said that he would study what the board had to say very carefully and would encourage it to listen to practical suggestions from other experts as to how safety standards may be improved. He said that I might have known that, on 16 October, he chaired a meeting with the BBBC and a number of eminent medical specialists to discuss safety in boxing.

On 23 June 1993, I asked the Secretary of State for National Heritage if he had received a copy of the British Medical Association's report into the risks associated with boxing and if he intended to set up an independent inquiry into those risks. He replied that his Department had obtained a copy of the report on its publication, but did not believe that the risks associated with boxing were sufficient to justify an inquiry. I have also asked the Prime Minister, at Prime Minister's Question Time, if he and his Government intended to ban boxing. The Prime Minister replied that they had no intention to ban boxing.

Last year and earlier this year, I tried to obtain a debate on the subject, but without any success. Tonight, I have been successful. I mention that because it may be thought that I called for the debate because of the recent death of another boxer. That is not so, as I have been trying for some time.

There have been several deaths in boxing over the years. They include those of Steve Watt, Johnny Owen and the Nigerian Young Ali. The most recent death in boxing in Britain occurred when Bradley Stone, aged 23, died after being stopped in the 10th round. It was Bradley Stone's second stoppage in the space of only 53 days. Where are the controls? In the past month, Michael Bentt has collapsed after losing his World Boxing Organisation crown. The grim toll of death and injury in boxing make it unworthy of being called a sport.

The British Medical Association has revealed that, since 1984, eight boxers have died and six have survived only after surgery, three with long-term brain damage, and that since 1945, 361 deaths have been recorded worldwide. As a result, professional boxing has been banned in Sweden, Ireland and Norway. The BMA wants it banned in this country and because of its medical research into boxing injuries, it has become a leading authority on the hazards of boxing. In 1982, a resolution was passed at the annual representatives meeting, which stated:

"That in view of the proven ocular and brain damage resulting from professional boxing, the Association should campaign for its abolition."

In response to the resolution, the board of science and education of the BMA set up a working party to review the evidence on brain and eye damage as a result of boxing injuries and to publish a report of its findings. In the final report published in 1984, it was concluded that damage occurred to the eye and the brain in both amateur and professional boxers. The report attracted strong opposition to a total ban from a number of sources, including the British Boxing Board of Control, the Amateur Boxing Association and the National Association of Boys' Clubs.

A further resolution was passed at the 1987 meeting. It stated:

"In view of the continuing serious ill effects on the health of boxers, this meeting requests the BMA to pursue the Government with renewed vigour until there is a ban on boxing and, until such time as this is achieved, believes that the TV coverage should include a statement of the damage which may result from boxing."

Since then, the BMA and individual members have continued to promulgate the evidence of harm caused by boxing. In 1992, the BMA set up a boxing steering group to review evidence on boxing published since 1984 and to make use of recent advances in methods of early detection of brain damage from head injuries. It again called for a total ban on all boxing.

In June 1993, the BMA produced a book called "The Boxing Debate", which I recommend anyone to read. It reviewed the existing evidence relating to boxing. The book analyses the mechanisms by which injury occurs to

[Mr. Jim Callaghan]

the brain and the eye in boxing. It states that, during the course of a boxing match, the contestants receive a variable number of blows to the upper torso, arms and head, and that the blows land with widely different degrees of force. The heaviest blows may be as much as half a tonne, which is like being hit by a 12 lb padded wooden mallet travelling at 20 mph.

In the case of such a blow hitting the head, the greatest amount of force of the blow is transmitted directly to the skull and its contents—the brain. Although training, skill and experience may enable the boxer to reduce the force —known as riding the punch—and may reduce the damage to the brain, cumulatively the punches can damage the brain and eyes. The structure within the skull also contributes to brain damage. The inner surface of the skull of a young adult male is not smooth; it has sharp projections. It is the tearing of the thin superficial veins and the surface damage to the brain as it collides with the skull and its sharp inward projections which give rise to acute subdural haematoma, which is responsible for the serious cerebral compression and death that occasionally follows a boxing match.

The report says that there are two main ways in which boxing may lead to structural damage to the brain. The first type of damage occurs as an acute episode in which one or more severe blows during a single fight lead to a loss of consciousness and occasionally to death. Death in the ring or in the days or weeks following the contest is usually attributable to acute haemorrhage. The second kind of damage tends to develop over a much longer period and is cumulative. It is associated with chronic neurological disorders, which are often seen in boxers.

Damage to the eye and brain occurs in both amateur and professional boxers, although it is doubtful whether participants or others involved in the sport fully appreciate the risks, especially the danger of delayed, cumulative brain damage. Neurological examination, using all the techniques available, may lead to the recognition of progressive brain damage and a recommendation that a boxer should retire from boxing, thus avoiding further damage. However, damage can be detected only after it has occurred; by then, it may be too late.

The approach to professional boxing is somewhat different from that to amateur boxing. The big business aspects of professional boxing are obviously tempting to a young man and the prospect of financial gain may cause him to ignore the risk to his health. While the dangers in amateur boxing are known, in 1987, the secretary of the International Olympic Committee, Juan Antonio Samaranch, stated his belief that boxing should be removed from the Olympic games within the next 20 years. The BMA is on record as having said that it is grateful for the co-operation that it received from many experts and associations, particularly the Amateur Boxing Association. However, it said that it was disappointed at the lack of co-operation received from the BBBC and regretted the refusal of the BBBC to provide information, or even send representatives to its working party. That is to be regretted.

Hence, the BMA has said that there is no evidence to suggest that boxing is any safer now than when it began to campaign many years ago, and has called again for the banning of boxing. I agree with the BMA and support its call. However, I have no doubt that the Minister will once again refuse that call.

We have reached an impasse, with the BMA on one side of the argument, the BBBC on the other side and the Minister in the middle. To make progress, I shall make several suggestions to the Minister.

If he will not ban boxing or conduct an inquiry into the dangers associated with the sport, will he ask all officials in all sports to take a leaf out of the actions taken by the Rugby Football Union? For some time, the Rugby Football Union has asked all affiliated clubs and schools to complete forms each year to help to collect data relating to RFU injuries and to send them to the RFU sports injuries administrator. It is an essential exercise which provides data on which to monitor and maintain acceptable safety standards. Information is required solely on those players who, through an injury that occurred in practice or a match, were incapacitated to the degree that their injury prevented them from playing for a minimum period of 21 days.

As a result, the RFU has built up a series of statistics for successive seasons and is now in a position to compare trends. For example, in the first year of its injuries working party, it was found that there was a high incidence of neck injury which caused much concern. The changes in the interpretation of the laws for under 19-year-old players, which were altered for the 1983-84 season, made a great difference. When the changes were studied by the international board, major alterations were made in the laws of the game and the incidence of neck injury fell significantly. The RFU is now looking elsewhere to reduce injury in its game.

In the light of that, could not the Minister ask all other sporting bodies to do the same, and so provide their governing bodies with accurate statistics which could be forwarded to the Minister's Department, thus enabling him to obtain accurate information and statistics which may help to lessen the hazards in all sports, including boxing? Will the Minister bring both sides together and chair a joint meeting with the BBBC, the ABA and the BMA to discuss ways forward and the collection of information and statistics over a period? That would be a move in the right direction and would break the impasse.

In the meantime, as a matter of urgency, could not the Minister suggest that measures be taken to make boxing safer by changing the rules so that points are awarded only for hitting the torso and eliminate blows to the head? There are such rules relating to hitting below the belt.

I also suggest that, as the damage suffered by boxers can be reduced dramatically if they are given enough oxygen and taken immediately to an appropriate hospital, specially qualified doctors skilled in the art of resuscitation should be at the ringside. While resuscitation should take place at the ringside and an ambulance should be on call, it is a sad fact that only 40 of Britain's 760 hospitals have neurosurgical units. The implication of this deficiency is all too obvious. Had such facilities been available to Michael Watson, the result might have been different. Again, boxers should be required to stay within range of the medical facilities for at least an hour after their bout.

As injuries can happen in a gym, regulations and resources are required to tackle those areas, too. Weigh-ins take place 24 hours before a fight and many boxers dehydrate to lose the last few pounds, which has a debilitating effect on the brain. The weigh-in should take place much earlier. Referees are also under instruction to

stop a fight when one man is unable to defend himself. Such action often comes too late and the instruction should be strengthened. Reforms in boxing are certainly needed before further calamities occur.

As one famous boxer said recently,

"Boxing damages your brain. Don't let anybody tell you different!"

I await the Minister's reply.

12.50 am

The Parliamentary Under-Secretary of State for National Heritage (Mr. Iain Sproat): I congratulate the hon. Member for Heywood and Middleton (Mr. Callaghan) on his good fortune in securing the debate at this late hour. I shall begin by giving him an assurance that I shall certainly study carefully the helpful points he made in a thoughtful speech. In particular, I will draw the attention of the BBBC to what he has said and I will gladly have a look at the system which the RFU has put into practice. I thank him for his helpful speech on a subject on which it is difficult to say something new.

While the Government share his concern about the safety of boxers, we do not believe that the sport should be banned. First, I would like to say that British boxing suffered a tragic loss two weeks ago with the death of the super-bantamweight Bradley Stone, following his British title contest. I am sure that all hon. Members will join me in offering sincere condolences to his family.

The hon. Gentleman will appreciate that I do not yet have the full information on this incident, and I am therefore unable to comment substantively on the case. However, the general secretary of the BBBC has advised me that all the medical requirements appear to have been in place for the contest. The board is conducting an inquiry into the incident and has agreed to forward a report to me as soon as it becomes available.

Boxing is an established and properly regulated sport in this country at both amateur and professional level, and it has a wide following among the general public. It stretches back over hundreds of years and is now a major part of our country's sporting heritage. Some hon. Members may recall a most stimulating debate on boxing in another place on 4 December 1991 when the noble Lord Taylor of Gryfe called for a ban on professional boxing.

The Government's view on boxing remains as it was then. We believe strongly that in a free society, which this country thankfully enjoys, individuals should have the freedom to participate in a sport of their choice, so long as it is within the law and they are fully aware of the risks involved. What is paramount is that the element of risk attached to boxing is controllable and that the proper medical safeguards are in place. BBBC medical safeguards are among the most rigorous in the world and are constantly under review.

Hon. Members with any knowledge of boxing will be aware that, following meetings in late 1991 between my hon. Friend the Member for South Ribble (Mr. Atkins) —then the Minister for sport—the BBBC and a number of medical specialists, the BBBC not only strengthened its medical safeguards but converted them into firm regulations. I am well aware of the British Medical Association's report "The Boxing Debate" published in June 1993 reinforcing its call for a ban on boxing, and I met representatives from the BBBC in January to discuss its response to the BMA's report.

I know that the BBBC is already reviewing its research on methods of continual assessment of brain functions to detect possible chronic deterioration that may occur during a boxer's career. It is also considering the extension of a pilot scheme currently operating in Wales which is aimed at minimising acute brain injury by the compulsory attendance of an anaesthetist with the necessary equipment at the ringside. In addition, it has issued a special checklist of ocular pathology to improve an eye test for boxers.

Nevertheless, where safety is concerned, there is never any room for complacency. I am pleased to tell the House that the BBBC will shortly hold a meeting, at which—

Mr. Tom Pendry (Stalybridge and Hyde): Perhaps I can help the Minister and the House by saying that the meeting to which the Minister refers is to take place on the 24th of this month. I have helped to arrange the meeting. My hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith), who as the House knows is an eminent neurologist, and two other brain surgeons—Dr. Sutcliffe, who was the surgeon in the case of the boxer who was referred, and Peter Hamlyn—have accepted invitations to meet the medical officer of the British Boxing Board of Control and his team. They are determined to see whether there are ways in which they can make the sport safer.

Mr. Sproat: I thank the hon. Gentleman for that helpful intervention. I am glad to pay tribute to the valuable contribution that he has made not only to that meeting but to other aspects of boxing. As he said, the meeting will be attended by senior members of the BBBC's medical panel, including leading neurologists and neurosurgeons. He mentioned Mr. John Sutcliffe and Mr. Peter Hamlyn. Other independent experts and outsiders will also attend. I am glad that the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) is in his place.

I understand that the meeting will not only look at ways in which the unfortunate incident involving Bradley Stone might have been avoided but will examine what further medical and safety measures can practicably be introduced to protect the health of boxers. Some of the issues that they will consider include ways of monitoring the weight of boxers for at least one week prior to a contest and observation periods after contests.

However, there is absolutely no case for singling out boxing for a ban. To ban boxing would drive the sport underground, and remove boxers from the very safeguards which now protect them. Furthermore, even if boxing were banned in this country, boxers could still compete overseas where the medical safeguards may not be so stringent.

Let me first deal with the question of fatalities. Figures provided by coroners to the Office of Population Censuses and Surveys show that, from 1986 to 1992, there have been three deaths in England and Wales from boxing. Tragically, Mr. Stone has added to those statistics. In the same period, however, there have been 77 deaths in motor sports, 69 deaths in air sports, 54 deaths in mountaineering, 40 deaths in ball games and 28 deaths in horse riding.

I am also pleased to say that the statistics for injuries sustained from boxing show that some views expressed recently following the death of Mr. Stone are grossly exaggerated. For example, the Sports Council conducted an analysis into sports accidents based on the general household surveys of 1987, 1988 and 1989. A standardised "risk factor" for each sport was calculated by representing the number of sports accidents as a factor of the number of

[Mr. Sproat]

occasions in which individuals participated in each sport. Sports were then placed in one of four categories, ranging from high to negligible risk. Hon. Members may be interested and may be surprised to know that boxing was placed in the negligible risk category along with golf and snooker.

The Government have no hesitation, however, in accepting that, sadly, there are instances in which long-term medical problems can be attributable to boxing. But boxing is not unique in this respect. The simple fact is that there is a risk attached to any physically challenging activity, and to remove the risk would, for the most part, remove the challenge itself. Only last week, we sadly witnessed the tragic death of the jockey, Steve Wood, at Lingfield. The previous weekend, we were cruelly and vividly reminded of the risks involved in another challenging sport following the tragic deaths of Ayrton Senna and Roland Ratzenberger on the Imola track in San Marino.

Nevertheless, as I have said, no one can afford to be complacent about the issue of boxing safety. The Government believe strongly that the utmost attention must be paid to safety not just in boxing but in all sports where risk is a factor.

Mr. Sam Galbraith (Strathkelvin and Bearsden): May I explain to the Minister that the argument that he is making on risk is not quite correct? Boxing is not associated with a risk of brain damage. It is associated with a certainty of brain damage. It might be true that there is no certainty of death and that the risk of death is small, but there is an absolute certainty of brain damage. Every time a boxer is hit, the brain is damaged. That is cumulative. What is worrying is that the cumulative effects are now thought to be progressive.

Mr. Sproat: That is one view. Of course, it is not a view that is universally held.

Mr. Galbraith *rose—*

Mr. Sproat: I have only a few minutes left.

I believe that both the BBBC, which is the governing body for professional boxing, and the Amateur Boxing Association, which controls amateur boxing in Britain, are acutely aware of their respective responsibilities in protecting the health of boxers. They recognise that, like any physical contact sport, boxing has an element of risk attached to it. What is paramount is that the element of risk should be controllable and containable.

Medical safeguards are already in place to protect the health and safety of boxers before, during and after contests and to monitor boxers for long-term medical problems. These include full medical examinations, with a detailed list of conditions that would preclude a boxer from holding a licence; CT scans; specialists' examinations; and automatic 28-day suspension for boxers losing inside the scheduled distance, with further medical examinations before they may re-enter the ring.

These standards underline the importance that the boxing authorities attach to medical issues. None the less, it is vital that the standards, however stringent, be kept under constant review, as there is always room for further improvement. As I said earlier, I shall remain in close contact with the BBBC, and I look forward to receiving a report following that body's deliberations on 24 May.

Some hon. Members, in the past, have claimed that boxing is repugnant and morally wrong, in that the sport deliberately encourages individuals to inflict injury on each other. This is a matter of judgment. However, I should like to make a couple of points very clear. Boxers in this country compete within the strictest of medical safeguards and regulations imposed by reputable governing bodies, and they do so under their own free will and within a sporting code that emphasises skill rather than aggression.

In conclusion, I hope that I have made it clear that, while the Government are not complacent about safety issues in boxing, we believe that it would be a gross infringement of civil liberties to prevent individuals from participating in a properly constituted sport of their choice. I hope that I have also shown that there is clear evidence that the boxing authorities in this country are determined to continue to make the sport as safe as possible.

Question put and agreed to.

Adjourned accordingly at One o'clock.

House of Commons

Wednesday 11 May 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

GREATER MANCHESTER (LIGHT RAPID TRANSIT SYSTEM) BILL [*Lords*].

Considered; Bill, as amended, to be read the Third time.

COMMONS REGISTRATION (EAST SUSSEX) BILL [*Lords*].

Read a Second time, and committed.

CHURCH OF SCOTLAND (PROPERTIES AND INVESTMENTS) ORDER CONFIRMATION BILL.

Read the Third time, and passed.

Oral Answers to Questions

TRADE AND INDUSTRY

Subsidence (Insurance)

1. **Mr. Illsley:** To ask the President of the Board of Trade what representations he has received from British Coal regarding the refusal of insurance companies to insure properties previously affected by coal mining subsidence.

The Minister for Energy (Mr. Tim Eggar): British Coal has confirmed that from time to time it has been approached by individuals saying that they are unable to get insurance because their property has suffered subsidence damage. In such cases, British Coal has, in general, offered to contact the insurance company to spell out the extent of its remedial obligations in respect of any subsidence damage arising from coal mining.

Mr. Illsley: I thank the Minister for that reply. He and I debated the matter on the Adjournment recently, but since that time I have been made aware of two further cases in which insurance cover has been refused—one in respect of subsidence damage that occurred 30 years ago and the other where the damage needed repairing by means of decoration only. Will he maintain pressure on the insurance companies, through the Association of British Insurers, to ensure that they are aware that such properties are usually sound properties and a good insurable risk?

Mr. Eggar: I will certainly undertake to continue to do that. Of, course, as we know, almost all those properties are in any case covered by the Coal Mining Subsidence Act 1991.

Mr. David Shaw: Is my hon. Friend aware that I recently had a constituency case in which insurance was not so much refused as charged at a much higher rate than it otherwise should have been? In normal circumstances, my constituent would have been able to get a much reduced rate. Is my hon. Friend further aware that there is therefore considerable concern that the coal mines in my constituency, which have been there for some years, have caused a problem in that regard?

Mr. Eggar: I understand the problem, and I think it fair to say that, when examined in detail, most cases arise from a misunderstanding by the insurance companies of the provisions of the 1991 Act. If my hon. Friend lets me have details, I will see what I can do to pursue the case.

Mr. Nigel Griffiths: But why is not the Minister getting tough on insurance companies that run seminars about exploiting the loopholes and avoid meeting the legitimate claims of customers?

Mr. Eggar: The hon. Gentleman loves going for the cheap headline. He would have done both his hon. Friend the Member for Barnsley, Central (Mr. Illsley) and me a bit more courtesy if he had been present to listen to the detailed Adjournment debate on the subject.

Small Businesses

2. **Mr. Streeter:** To ask the President of the Board of Trade if he will make a statement on measures he plans to assist small businesses.

The Parliamentary Under-Secretary of State for Technology (Mr. Patrick McLoughlin): The Government recognise the crucial role played by small firms in the United Kingdom economy. The Government help small firms by keeping inflation and interest rates low and by reducing legislative and administrative burdens. They also provide direct assistance where appropriate and are currently establishing a network of Business Links to provide high-quality business support across the country.

Mr. Streeter: I thank my hon. Friend for his reply. Is he aware that many businesses in the west country are well served by the low interest rates, low inflation and freedom from the job-destroying social chapter that the Government have brought about? Does he agree that what many small businesses now want is the early introduction of the Deregulation and Contracting Out Bill to blast away much of the red tape that is ruining their lives? Is not it a great pity that Opposition Members continue to delay and oppose that measure?

Mr. McLoughlin: I am grateful to my hon. Friend; I entirely agree with him. The House debated the Bill yesterday, and I hope that it will complete its stages tomorrow.

Mrs. Mahon: One traditional small business is the British pub. What will the Minister do to stop what is happening to it? What will he do to stop cheap imports, investigate the leases that are doing so much damage and prevent rents from going through the roof? Pubs are an endangered species, and the Minister is responsible.

Mr. McLoughlin: In fact, the brewing industry has invested a tremendous amount in new pubs—as the hon. Lady would see if she visited a few.

Mr. Nicholas Winterton: Industry as a whole is immensely grateful to the Government for the steps that they have taken in respect of Business Links and other measures. More export credit is now available to smaller

businesses, for instance. Is my hon. Friend aware, however, of the press release issued today by the Engineering Employers Federation? He certainly should be, as one of his colleagues from the Department was present for the federation's breakfast-time briefing.

According to the federation, industry believes that moves such as a further improvement in export credit and 100 per cent. capital allowances would benefit industry immensely, giving it the fillip that it needs so desperately in order to contribute further to the improvement of the British economy.

Mr. McLoughlin: I am grateful to my hon. Friend for what he said about Business Links. He has been fortunate, in that one of the first Business Links in the country serves his own constituency. I am glad that he recognises the important role that such links will play in providing for the competitiveness of the United Kingdom. It is, I think, no secret that my right hon. Friend the President of the Board of Trade intends to publish a White Paper on competitiveness in the near future.

Mr. Fatchett: The Forum of Private Business estimates that small firms are owed £50,000 million in late payments, and every survey of small firms suggests that late payment is their key problem. When will the Government act, and introduce a statutory right to interest on late payment? Why is theirs the only major political party that does not support such a measure? Is it simply because they are so in hock to large companies and other contributors to their funds that they cannot help small business?

Mr. McLoughlin: That is absolute rubbish. We issued a consultation paper last November; the hon. Gentleman just needs to wait a little while.

Mr. Butcher: Does my hon. Friend agree that, in so far as small manufacturing businesses are capital intensive —in contrast to small service industries—the abolition of capital gains tax would have a particularly beneficial effect on the unquoted manufacturing sector? As a Minister in the sponsoring Department, and as one who cares passionately about these matters, will my hon. Friend ask the Department's economists to investigate? There is now a growing suspicion that the abolition of capital gains tax could provide the biggest job creation programme that the country has seen in 20 years.

Mr. McLoughlin: I am grateful to my hon. Friend. I am always willing to consider the points that he makes, but he will appreciate that his question is a matter for my right hon. and learned Friend the Chancellor of the Exchequer. It will probably be one of the first of many Budget submissions to my right hon. and learned Friend.

Gas Industry

4. **Mr. Tony Lloyd:** To ask the President of the Board of Trade when he last met the Director General of Ofgas to discuss consumer protection.

Mr. Eggar: On Monday.

Mr. Lloyd: Has the Minister had an opportunity to discuss with Ofgas the British Gas meter replacement programme, about which I have asked him before? Specifically, will he confirm that Ofgas has now agreed that British Gas can complete the programme by 1996, a year later than originally planned? Can he justify an arrangement that will mean consumers paying more for gas that they do not actually receive, and the loss of jobs in the meter manufacturing industry?

Mr. Eggar: I am aware of the hon. Gentleman's concern. I have not had a chance to discuss the matter with the director general, but, prompted by the hon. Gentleman's question, I will be sure to do so.

Mr. Dunn: Will my hon. Friend confirm that gas consumers will be protected from any real increase in gas prices, at least until 1997?

Mr. Eggar: The price cap that currently applies to British Gas—RPI minus 4—will continue to apply. My hon. Friend will have had a chance to study the consultation document, and will know of the ways in which we are trying to deal with the various transitional issues surrounding, in particular, the elderly and disabled.

Mr. O'Neill: After the general election in 1997 or 1998, will the Minister still be in a position to guarantee that there will be no losers? He will be aware that the regulator, the managing director of Alliance Gas and the director of the Gas Consumers Council have all said that there will be losers as a consequence of what was announced this week. Can the Minister guarantee that they are wrong, and that no one will have to pay higher gas prices—particularly the lower paid and disadvantaged, who, as everyone agrees, will be most vulnerable?

Mr. Eggar: I share the hon. Gentleman's certainty that I shall be on the Government Benches in 1998 and will be the Minister for Energy at that time. The Opposition are scaremongering. In 1985, during a debate on the privatisation of British Gas, the Opposition Front-Bench spokesman said:

"There is no evidence that the Bill"—

the privatisation Bill—

"will improve efficiency, provide a better service or produce cheaper gas."—[*Official Report*, 10 December 1985; Vol. 88, c.780.]

The Opposition were wrong then and they are wrong now. They were scaremongering then and they are scaremongering now. They should be more responsible.

Sir Peter Emery: It is right that the consultative document should work to help the Government to obtain greater competition in the industry, but will my hon. Friend deal with the fears that have been whipped up by the Liberal Democrats, particularly in the west country, where they are saying that the west country will have appreciably higher gas prices than the rest of the country? I should like to hear my hon. Friend's view on that.

Mr. Eggar: There is a lot of scaremongering by the Liberal Democrats as well as by the Labour party on this issue. It is true that, on certain assumptions, there may be an increase of about 17p per week for the average consumer in the far south-west as a result of transportation charges. However, competitors of British Gas believe that they will be able to reduce prices to the average gas consumer by about 70p a week. In other words, rather than being worse off, the average south-west gas consumer, will be considerably better off as a result of competition.

Post Office

5. **Ms Hoey:** To ask the President of the Board of Trade if he will give the Post Office more commercial freedom.

The President of the Board of Trade and Secretary of State for Trade and Industry (Mr. Michael Heseltine): This is one of the issues being considered in the Post Office review.

Ms Hoey: It is about time that we had the results of that review. Why is the President of the Board of Trade conducting such a vendetta against the Post Office? Why are not the Government prepared to give it the commercial freedom that would make it an even more profitable business than it already is? What does the right hon. Gentleman have to say about the recent Post Office survey in which 77 per cent. of those asked wanted to keep letters, counters and parcels together as one business and wanted that business to be given commercial freedom?

Mr. Heseltine: The hon. Lady will have read the Select Committee report, as have I, and will have welcomed the fact that it unanimously advocates change. The Government are deeply aware of the significance and importance of the Post Office and we wish to give the Select Committee report and a wide range of other representations proper consideration. As soon as we have concluded our review, we will make our results public.

Sir Donald Thompson: Is my right hon. Friend aware that the Post Office is begging for privatisation? Will he explain the advantages that privatisation would bring to small and rural post offices?

Mr. Heseltine: My hon. Friend and the House will know that 19,000 of the 20,000 post offices in this country are already in the private sector, so they have considerable opportunities to trade commercially. They are interested in acquiring further opportunities and the Government are considering that. All these matters would be better considered when the Government respond to the review that we are now conducting.

Mr. Robin Cook: Did the President of the Board of Trade see Monday's report to the effect that the chief executive of the Post Office has had talks about privatisation with Warburg in the City? As there is no Bill before the House dealing with the privatisation of the Post Office and as there has not even been a statement to the House about the Government's intentions for the Post Office, who gave the Post Office authority to have talks about privatisation? Was it the right hon. Gentleman? *[Interruption.]* The House will note the contempt in which its procedures are held by Conservative Members. As no statement has been made about the Post Office review in the two years since it was set up, will the President take some time off from his canvassing work among his Back Benchers to tell the rest of us whether the Post Office will remain where it belongs, providing a public service in the public sector?

Mr. Heseltine: There we have it—we are begged by the hon. Member for Vauxhall (Ms Hoey) to let the Post Office be more commercial and urged by a Labour-chaired Select Committee unanimous report to make it more commercial, yet the official spokesman for the Labour party will not even let the chief executive use the word. That is the best example of socialist suppression and totalitarian attitudes that I have ever heard.

Sir Anthony Grant: Did my right hon. Friend note that the all-party Select Committee report unanimously observed that if the Post Office is to meet increasing overseas competition, it is essential that it should have commercial freedom? The report left open the question whether privatisation or any other method should be used to achieve that objective.

Mr. Heseltine: My hon. Friend played a distinguished part in the Select Committees's unanimous report, which I have read and to which we shall respond. The open-minded approach of hon. Members of all political parties to that report contrasts with the clam-like attitude of the spokesman for the Opposition.

Nuclear Energy Review

6. **Mr. Rooker:** To ask the President of the Board of Trade when he expects to announce the terms of reference for the nuclear energy review.

Mr. Eggar: I shall announce the terms of reference in due course.

Mr. Rooker: When the Minister reverses the lethargy in his Department on this issue, will he be able to tell us whether the terms of the review will allow for the early closure of the out-of-date Magnox stations? As one who is not anti-nuclear in principle, may I ask whether the terms of the review rule in or rule out the construction of any new nuclear power stations?

Mr. Eggar: The review will seek to address such issues. I have taken careful note of the hon. Gentleman's stance on the matter.

Mr. King: Will my hon. Friend undertake to ensure that the nuclear power review takes full account of the remarkable improvements in performance achieved by our nuclear industry, not least the world-ranking performance of Hinkley Point advanced gas-cooled reactor?

Mr. Eggar: I agree that Nuclear Electric has improved output and reduced costs considerably in the past couple of years. A major tribute should be paid to the senior management and work force of Nuclear Electric, who are committed to making a success of nuclear power in this country.

Mr. Llew Smith: Does the Minister accept that the review was started in secrecy because of the links between the nuclear industry and the military and because of the Government's determination that the industry should be shrouded in secrecy?

Mr. Eggar: The hon. Gentleman probably asks me more questions on this issue than all the other hon. Members put together. He is presumably busy trying to prove conspiracy theories of that sort, but he is wrong.

Mr. Beith: Will the review take into account the full costs of insurance of nuclear power stations and the full costs of decommissioning? Will it ensure that those are not offset by subsidies or other devices that make it unclear whether nuclear power is viable?

Mr. Eggar: I understand the right hon. Gentleman's desire to ensure clarity in costing, which I am sure will be one of the matters with which the review will want to deal.

Dr. Michael Clark: Does my hon. Friend recall that at the beginning of last year, at the time of the coal review, he said that the nuclear review would take place in 1993? We are nearly halfway through 1994, yet we are still waiting for its terms of reference. Does he realise that the nuclear industry, its employees, plant and technology depend heavily on the review?

Mr. Eggar: I understand my hon. Friend's impatience and I assure him that I will bear those factors in mind.

Arms Sales (Indonesia)

7. **Mr. Heppell:** To ask the President of the Board of Trade what recent representations he has received regarding the sale of Hawk trainer jets to Indonesia by British Aerospace.

The Minister for Trade (Mr. Richard Needham): I have received a number of written representations from Members of Parliament and others about the sale of Hawk trainers to Indonesia.

Mr. Heppell: Does the Minister agree that, with 200,000 people reported dead in East Timor and with John Pilger reporting that Hawk jets are being used for aggression against East Timor, there is now a case for stopping any licensing of arms sales to Indonesia?

Mr. Needham: I have never seen a report from any reputable organisation which suggested a figure of 200,000. The maximum number that I saw in the United Nations report from the 1970s was some 80,000. I am not going to argue with the hon. Gentleman about the horrendous numbers of people killed in the 1970s, but if he believes that the problems of East Timor—which are, in any event, entirely different now from what they were 20 years ago—will be solved by an arms embargo, he is entirely mistaken. Furthermore, I note that as there are no aerospace companies or aerospace employees in his constituency—

Mr. Heppell: There are.

Mr. Needham: If there are, it is even worse. I note that he is only too happy to salve his conscience by putting at risk the jobs of people in the aerospace industry.

Mr. Bill Walker: Does my hon. Friend agree that the Hawk trainer is the finest of its kind anywhere in the world, which is why it was bought by the United States and many other countries? If the Hawk were denied to Indonesia, would not the Indonesians buy an inferior aircraft and would not that mean that we would be exporting jobs to whatever country supplied that inferior aircraft?

Mr. Needham: My hon. Friend is right about the Hawk, but it is not only a question of selling the Hawk to Indonesia. The points made by people such as the hon. Member for Nottingham, East (Mr. Heppell) put at risk sales of the Hawk not only to Indonesia but to other countries. I wonder whether the hon. Member for Livingston (Mr. Cook) would also be prepared to put at risk the most successful training aircraft and the jobs that go with it in this country.

Mr. Robin Cook: The Minister will appreciate the fact that this is a major humanitarian issue, whether the number of casualties was 80,000 or 200,000. He will be aware that Hawk aircraft have been observed on bombing runs in East Timor in most years since 1984. What assurances did he seek, before giving export licences, that the 24 Hawks that he approved last year would not be used in the same way? Can he guarantee that we can believe those assurances?

Mr. Needham: I do not know which Hawk aircraft the hon. Gentleman is referring to when he mentions bombing in East Timor since 1984; nor do I know where he got that information from. He will be aware—it has been stated in the House many times—that we have received specific assurances. I repeat my question: is he saying that he is not prepared to support the sale of these aircraft to Indonesia? What criteria would he use for the sale of such aeroplanes to India? He says that he wants an industrial strategy, but, at the same time, he seeks to undermine the most advanced aerospace industry in western Europe.

Mr. Sumberg: Is not it absolutely typical that the Opposition constantly ask the Government to do more for companies such as British Aerospace but still complain when they do? Is not that absolute hypocrisy and double standards?

Mr. Needham: Yes.

Shipbuilding

8. **Mr. Byers:** To ask the President of the Board of Trade what steps he is taking to assist the shipbuilding industry.

The Minister for Industry (Mr. Tim Sainsbury): We provide the industry with assistance from the shipbuilding intervention fund and the home credit guarantee scheme.

Mr. Byers: Is the Minister aware that it is exactly a year ago this week that the Swan Hunter shipyard on Tyneside went into receivership and that, since then, more than 1,300 jobs have been lost? Does he accept that, if shipbuilding is to survive on Tyneside, we need a new owner for Swan Hunter to take the yard out of receivership? Can he say today that the Government would welcome a new owner for Swan Hunter and can he give an assurance that the Government would give all possible assistance to a new owner to secure new shipbuilding orders on Tyneside, especially in the export market?

Mr. Sainsbury: I am happy to confirm something that I should have thought the hon. Gentleman would know. The Government have been seeking for the whole year to assist the receiver to obtain a buyer for the yard and we seek to assist the yard now, as we have done consistently, to obtain further export orders.

Mr. John Marshall: Does my right hon. Friend agree that the main hope for shipbuilding areas may well come from attracting new companies such as Nissan rather than propping up high-cost, inefficient industries as happened in the case of British Shipbuilders? How much Government money was poured into British Shipbuilders? Was not it a great deal more than was given to Nissan to create long-term jobs in Sunderland?

Mr. Sainsbury: I am sure that my hon. Friend knows that in public ownership British Shipbuilders was not

competitive, and absorbed a great deal of the taxpayers' money, without using it effectively. He is right to draw attention to the benefits of inward investment, which the Government have strongly encouraged, but which the Labour party has at times positively discouraged. I return to what I said earlier to the hon. Member for Wallsend (Mr. Byers): we wish to see a new owner for Swan Hunter, and we shall continue to assist the receiver to find one.

Mrs. Ewing: When considering the overall pattern of the shipbuilding industry within the United Kingdom, does the Minister attach any weight to the effect on our offshore construction yards? We should look at what is happening in Italy, with the building of the Spirit of Columbus. That is extremely important for our offshore construction yards. Is it possible for the Government to consider how we can balance the needs of the shipbuilding industry with those of the offshore oil and gas industries? That is an important question in terms of the money contributed by the Department of Trade and Industry.

Mr. Sainsbury: I assure the hon. Lady that the Minister for Energy and I keep in close contact about the possibilities of offshore construction for the oil industry, as well as for shipbuilding orders. If the hon. Lady has a specific point to make—about the Spirit of Columbus, for example—perhaps she would like to write to me about it.

Post Office

9. **Mr. Hicks:** To ask the President of the Board of Trade whether he proposes to introduce any changes in the administration and operation of the Post Office; and if he will make a statement.

Mr. Heseltine: That is being considered as part of the Post Office review.

Mr. Hicks: Does my right hon. Friend acknowledge, however, that in rural areas especially there is genuine apprehension about the possible introduction of fundamental changes that could adversely affect not only the sub-post office network but the Royal Mail delivery service, and in particular the uniform standard charge? Is not it possible for the Department to come to some agreement with the Treasury to lift the existing Treasury constraints to give the Post Office the commercial freedom that we all acknowledge that it needs as we approach the 21st century, so that we do not have to go through with the suggested fundamental reorganisation?

Mr. Heseltine: I know of my hon. Friend's concern, but he will also know of the Select Committee's unanimous report that there has to be change. However, I can assure him that the universality of delivery and the universal charge for the services of the Royal Mail are not under review. They are sacrosanct. I have made that clear before, and I have pleasure in repeating it now.

Mr. Hain: Why does not the President of the Board of Trade listen to the hon. Member for Cornwall, South-East (Mr. Hicks) and give the Post Office commercial freedom now? He could do that right away. All the delay is allowing European competitors to come into the British market and clean up, which is against the interests of the Post Office. Why does not he allow the Post Office to invest its own money, instead of being restricted by arcane Treasury rules? Why does not he allow it to enter joint ventures with other European operators to conquer the European mail market? Surely his option of privatising the Post Office, whether in BP style or otherwise, will threaten the interests not only of the Post Office but of rural deliveries and post offices, so that all his hon. Friends will be swept aside at the next general election.

Mr. Heseltine: The hon. Gentleman must know that the principal foreign-owned organisation that is entering this country is the Dutch post office, and that the Dutch Government are about to float shares in the Dutch post office in order to ensure its freedom to operate in the commercial market. I will not anticipate the outcome of our review, but the hon. Gentleman and the whole House will understand that the concept of major state organisations trading with taxpayers' money, and therefore being able to undermine and undercut the private sector, represents an extremely unattractive prospect for the jobs of all the people who work in the companies that could be affected, many of whom live in the constituencies of Labour Members.

Mr. Dykes: Does my right hon. Friend agree that the abiding characteristic of the organisations in the long list of companies that we privatised during the excellent and successful privatisation programme under the previous Prime Minister, was that in public ownership they were by and large unsuccessful and loss-making? In the present case that is not so, and as the Post Office is already so successful and profitable—no commercial criticism of its functioning has been made by anybody outside—it will not need the upheaval that my right hon. Friend has in mind, provided that it can be freed from Treasury bondage.

Mr. Heseltine: My hon. Friend must not anticipate any changes that the Government may wish to decide on. However, I cannot agree that we privatised only unsuccessful loss-making organisations. For example, we privatised British Telecommunications, which was a profitable organisation. We privatised the electricity companies and the gas companies. What has happened as a result of the 1980s privatisation programme is that major nationalised industries serving a domestic market from a monopoly base have become competitive world-class companies, trading across the face of the earth to the greater benefit of the British economy.

Mr. Cousins: Does the President realise that this summer it will be 330 years since Britain was last invaded by the Dutch? The Government may well be proposing to celebrate that event by taking a stiff gin—and who could blame them—but Admiral van Tromp's successors, as the President has recognised, are back, in the form of the Dutch post office. What plans does he have for our defence?

Mr. Heseltine: It surprises me not one whit that the hon. Member draws for his philosophy and his practical proposals on the deep archives of history. My concern is tomorrow, not yesterday.

Regional Assistance, North-east

10. **Mr. Devlin:** To ask the President of the Board of Trade what are the expected benefits to the north-east from regional assistance.

Mr. Sainsbury: Regional selective assistance is expected to continue to contribute to job creation and the safeguarding of jobs in the north-east.

Mr. Devlin: Quite aside from the fact that the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) is entirely wrong in his history, may I ask my hon. Friend to confirm that his view of the future is also wrong, inasmuch as regional selective assistance is now creating up to 16,000 jobs in the northern region and 175 companies currently have an offer of regional enterprise grant? Is he aware that one of the 40 companies that have successfully obtained that assistance from his Department is today expanding its number of employees from two to five? Surely that shows the seed corn of future prosperity in the region and in the United Kingdom generally?

Mr. Sainsbury: I am happy to confirm the figure that my hon. Friend quoted. It is a remarkable tribute to the success of the regional selective assistance programme that there are 16,000 jobs in the north-east in current RSA projects. It is not irrelevant to the question asked by the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) that, since 1979, 36,000 jobs in the north-east have been associated with inward investment. I suppose that if they were in Dutch companies, the hon. Gentleman would not have allowed them in.

Mr. Milburn: Is not the Minister aware that the level of industrial assistance to the north-east has almost halved since 1979 under his Government? How on earth does he expect the potential of regions such as the north or towns such as Darlington, to be realised when his Government are actively disinvesting from them? When will he realise that spreading economic prosperity to all the regions and all the nations of the United Kingdom relies on active Government?

Mr. Sainsbury: The most important factors for the economic success of the north-east, and of the whole country, are having a sensible tax climate and sensible industrial relations and avoiding the social chapter—all of which the Labour party would not do. May I perhaps remind the hon. Gentleman that £1.5 billion of Government money in the form of regional aid has gone into the north-east since 1979?

Non-wage Employment Costs

11. **Mr. Paice:** To ask the President of the Board of Trade what are the average non-wage employment costs for manufacturers in Britain, France and Germany.

Mr. Heseltine: In 1992, non-wage costs as a proportion of total labour costs were 29 per cent. in France, 23 per cent. in Germany and 17 per cent. in the United Kingdom.

Mr. Paice: Those figures demonstrate beyond all shadow of a doubt the competitive position in which Britain finds herself. Does it not show that it is not the actual wages that matter in competitiveness, but the costs loaded on to employers by Governments, over which employers have no control? Is not that why German and French employers know that Britain was right to resist the social chapter and that their Governments were wrong, and is not that why Britain, alone in Europe, is experiencing economic growth on all fronts?

Mr. Heseltine: My hon. Friend is absolutely right. The certain message of the campaign that the country is about to see waged is that the Labour party and the Liberal party, with their proposals for adding social costs to our industrial costs, are hell-bent on the destruction of jobs in this country.

Mr. Purchase: Is not it the case, however, that, while our labour costs, direct and indirect, are one fifth lower than those of Germany and France, and while their productivity is two fifths higher and their unit labour costs are more than 15 per cent. lower, labour costs, both direct and indirect, are not at all the best guide to competitiveness?

Mr. Heseltine: They are just one guide. The vital issue is the level of productivity that goes with wage costs. The Labour party must ask itself just what it has been doing by encouraging the overmanning and restrictive practices of the trade unions that have done so much to undermine those matters down the years.

Competitiveness

12. **Mrs. Gorman:** To ask the President of the Board of Trade when he will issue his White Paper on competitiveness.

Mr. Heseltine: The White Paper on competitiveness will be published on 16 May 1994.

Mrs. Gorman: I thank my right hon. Friend for that information. Does he agree that the key markets in which Britain will have to compete in the future are those in the far east, and that we shall not have to compete just in Europe? Does he agree that the European idea that markets somehow require a level playing field is the antithesis of what we need, which is the development of this country's comparative advantages? This will require us to keep control not only of the regulatory structure under which our industries work but of the way in which we deal with and handle our labour.

Mr. Heseltine: My hon. Friend will understand that if we are to have a market that is free and fair, there must be a regulatory system that is common to all parts of it. She can be very sure that if we are not able to influence the regulatory system in other parts of the market it will be rigged against the interests of British exporters.

Dr. Bray: Before the President publishes his White Paper on competitiveness will he read the unanimous reports of the Select Committees on Science and Technology and on Trade and Industry that were published recently? These point out that there are a great many factors other than price competitiveness in the overall national competitiveness scene. Will the right hon. Gentleman take into account the Committees' many recommendations on precisely the question he has raised —how to increase productivity?

Mr. Heseltine: I am most grateful to the hon. Gentleman, who has particular knowledge of, and a particular interest in, this matter. He will find that our White Paper on competitiveness does address the much wider horizon that he has in mind.

British Exports (Promotion)

13. **Dr. Goodson-Wickes:** To ask the President of the Board of Trade what recent representations he has received about the promotion of British exports overseas.

Mr. Needham: I have received many representations praising the successful partnership between the Department of Trade and Industry and British exporters in overseas markets.

Dr. Goodson-Wickes: Does my hon. Friend agree that, rightly or wrongly, there is among British business men a widespread perception that too many of our embassies are better equipped to promote genteel diplomacy and cultural relations than aggressively to pursue British commercial interests? Can my hon. Friend, knowing the commitment of my right hon. Friend the President of the Board of Trade to putting British interests first, expand on what further steps might be taken to make a profound cultural change?

Mr. Needham: I do not agree with my hon. Friend, in that I think that the commercial posts overseas are professional, dedicated and extremely well run. I spend most of my life visiting them. As I thought that my hon. Friend might raise such a question, I have here 16 examples of letters written within the last month by companies praising the work of the commercial sections of our embassies. Of course, not every one of them is perfect, but 16 letters in a month is not a bad record. The partnership between the export promoters, the Department of Trade and Industry market branches and the commercial posts overseas that now exists is providing our exporters with an unrivalled service. In 1992, the Brooking Institute said:

"Perhaps the most clearly presented and coherently marketed package of export assistance programmes is that of the United Kingdom."

Mr. Tony Banks: As this question is about exports can the Minister tell us what is the current visible trade deficit? When was our trade last in surplus?

Mr. Needham: I cannot give the hon. Gentleman the exact figures. However, I can say that the current trade deficit is about 1.5 per cent. of gross domestic product. When trade was in surplus, the maximum under the last Labour administration was about 1.25 per cent. It is a very small percentage of our total trade. The fact is that we export 20 per cent. per head more than the Japanese and 80 per cent. per head more than the Americans. In export performance, we have the fifth highest figures on earth, with 1 per cent. of the world's population. Perhaps the hon. Gentleman will start giving our exporters some praise.

Mr. Nigel Evans: An area in which we hope to do well in future will be that of aerospace exports. Will my hon. Friend take this opportunity to congratulate the skilled work force in Lancashire that is employed by British Aerospace and by many small contractors and which is involved in the production of the Eurofighter 2000, which had its international debut at Warton in Lancashire last week?

Mr. Needham: I would be delighted to do what my hon. Friend asks.

Mr. Bell: The House will welcome the Minister's statement about trade with Vietnam and the fact that he has encouraged our exporters to penetrate that market. What about that other tiger economy of Malaysia? Have we reminded the Malaysians that they have a £1.3 billion surplus with our country? Have these matters been taken up with the European Union? Have they been taken up with GATT negotiators? Where are we with the Malaysian Government?

Mr. Needham: I can say to the hon. Gentleman—not to him personally—that one of the major causes of getting into disputes with Malaysia are the comments and activities of some of his hon. Friends.

Mr. Forman: Is not one of the best ways to promote British exports to draw attention to some startling and positive facts that have emerged recently, including the fact that the UK machine tool industry was in surplus in 1993 on its balance of trade and that machine tool exports to the United States increased by nearly two fifths over the previous year?

Mr. Needham: My hon. Friend is correct in asserting that there are many sectors of British industry that are not merely world competitors but world beating. The only thing that stands between them and their continuing success is the possibility of Opposition Members being put in charge of our economy.

16. **Mr. Fabricant:** To ask the President of the Board of Trade what arrangements he has made to recruit the expertise of exporters in the private sector to assist his Department to promote generally British exports.

Mr. Needham: The President and I have invited leading United Kingdom companies and business organisations to second to our Department high-calibre senior managers with export expertise. These companies have responded very positively. We have recruited nearly 80 of these people and more are on the way. We are confident that some companies that have not yet seconded an export promoter will do so shortly.

Mr. Fabricant: I am grateful to my hon. Friend for his reply. It demonstrates, possibly, why there has been such an improvement in recent years in the promotion of exports by our embassies overseas. Is my hon. Friend aware, however, that one of the major industries in my constituency of Mid-Staffordshire is the pottery industry? He will be aware that Wedgwood has its headquarters in Barlaston, and that the well-known sanitary ware manufacturer of the name of Shanks in the town of Armitage—

Madam Speaker: Order. The hon. Member might save his descriptions for a debate on trade and industry and put his question now.

Mr. Fabricant: So what is my hon. Friend doing to promote sanitary ware and china ware overseas?

Mr. Needham: If my hon. Friend went to the countries round the world that I have visited he would not have to worry about the promotion of sanitary ware. As for fine china, we have established within the Department of Trade and Industry a group of tabletop manufacturers under the chairmanship of Royal Doulton to examine exactly how we can bring linen, cutlery, glass and china companies together to promote our exports across the world, and not least to ensure that all our embassies have the very best of British when anyone visits them.

Mr. John Evans: Given the enormous amount of fence building that the Tory Government and Tory Ministers will have to undertake with the African National Congress, what steps has the Minister taken to improve and increase Britain's trading links with the new Government of South Africa?

Mr. Needham: My right hon. Friend the President of the Board of Trade will be leading in the near future a major delegation of British companies to South Africa. The South African market has enormous opportunities for us. We are in the process of completing a strategic market plan for South Africa. We are analysising those sectors in which British companies can offer the best product, the best services and the best consultancies. The South African market will be a major target market for the Department of Trade and Industry, in partnership with British industry.

Mr. Steen: I am grateful to you, Madam Speaker, for giving me the opportunity to ask the Minister whether he is aware that exports will not be helped if we adopt the European Community circular of directive 92/58 which insists that, by 24 June, all exit signs for fire safety are replaced by those depicting a little man running downstairs, because they will create additional costs for all our manufacturing industries, our town halls, the House of Commons and every library and information centre in the country.

Mr. Needham: I think that I can safely leave that question to my hon. Friend the Parliamentary Under-Secretary of State for Corporate Affairs who is very good at finding signs of little men running downstairs.

Brewing Industry

17. **Mr. Wareing:** To ask the President of the Board of Trade what recent representations he has received about the activities of Inntrepreneur Estates Ltd in the brewery industry; and if he will make a statement.

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. Neil Hamilton): Since the beginning of the year, my right hon. Friend and I have received three letters from or on behalf of IEL lessees. They were largely concerned with the rents charged by IEL for its pubs, the treatment of tenants and the compatibility of the IEL lease with European Community competition law. I also answered a written question from the hon. Member for Liverpool, West Derby (Mr. Wareing) on 21 March.

Mr. Wareing: Is the Minister aware of the fact that, in the building at the moment, there are several hundred tenants of Inntrepreneur who are lobbying Parliament in Committee Room 14? Will he see those people and, when he sees them, will he tell them that although the beer orders may have been legally adhered to by Inntrepreneur, it has drifted away from the spirit of those beer orders? Would he further explain to them why it is that, although the Inntrepreneur lease is in contravention of article 85 of the European constitution of the treaty of Rome, the Government continue to take no action against Inntrepreneur?

Mr. Neil Hamilton: I am afraid that, in the course of my busy day, I will not have the opportunity to meet those who the hon. Gentleman tells me are in Committee Room 14. Had I had notice of their being here today, I might have been able to arrange it. As the hon. Gentleman will know, because we have had several meetings on such matters, I take seriously the points that he and others make and I will always be prepared to take up with companies such points in future, as I have in the past. As regards allegations that the lease is in contravention of EC law, that is, of course, a matter for the European Commission and not for me.

Electricity Generation

18. **Mr. Beith:** To ask the President of the Board of Trade if he will make a statement about progress on his proposals to privatise the remaining Government stake in electricity generation.

Mr. Eggar: My right hon. and learned Friend the Chancellor of the Exchequer has announced his intention to sell, subject to market conditions, some or all of his share holdings in National Power plc and PowerGen plc in the financial year 1994-95.

Mr. Beith: Will the Minister tell us whether the forthcoming sale of shares has in any way influenced the Government in opposing the Energy Conservation Bill or in any way influenced them in their decision to table 216 amendments to the Bill? Before he formulates his answer, will he bear in mind the fact that it is not a good idea inadvertently to mislead the House in tactics for private Members' Bills?

Mr. Eggar: As the right hon. Gentleman knows perfectly well, the decision is taken by my right hon. and learned Friend and I cannot answer for him.

Mr. Moss: As Nuclear Electric is still in public ownership, does my hon. Friend agree that privatisation of that industry is crucial to the future of the nuclear industry?

Mr. Eggar: I am aware that Nuclear Electric wishes to be privatised and I am aware that a number of my hon. Friends support that aspiration. As my hon. Friend knows, we have to await the Government's decision on the terms of reference of the nuclear review and then the outcome of the nuclear review before I can make any announcement on the Government's policy on that matter.

Mr. Dafis: May we now take it that we all understand the real reason why the Energy Conservation Bill was blocked? Does not that tell us what a short-sighted understanding of matters the Government have because they are not able to recognise the enormous economic and financial gains that would come from an energy efficiency programme? Why on earth cannot they understand that it is disgraceful to think that the promotion of privatisation will be successful—according to their terms—to the extent that they will encourage waste and unnecessary over-consumption of electricity? What a reflection that is on the bankruptcy of our economic system as well as the Government's privatisation programme.

Mr. Eggar: No. Neither the House nor the country can come to that conclusion from my previous answer. I must say to the hon. Gentleman, whose dedication to the whole cause of energy conservation I recognise and, indeed, share, that I am surprised if he wished to bring up that particular subject, that he did not comment on the suggestions in the consultation paper, which I published with the Director General of Ofgas, which is important in

the gas market with regard to promoting energy conservation. He may like to consider that and I will be very happy to discuss it with him.

Electricity Prices

19. **Mr. Miller:** To ask the President of the Board of Trade when he will meet the Director General of Electricity Supply to discuss electricity prices.

Mr. Eggar: I meet the Director General of Electricity Supply regularly.

Mr. Miller: Given the disquiet on both sides of the House about rumours of differential pricing of utilities, and particularly of gas, as we heard earlier, will the Minister assure the House that the Government will not allow differential pricing of electricity? Does he agree that such differential pricing would be a huge disadvantage to people, particularly those in rural communities? He has an opportunity to give a clear commitment here and now.

Mr. Eggar: I am surprised at the hon. Gentleman. He should know perfectly well that there is already considerable regional differential pricing.

Mr. Oppenheim: How seriously can we take Opposition Members when they express concern about electricity prices or the interests of consumers? If they had had their way, would not they have insisted that—

Madam Speaker: Order. The hon. Gentleman is aware that we are dealing with Government policy and not with activities or policies of the Opposition. Will the hon. Gentleman transpose his question?

Mr. Oppenheim: Did not the Opposition oppose Government policy to ensure that we had competition in electricity generation so that consumers' interests were paramount? Do not they always put the interests of producers and vested interests first?

Mr. Eggar: Yes, as so frequently, my hon. Friend is absolutely right. As a result of the privatisation of the electricity industry, there has been a 7 per cent. real-terms reduction in the price of electricity to domestic consumers. I have to say again to Opposition Front-Bench Members that if they do not realise that there have been long-established regional pricing differentials on electricity, they really need to use their Short money more effectively.

Mr. Beggs: When the Minister next has a meeting to discuss electricity prices, will he bear in mind the fact that the successful intervention of the Prime Minister, the Secretary of State for Northern Ireland and of Ministers in attracting companies such as Hualon to Northern Ireland, could be threatened because of the very high cost of electricity in Northern Ireland and the need for Northern Ireland consumers, both domestic and industrial, to have access to cheaper electricity?

Mr. Eggar: I am well aware of the hon. Gentleman's concern about that issue. He and I have discussed it in the past. I will again bring his remarks to the attention of my right hon. and learned Friend the Secretary of State for Northern Ireland.

Mr. Matthew Banks: In advance of my hon. Friend's next meeting with the director general, will he join me in congratulating the Merseyside and North-Western electricity board which has announced not just a reduction in its electricity tariff, as have other boards, but a £10 rebate to every consumer in the north-west which will do most for those in greatest need?

Mr. Eggar: I will indeed congratulate MANWEB on its £10 rebate and its 1 per cent. reduction. In addition, the Midlands board has reduced its prices by 2 per cent. The North Western electricity board has announced a 6 per cent. reduction from April 1994. The South Eastern electricity board has made a 2 per cent. reduction and given a £8 rebate. Time and again, the success of privatisation is recognised in the way in which regional electricity companies are bringing down their prices to domestic consumers.

Research And Development

21. **Mr. Clapham:** To ask the President of the Board of Trade what plans he has to increase expenditure on civil research and development.

Mr. McLoughlin: Information about my Department's planned expenditure on civil research and development up to 1996-97 was given in the recently published "Forward Look of Government-Funded Science, Engineering and Technology".

Mr. Clapham: There was not a great deal of factual information there. The Minister will be aware that, in per capita and absolute terms, Britain spends less on civil research and development than our major competitors. Is he aware that a recent study by the Trade and Industry Select Committee on the competitiveness of British industry states that one of the reasons for that is short-termism? What is the Minister doing to overcome the short-termist culture that is holding back British industry?

Mr. McLoughlin: The hon. Gentleman makes several points. As my right hon. Friend the President of the Board of Trade has already said, we will be addressing some of those issues in the White Paper that will be published next week.

Mr. Batiste: Does my hon. Friend agree that the real relative shortfall in research and development spend in Britain is in the private sector? If companies do not maintain an adequate research and development capacity of their own, they are less likely to be able to implement innovative change. Will that be one of the issues that will be addressed in the competition White Paper?

Mr. McLoughlin: My hon. Friend touches on an important point which needs to be addressed by private companies. A number of companies that I see are spending significant amounts on research and development. That is very important, and it is also important to create the right framework which enables companies to put their investments to one side. That is certainly something which we shall consider.

Pit Closures

22. **Mr. Skinner:** To ask the President of the Board of Trade when he next expects to meet the chair of British Coal to discuss pit closures.

Mr. Eggar: Both my right hon. Friend the President of the Board of Trade and I meet the chairman of British Coal as necessary to discuss a variety of coal industry matters.

Mr. Skinner: Is the Minister aware that it adds insult to injury for miners who have recently lost their jobs—there are no pits left in north Derbyshire now—to be told that they did not want the coal for the nation, when they are having to suffer massive imports and opencast coal mining on a massive production line? Is there anything more sickening for communities than to see bulldozers tearing up the countryside in areas where pits have been closed? The bulldozers will be there for 10 years, digging big holes and dumping toxic waste. Will the Minister tell British Coal to stop these developments and will he tell his right hon. Friend the Secretary of State for the Environment to stop planning applications for opencast developments?

Mr. Eggar: As occurs so frequently nowadays, the hon. Gentleman is wrong, wrong and wrong again. Coal imports are down.

With regard to opencast developments, the hon. Gentleman should know that my right hon. Friend the Secretary of State for the Environment is at the moment consulting about a revision to MPG3. I seem to remember that the last time that the hon. Gentleman spoke to me about coal he argued for the protection of his own constituents, or nearby inhabitants, in relation to the opencast procedures which were to be followed by British Coal. He cannot have it both ways.

Complaint of Privilege

3.30 pm

Madam Speaker: In view of the current comment surrounding the matter, I have decided to take the unusual step of informing the House of my decision on a privilege complaint that I have received relating to the statement in the House made last Friday by the right hon. Member for Chelsea (Mr. Scott).

My function in such cases is limited to deciding whether or not the matter should have the precedence accorded to matters of privilege. In the light of developments since I received the complaint—as a result of which the House is in possession of the facts and has received an apology—I have concluded that I would not be justified in myself granting precedence for this matter's further consideration. My decision in no way limits the right of hon. Members to pursue other ways of raising this matter.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Madam Speaker. As I understand the ruling that you have just given, your decision as to whether precedence was given was determined by the fact that the Minister concerned made an apology to the House of Commons and that, in your view, the House is now in possession of the facts.

I put it to you, Madam Speaker, that a precedent has been set whereby Ministers can now come to the House of Commons and deliberately mislead the House in the knowledge that, if they are subsequently found out, they can come before the House and provide the House with the facts as they believe them to be. If that were to happen, contempt would no longer be of any relevance to the Commons. In fact, the last application for contempt may well have been brought, in so far as you have now opened the door for Ministers deliberately to mislead the House in the knowledge that they can simply apologise to the House.

With all the respect in the world to you, Madam Speaker, I have to say that I find your ruling utterly astonishing. It is of grave concern to many of my hon. Friends.

Mr. Barry Sheerman (Huddersfield): On a point of order, Madam Speaker, which relates to the previous one, but, in a sense, casts a whole new light on the affairs of last Friday.

I ask you, Madam Speaker, to look at the transcript of two radio programmes from this morning on which the Leader of the House and the Secretary of State for Social Security appeared. Their remarks throw a whole new light on what happened last Friday in the House. We on this side of the House believe that you should scrutinise those remarks because your decision today may have to be changed in the light of the revelations of the Leader of the House. What they said about how business in the House is manipulated as common practice was quite astonishing, and it goes against any tradition of private Member's business in the House.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): On a point of order, Madam Speaker. The Minister concerned is one of the most respected Ministers at the Department of Social Security that we have had, and he is recognised on both sides of the House as a great friend of the disabled. He came to the House and said that he did not knowingly mislead the House but that now, realising that he may have done—

Madam Speaker: Order. The hon. Gentleman is obviously trying to be helpful, but I must deal with these points of order. We cannot have a discussion about the matter.

Mr. Alfred Morris (Manchester, Wythenshawe): On a point of order, Madam Speaker. Other cases of possibly misleading statements to the House have been raised. Have you anything to say about the role of the hon. Member for Sutton and Cheam (Lady Olga Maitland)? Would not it be in the interests of the House if the Prime Minister were now to ask the five hon. Members to cleanse the Order Paper of the amendments, which we now know were not drafted by them, so that the Bill can make some progress on 20 May?

Mr. Dennis Skinner (Bolsover): On a point of order, Madam Speaker. Arising out of your statement, it now seems apparent that Ministers are so arrogant—as they have been in power for 15 years—that they think they can get away with anything. They have now become judge and jury in their own court.

You should re-examine the evidence which has been given to you because, at some point, the Government have to be stopped in their tracks. As Speaker, you ought to bear in mind that you do not represent the Government; you represent everybody in the House, including Back Benchers.

Mr. Roger Berry (Kingswood): On a point of order, Madam Speaker. Given that the Civil Rights (Disabled Persons) Bill has support from a clear majority of hon. Members who have signed early-day motion No. 2, that it has clear support from every organisation of disabled people outside the House and that the Government have provided assistance to their Back Benchers to sabotage it, what assistance can you give me to ensure that the motion passed by the House on 29 April calling for time to be provided for all the remaining stages is implemented?

Mr. Harry Greenway (Ealing, North): On a point of order, Madam Speaker. Was not the argument of the hon. Member for Workington (Mr. Campbell-Savours) slightly unworthy—I use the word carefully, as I have a high regard for the hon. Gentleman—by suggesting that any hon. Member would take a position on a Bill or a statement which he knew he could correct by an apology later? I do not think that the hon. Gentleman can really have meant that, and I do not think that that would happen.

Several hon. Members *rose*—

Madam Speaker: Order. I will not allow the House to get into a debate on the matter. I am dealing with serious points of order; we will not have a debate.

Ms Liz Lynne (Rochdale): Further to the point of order raised by the right hon. Member for Manchester, Wythenshawe (Mr. Morris), Madam Speaker. Is it in order for the hon. Member for Sutton and Cheam (Lady Olga Maitland) to mislead the House—which I think was disgraceful—without coming to the House to make a statement?

Several hon. Members: On a point of order, Madam Speaker.

Madam Speaker: Order. I will deal with all these points of order, but I hope that they will now be rather speedy.

Mr. David Winnick (Walsall, North): On a point of order, Madam Speaker. May I refer you to Monday's *Hansard?* The hon. Member for Sutton and Cheam said:

"On a point of order, Madam Speaker. I would like to make it absolutely clear that I raise my own amendments. I sought consultation, but it would be totally unfair to suggest that they came from any other source."—[*Official Report*, 9 May 1994; Vol. 243, c. 23.]

In view of what was said by the Minister for Social Security and Disabled People yesterday, the hon. Lady's statement cannot possibly be accurate.

As the Bill, which would have given aid to disabled people, was lost last Friday as a result of lying and cheating by the Government, should not further time be provided? It would be quite wrong if people who desperately need the measure which is being advanced by my hon. Friend the Member for Kingswood (Mr. Berry) were to be denied their rights purely and simply as a result of cheating and lying by Ministers.

Mr. Kevin Barron (Rother Valley): Further to that point of order, Madam Speaker. You know what lies at the bottom of these exchanges—the relationship between the activities of Tory Back Benchers and the private Members' Bill procedure. You will probably also know that my Bill, due for debate on Friday this week and unopposed on Second Reading, now has 108 amendments and five new clauses tabled to it. What protection do Back Benchers have from obvious Government interference in our time for getting legislation through the House?

Mr. Andrew Rowe (Mid-Kent): On a point of order, Madam Speaker. Did the hon. Member for Walsall, North (Mr. Winnick) notify my hon. Friend the Member for Sutton and Cheam (Lady Olga Maitland) that he intended to mention her? Furthermore, should he have been allowed to use the word "lying", which I heard him say?

Dr. John Reid (Motherwell, North): On a point of order, Madam Speaker. Arising out of your response to my hon. Friend the Member for Workington (Mr. Campbell-Savours)—

Madam Speaker: Order. I have not yet responded to any point of order.

Dr. Reid: I am referring to your response to the letter that he sent you. May I comment on the implications of that response for the future?

As I understood it, your statement that you felt you should no longer play a part in this matter—although other options are open—was based on two premises: one, that events have moved on since you received the letter, which they certainly have; and two, that we have heard a personal statement, which means that the facts have been laid before the House.

I believe that the facts have not been laid before the House. For the House to ascertain facts, propositions purporting to be facts must be open to question and to criticism. Your statement today implied that a personal statement from the Dispatch Box, which cannot be questioned or criticised and thus cannot establish any facts, can lay such a matter to rest. That will be used as a precedent by future Speakers, who may say that the facts have been laid before the House in this way.

In response to the points made today, may I ask you to reflect further on this specific point, because I fear, as my hon. Friend the Member for Workington said, that your statement may undermine our rules of contempt?

Mr. Giles Radice (Durham, North): On a point of order, Madam Speaker. I wonder whether you have taken into account the procedure rules for Ministers which, in paragraph 27, state that Ministers have a duty not to mislead the House of Commons. The Prime Minister has made it clear in a letter to me that if Ministers knowingly mislead the House they should resign.

Mr. Graham Riddick (Colne Valley): On a point of order, Madam Speaker. In an earlier point of order, the hon. Member for Kingswood (Mr. Berry) said that his Bill had a great deal of support. Can you confirm that one of the reasons why the Bill did not make progress last Friday was the fact that 100 Members were not present in the House to vote for the closure?

Is it in order for Opposition Members to question your rulings in this shocking manner?

Mr. Tony Banks (Newham, North-West) *rose—*

Mr. Paul Flynn (Newport, West) *rose—*

Madam Speaker: Order. I shall take just two more points of order on this matter.

Mr. Flynn: On a point of order, Madam Speaker. You are the defender of the rights of Back Benchers and the custodian of the reputation of this House. We all take pride in the quality of the democracy in this country. During the past couple of weeks, Bills that should have been fully discussed, without time limits, have not been discussed because spoiling amndts have been tabled, such as the 108 tabled in an attempt to wreck the Tobacco Advertising Bill.

Is there not a grave danger that our reputation abroad may be sullied and that the charge could be levelled—I do not make it myself—that hon. Members are abusing their elected office to further their own ambitions and financial interests?

Several hon. Members *rose—*

Madam Speaker: No. I am not taking any more points of order.

Mr. Tony Banks *rose—*

Madam Speaker: I will hear Mr. Banks.

Mr. Banks: On a point of order, Madam Speaker. Since the whole House knows that the hon. Member for Sutton and Cheam (Lady Olga Maitland) is scarcely capable of walking and chewing gum at the same time, it beggars belief that she could have drafted any of the amendments. It appears that she is in Malawi at the moment. Do you have the power to call her back so that she can answer the very serious points that are being raised?

Mr. Alan Williams (Swansea, West) *rose—*

Sir Anthony Grant (Cambridgeshire, South-West) *rose—*

Madam Speaker: Order. I think that I have the flavour of the House. I do not want to curtail this, although it is not a debate; these are points of order to me. I will take points of order from two hon. Members—one on either side of the House—and that is all.

Mr. Alan Williams: On a point of order, Madam Speaker. In the ruling that you gave, you made two points: first, the possession of a fact; and, secondly, the receipt of an apology. May I make the point to you, Madam Speaker, that possession of a fact may in no way exonerate what those facts reveal? You have not said "because of the facts". It is simply because they have been revealed. Our contention is that the facts still indicate that the House was deliberately misled.

Therefore, what you are in danger of doing—quite unintentionally, I am sure, because I know of your concerns for the rights of Back Benchers in the House—is establishing a precedent under which merely giving the facts, even when they are self-condemning, then apologising for the fact that what one did was wrong, in itself exonerates an hon. Member from further action. I think that that ruling needs reconsideration.

Sir Anthony Grant: Further to that point of order, Madam Speaker. When you come to respond to all these points of order, will you reiterate that it is the long-standing custom and tradition of the House that a personal statement made by a Minister is heard without question and without debate? Will you further emphasise that attempts to get around that tradition and custom by the use of bogus points of order is an abuse of the House?

Mr. Terry Dicks (Hayes and Harlington): On a point of order, Madam Speaker. As someone who was here on Friday, I was upset by what happened, as are hon. Members who have intervened and who were not here on Friday. I accept what my right hon. Friend the Minister said. I am prepared to let things stand as they are. He is an honourable man; he has made a statement. I think that the House should accept it, and we should take it no further.

Madam Speaker: As the House knows, a personal statement should be heard in silence and not questioned later. As for hon. Members who believe that a new precedent is being created, that is not the case. I hope that there are no such incidents in future, but if there are similar incidents, of course, I will look at each case and determine it on its merits.

As far as the radio transmission is concerned, I have not heard it, although I am a keen radio listener. I shall certainly call for a recording of it.

The activities and comments of the hon. Member for Sutton and Cheam (Lady Olga Maitland) have been mentioned today. May I remind the House that only yesterday the hon. Member for Kingswood (Mr. Berry) raised a point of order with me, saying that he would be writing to me on the matter, because he believed that it was a question of privilege. I have not yet received any correspondence relating to that. *[Interruption.]* Order. This is a serious matter.

Other hon. Members have raised, in various ways, the question of the legislation, because they are now concerned about its future. The House will understand that the progress of legislation is not a matter for the Speaker; it is a question for the usual channels and for negotiations on the future of the Bill. Of course, hon. Members are well aware of how they can pursue the matter.

As far as the Prime Minister's actions are concerned, the hon. Member for Durham, North (Mr. Radice) cannot hold me responsible for any actions that he might or might not take. I have sufficient responsibilities of my own in the matter.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): He is not responsible for his own actions.

Madam Speaker: Order. I am the custodian of the interests of the House. I have taken this decision— *[Interruption.]* Order. The hon. Member for Carrick, Cumnock and Doon Valley makes light of a good many things. I take this matter very seriously indeed.

I have come to a decision about this after a great deal of consideration. As to precedents, I have seen a good deal of documentation. The decision has been made. It is mine and mine alone. My decision in no way limits the rights of hon. Members to pursue other ways of raising the matter.

May I end on this note? Sometimes—very often nowadays—the House becomes very bitter in its exchanges. We would do well to respect the different political parties here, and to respect each other. I ask hon. Members again to remember the words of "Erskine May", because we rely so much on that volume:

> "Good temper and moderation are the characteristics of parliamentary language."

I hope that we shall watch our language in all our exchanges in the future.

Points of order

3.50 pm

Mr. David Blunkett (Sheffield, Brightside): On a point of order, Madam Speaker. This morning, the Government published a report by Professor Alan Wilson on complaints and redress procedure. I leave aside the fact that its criteria excluded the impact of national health service changes introduced in 1990, and the operation of professional misconduct procedures. An important report of that kind, dealing with issues of great moment to people using and working in the NHS, would normally have been presented to the House in the form of an oral statement.

What I wish to raise, however, is an aspect of the report's publication that I would expect hon. Members on both sides of the House to consider important. In the press release put out by the Secretary of State for Health when she launched the report this morning—at public expense—five individuals were quoted. At least one of those individuals, as chief executive of the National Association of Health Authorities and Trusts, has a direct interest in the outcome and recommendations of the report. They had seen it before its publication, and the Department had allowed them to place their comments on record, for publication, before hon. Members—including the official Opposition—had had access to it.

I seek your guidance, Madam Speaker. Does not that extraordinary action by the Department of Health—finding a way around allowing hon. Members the privilege of seeing reports at the time of their publication and enabling those with an interest in such important matters to comment on them at that time—infringe the privilege to which I have referred?

Madam Speaker: The hon. Gentleman and the House are well aware of my strongly held view that statements on Government policy, and other important statements, should be made in the House in the first instance, whether they are made orally or by means of written answers. It is for the Minister concerned to determine the category into which he or she wishes the statement to fall. I am informed that, in this instance, the Secretary of State has written to all hon. Members, and that copies of the relevant document to which the hon. Gentleman has referred have been placed in the Vote Office and the Library.

Mr. Dennis Skinner (Bolsover): On a point of order, Madam Speaker. This is a completely different point, although it concerns a Minister misleading the House.

A few moments before the exchanges about the Minister for Social Security and Disabled People, the Minister for Energy implied in his reply to my question that I had supported opencast. I know that the Minister has not the guts to come back and admit that he misled the House. The truth is that—as can be seen from the record of the Report stage of the Coal Industries Bill a few weeks ago—I have opposed every opencast application in my constituency since I came to the House 24 years ago; but I do not suppose that the Minister has the guts to withdraw what he said.

Madam Speaker: That was not a point of order; it was more like a personal statement.

SCOTTISH GRAND COMMITTEE

Motion made, and Question put forthwith, pursuant to Standing Order No. 97 (Matters relating exclusively to Scotland),

That the Matter of law and order in Scotland, being a Matter relating exclusively to Scotland, be referred to the Scottish Grand Committee for its consideration.—*[Mr. Andrew Mitchell.]*

Question agreed to.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No 101(3) (Standing Committees on Statutory Instruments, &c.)

LOCAL GOVERNMENT

That the draft Local Government Act 1988 (Competition)(Defined Activities)(Housing Management) Order 1994 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Andrew Mitchell.]*

Question agreed to.

Public Records (Amendment)

3.53 pm

Mr. David Lidington (Aylesbury): I beg to move,

That leave be given to bring in a Bill to provide for the transfer of certain records in the custody of the Registrar General to the Public Records Office.

One of the unsung glories of the United Kingdom is the wealth of archives that this nation has at its disposal. In western Europe there is nowhere, except possibly the Vatican, where documentation illustrating the history of our nation survives, representing so many different institutions and encompassing the history of so many centuries.

There are two broad categories into which the archives might be divided. First, there are the records of the courts of law and the institutions of government. They are held today in the Public Record Office in its buildings at Kew and in Chancery lane, supervised, ultimately, by the Keeper of the Public Records, accountable to my noble Friend the Lord Chancellor. Secondly, there are the records of births, marriages and deaths held at St. Catherine's house in Aldwych in the custody of the Registrar General, accountable to my right hon. Friend the Secretary of State for Health.

The history of registration in England can be dated back to September 1538, and anyone who, like myself, has imbibed his history at the feet of Sir Geoffrey Elton will know that the modern administrative history of our land began during the ministry of Thomas Cromwell. It was in 1538 that Cromwell's injunctions instructed every parson, vicar and curate to keep a book to record the wedding, christening and burial of every inhabitant of the parish. The parish was bound to provide

"one sure coffer with two locks and keys"—

one for the incumbent and one for the church wardens—in which to house the register. A fine of no less than three shillings and fourpence was imposed on anyone who failed in his statutory duty to maintain the register.

In 1597 an effort was made to bring the system of registration on to a national basis with a statute ordering that a parchment copy of each parochial register should be sent to the diocesan authorities. In later centuries the history of registration became bound up with the various efforts to establish a system of civil marriage in England and Wales.

Eventually, in 1833 a parliamentary Select Committee reported to the House that a national civil register of births, marriages and deaths should be set up. That gave rise in 1836 to the General Register Act. The significance of that measure could be seen by the fact that the Bill was introduced in the House by the then Home Secretary, Lord John Russell, the debate was replied to by the Conservative spokesman, Sir Robert Peel, and the Bill was introduced in the other place by the then Prime Minister, Viscount Melbourne.

The original purpose of the national system of registration was primarily to enable individuals to prove their identity, to prove rights of succession, and, in particular, to prove title to land. In recent years there has been a new surge of interest in the records of registration, largely as a result of growing and widespread public interest in family history.

In 1993 there were no fewer than 435,000 applications for certificates at the Office of Population Censuses and Surveys at St. Catherine's house and at Southport. That development of family history has brought to light an operational problem. The public have access not to the registers themselves but only to the indices to the registers. In practice, that means that, if I go to St. Catherine's house and wish to search for the marriage certificate of my great-grandfather, I need to identify an entry in the index of what I believe to be the appropriate year, find what looks like the right name and roughly the right date and in what I believe to be the right district. I then have to pay £5.50 to obtain a copy of the original certificate enrolled in the register. I must then wait four working days for the copy to reach me. Alternatively, I can use the 24-hour service from the OPCS, but I must pay £20 for that privilege. If I am mistaken and I obtain the certificate of the wrong man, I am not entitled to a refund.

The only option left open to me is to make a further journey to St. Catherine's house or to write a further letter to Southport and to work again from the index. Someone with my surname probably has a 90 per cent. chance of getting it right from the index, but my hon. Friends the Members for Ribble Valley (Mr. Evans), who is sitting in front of me and for Gedling (Mr. Mitchell), let alone the Leader of the Opposition, the right hon. and learned Member for Monklands, East (Mr. Smith), might find it more difficult to be certain that they were chasing the right name through an index without access to the original registers. Many amateur family historians who pursue their genealogical researches as a hobby and not as the means of making a living face inconvenience and immense cost in time and money.

My Bill intends to make those records available by transferring registers that are 100 years or more old from the Registrar General to the Public Record Office. There would be no logistical problem involved in making registers available; microfilms of the original registers already exist.

My Bill is not the first attempt at such a reform in Parliament. My noble Friend Lord Teviot piloted a Bill through the other place in 1983, but the intervention of the general election in that year meant that no progress could be made in the Commons and the Bill lapsed. At that time, his Bill had support from the Government and the formidable support and encouragement of the then Lord Chancellor, Lord Hailsham of St. Marylebone.

More recently, in 1990, the Government issued a White Paper on registration which acknowledged the problem, but, sadly, no action was taken to put its proposals into effect. The White Paper proposed an alternative route for making registers publicly available. It suggested establishing a central library separate from the Public Record Office because it was unlikely that suitable premises could be found in central London for a public search room and for the storage of the original registers. If my Bill is unsuccessful, I hope that the Government will press ahead to secure the wider public access promised in 1990 and that they will consider again the means to encourage such public access because, since 1990, things have changed.

In 1996, the Public Record Office extension at Kew will be completed, which will enable mediaeval and legal records at Chancery lane to be transferred to the new building at Kew. That will leave vacant the elegant Victorian building at Chancery lane, the first purpose-built record office in the modern world. It would be appropriate to turn that building into a national centre for the study of family history. The census rooms in the Public Record Office at Chancery lane already attract about 82,000

[Mr. David Lidington]

searchers every year. It would be logical to use the space made available in 1996 to make the registers publicly available on microfilm in search rooms in Chancery lane. Any genealogist would tell us that the two categories of record are complementary.

This is a common-sense Bill, which will do some good for some deserving people, and I commend it to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Lidington, Mr. David Sumberg, Mr. Terry Davis, Mr. Alex Carlile, Mr. Derek Enright, Mr. Bob Dunn, Mr. Peter Ainsworth, Mr. Bernard Jenkin and Mrs. Cheryl Gillan.

PUBLIC RECORDS (AMENDMENT)

Mr. David Lidington accordingly presented a Bill to provide for the transfer of certain records in the custody of the Registrar General to the Public Records Office: And the same was read the First time; and ordered to be read a Second time upon Friday 15 July 1994, and to be printed. [Bill 109.]

Opposition Day

[12TH ALLOTTED DAY] [*1st part*]

Europe and the Environment

Madam Speaker: I have selected the amendment in the name of the Prime Minister.

4.4 pm

Mr. Chris Smith (Islington, South and Finsbury): I beg to move,

That this House recognises that the environment cannot be properly protected by national endeavour alone; acknowledges the importance of Europe-wide action to prevent pollution and improve environmental standards; applauds the work of the European Union and especially of the European Parliament in helping to safeguard the environment here in Britain; notes the lamentable record of Her Majesty's Government in failing to ensure that agreed standards for drinking water, bathing water, and air quality are achieved; deplores the Government's consequent attempts to diminish those standards; deprecates the inadequate implementation of provisions for access to environmental information, and of protection for wildlife habitats; recognises the need for further radical improvement in Europe's environmental work, especially in relation to the Common Agricultural Policy; and believes that Britain should be in the forefront of environmental progress in Europe, rather than lagging constantly behind its European partners.

The motion and the Government amendment at the very least appear to establish some common ground between the Government and the Labour party. We agree that the environment in Britain cannot be properly and fully protected "by national endeavour alone"; we agree that pollution knows no national boundaries and that, therefore, "Europe-wide action" to combat pollution is necessary and worth while; and we appear to agree that the single market must not be allowed to lead to the down-bidding of environmental standards between member countries. We also appear to agree—although I must confess I was rather surprised to read this in the Government amendment—that we should applaud

"the work of the European Union".

I pause at this point to consider whether, in the current circumstances, all Conservative Members would endorse such a phrase. However, we appear to agree that we should applaud

"the work of the European Union and especially of the European Parliament in helping to safeguard the environment here in Britain".

But what are we agreeing on? What do the Government appear to be applauding?

Mr. Tim Devlin (Stockton, South): Before the hon. Gentleman presses on with what I am sure will be an excellent speech, will he tell the House whether all Labour Members will applaud the work of the European Union?

Mr. Smith: I am absolutely confident that they will and I have not the slightest doubt that my party's vote will be solid.

The Secretary of State for the Environment (Mr. John Selwyn Gummer): Does the hon. Gentleman believe that my predecessor, the right hon. Member for Bethnal Green and Stepney (Mr. Shore), will be as enthusiastic about the work of the European Union as I am? And will the hon. Gentleman receive the same enthusiastic support from the hon. Member for Bolsover (Mr. Skinner)?

Mr. Smith: I am sure that I shall have their wholehearted support, and I shall be interested to see whether the Secretary of State has the wholehearted support of the hon. Members for Stafford (Mr. Cash) and for Southend, East (Sir T. Taylor).

Mr. Dennis Skinner (Bolsover): Just to put the record straight, I agree that many things in the world need to be done to improve the environment, especially in Bolsover. Some time ago, on at least 20 occasions, I called for a public inquiry into the dioxin-contaminated area around the Coalite works near Bolsover. The current Secretary of State for the Environment, then Minister of Agriculture, Fisheries and Food, refused to hold such an inquiry and he still refuses to do so. If the dioxin-contaminated soil were around Chequers or Buckingham palace, an inquiry would have been held.

Notwithstanding my opposition to the Common Market, which I believe has been an unmitigated disaster, if my hon. Friend can ensure that someone from one of the 12 member states comes to Bolsover, holds a public inquiry and forces the polluter to pay, he will have my support.

Mr. Smith: My hon. Friend makes his point strongly. He may be interested to see the proposals on contaminated land currently before the European Union, as they will be of considerable help in relation to the problems of dioxin pollution that he has so assiduously raised in the House.

The Government's amendment endorses some of the work of the EU, but exactly what aspects of that work do they mean? Europe has demanded that we make mandatory the fitting of catalytic converters on new vehicles bought and sold right across the Community. That is absolutely right, so why was it the British Government who delayed the implementation of the directive? Why did they seek a derogation for a year to lessen its impact?

It is right that Europe should be laying down standards for drinking water and bathing water across the whole continent. Yet it is the British Government who are busy saying that the standards are far too stringent, and that it is all a matter for subsidiarity—that is, in their terms, a matter for national decision alone. Yet that is one of the items on which they appear to want to tell us that Europe should be applauded.

Mr. Jacques Arnold (Gravesham): While the hon. Gentleman is talking about drinking water and bathing water, does he accept that the Government have agreed the standards? He has said that he wants us to comply with those standards within a much shorter period. Can he tell the House precisely what period? By what date should the standards be achieved? What would it cost consumers and the Government, precisely, in millions of pounds? In the hypothetical case of a Labour Government being elected, has the hon. Gentleman the permission of the hon. Member for Dunfermline, East (Mr. Brown) to make that commitment?

Mr. Smith: I shall come to some of those detailed points in a minute, but first I shall deal in some detail with the bathing water directive and the urban waste water directive. The Government that the hon. Gentleman supports are querying not just the pace at which standards are achieved in Europe, but the standards themselves, so he should get his own facts right first.

Do the Government applaud the European Union's wish for an environmental impact assessment of the policy making process to be carried out? They are currently blocking that proposal within the EU. Is part of what the Government want to see carried out at European level the decision of the Basle convention, made only last month, to prohibit the export of toxic waste to developing countries? In their European manifesto five years ago the Government said that they wanted to implement that, but only now, reluctantly, have they implemented it, joining Denmark and other countries in doing so one month ago. Is that European action part of what they want to applaud?

Mr. Llew Smith (Blaenau Gwent): I am sure that my hon. Friend will applaud the European Union's move to ban the movement of toxic waste within EC countries. Does he support the call by many of us that the transfrontier movement of spent nuclear fuel between EC countries should also be banned? I do not see how Europe can ban toxic waste yet at the same time refuse to ban spent nuclear fuel, which is a much more dangerous substance.

Mr. Smith: My hon. Friend makes a trenchant point. He will know that the arrangements for waste substitution arising from the reprocessing of other countries' spent nuclear fuel in the United Kingdom are as yet totally unclear. The Government have not yet agreed them. I have consistently argued that the Government were foolish to press ahead with the opening of new reprocessing facilities at a time when they have not decided what is to happen to the waste arising from that processing.

Are the Government in the business of applauding the European habitats directive? They have proposed no primary legislation to implement it. We have no statutory protection of hedgerows in this country. The Government are making no provision for the protection of the wider countryside beyond special sites. It seems that the habitats directive will be implemented poorly, if at all, in this country.

Is the Government's applauding of action in Europe taken as far as the amendments considered in the European Parliament last Wednesday to improve the packaging directive? One of those amendments would have set target bands for recycling of between 25 per cent. and 50 per cent. It was supported not only by the socialist group in the European Parliament, but by the European People's party, to which Conservative Members of the European Parliament are supposed to adhere. Yet the votes of Conservative Members against that amendment ensured that the amendment fell. I must ask the Government whether the Conservative Members of the European Parliament were operating in accordance with Government policy at that stage.

The Government may say that they believe in European action to tackle pollution and to protect our environment, but on one issue after another they delay or object to or block the work of Europe in that sector.

Mr. Richard Tracey (Surbiton): On packaging, one of the key parts of the Government's amendment is the point about cost-effectiveness. Will the hon. Gentleman admit that the type of proposal that the Labour party would support on packaging would add £2,500 million to the bill of industry in this country?

Mr. Smith: The short answer to that is no, I do not accept that for one moment.

Mr. Jacques Arnold: Tell us the figure, then.

Mr. Smith: Perhaps the hon. Gentleman was not paying full attention to what I was saying. The amendment to which I was referring was an amendment which set target bands for recycling of between 25 per cent. and 50 per cent. The Government's own target is 25 per cent. Yet Conservative Members of the European Parliament—the hon. Gentleman's Conservative colleagues—were the people who ensured, by their votes last Wednesday in the European Parliament, that that amendment fell. So they were not voting against my policy; they were voting against their own Government's policy. That, supposedly, is the progress that the Government wish to be made in Europe.

The Conservative party naturally tries to claim to be a fully green party, especially in Europe.

Mr. Tracey: Will the hon. Gentleman give way?

Mr. Smith: No, I have dealt with the hon. Gentleman's point.

As recently as a few weeks ago, the Conservative party issued a handsome but thoroughly bogus document entitled, "Europe's Environment—Conserving our Future." Let us consider some of the myths and untruths that are peddled in that document. On page 2—

Mr. Jacques Arnold: Will the hon. Gentleman give way before reading that?

Mr. Smith: I will not give way to the hon. Gentleman. I have already given way to him once. I have taken a substantial number of interventions and I wish to make progress. *[Interruption.]* I have told the hon. Gentleman that he will receive an answer to the points that he raised in due course when I discuss that subject.

The first point made in the document, "Conserving our Future," is that John Major has been at the forefront of the international campaign to protect our environment. The idea of John Major at the forefront of anything at the moment is a little difficult to grasp. How does the hon. Member for Surbiton (Mr. Tracey) explain that Britain is the only country in the European Union to have refused to set carbon dioxide reduction targets beyond the year 2000? How does he square his claim with the fact that the Government's programme, even to reach the target that they have set for the year 2000, is already in tatters? One third of it relies on the work of the Energy Saving Trust, which currently has no programme and no funding. The Government's repeated grand claims about how much progress they are making towards achieving their own carbon dioxide target are therefore completely bogus.

Mr. Gummer: So that the House may not be misled, I should point out that two countries—Germany and Denmark—have fixed their targets beyond the year 2000. The hon. Gentleman suggests that we are the only one not to have done so, but according to my mathematics the United Kingdom is one of 10 such countries.

Mr. Smith: I think the Secretary of State will find that other countries have done so. He is certainly aware of the fact that we have not. If he looks at the commitments made by other countries in Europe, such as Holland and Denmark, he will find that there are targets in place.

On page 4 of the document to which I referred is the following astonishing statement:

"the private ownership of industry tends to raise environmental standards."

I wonder if the Government would like to put that claim to the customers of the privatised water companies. Were the customers of Severn Trent well served by the fact that its filtration systems were inadequate to the task of picking up a level of pollution which 150,000 people in Worcester and elsewhere were able to detect by looking at and smelling the water coming out of their taps? Are the customers of Severn Trent aware that in 1990 there were 780 km of poor or bad river and canal water in their area—12 per cent. of the total for which the company is responsible? Do Conservative Members know that Severn Trent customers faced 1,222 supply disconnections in 1992-93? I do not regard that as a raising of environmental standards.

Several hon. Members *rose—*

Mr. Smith: Conservative Members should reflect on the fact that, in 1992-93, the chief executive of Severn Trent had a salary of £195,000—an increase of 37 per cent. on the previous year—and that, in addition, he has made £238,000 on his share options. Before claiming that private ownership of industry tends to raise environmental standards, Conservative Members ought to reflect on the fact that it tends to raise the salaries and perks of the people working for the privatised companies but does not necessarily raise the environmental standards of the work that they do.

Several hon. Members *rose—*

Madam Speaker: Order. Hon. Members must not persist. The hon. Gentleman is obviously not prepared to give way at present.

Mr. Smith: On page 5, the document says:

"Open access to information on the state of the environment is imperative."

That is absolutely true if we are to have proper environmental protection, so why are the environmental information regulations that the Government tabled and took through the House in December 1992 so tightly and restrictively drawn? Why are there wide exemptions, especially in relation to supposed commercial confidentiality? Why is there no definition of what constitutes a public authority for the purposes of the regulations?

For instance, are the privatised water companies excluded from the provisions of the regulations as a result? Why is there no appeal system if an authority decides not to release information? Why, unbelievably, is information presented to a local or national public inquiry excluded from the freedom of information provisions in the environmental sector? When the Government say that access to information is imperative, they are not implementing what they say they believe in.

Mr. Peter Hardy (Wentworth): If the Government are seriously concerned about environmental matters, does my hon. Friend agree that they would not have allowed consideration of the Coal Industry Bill to reach an advanced stage while those in the coalfield areas still have grave anxieties about the consequences of mine drainage and abandoned mines?

Mr. Smith: My hon. Friend is absolutely right. If the Government were seriously concerned about the impact of coal and coal mining on the environment they would have done two simple things: first, they would have accepted a Labour amendment which was tabled in Committee to ensure that pumping of flood water continued even after a mine was abandoned so that the flood water did not leach

out and pollute surrounding water courses and rivers; secondly, they would have included far tougher provisions than they have yet set out in their draft planning guidance for opencast coal mining to insist on a presumption against new opencast applications being agreed. Opencast operations are enormously detrimental to the environment and they help to finish off the deep-mined coal industry, which the Government have been so anxious to see put in its grave.

On page 7 of "Europe's Environment—Conserving our Future" we are told:

"We need to get right the relationship between international trade and environmental protection."

Why was there no mention in the GATT negotiations of the needs of the environment? Why are the Government, through the European Community, not adopting our proposals for reform of the world trading organisation to ensure that the environment becomes a fundamental part of its remit?

When we reach page 9 of "Conserving our Future" the Government compeletely lose touch with reality. They claim, first, that Labour has at some stage in the past proposed the imposition of value added tax on domestic fuel when we have not. At no stage have we done that. I will come to the question of a carbon tax in a moment. For the Conservatives to say that the Labour party has at any stage advocated the imposition of VAT on domestic fuel is an untruth, and they know it. Secondly, the Government state that we favour a Europe-wide carbon tax. We do not. For the Conservative party to say so is to perpetuate a further untruth.

Thirdly, the Government say that we wish in some sense to abandon the national veto. Again, we do not. We welcomed the provisions in the Maastricht treaty relating to environmental matters—at least to the majority of such matters—and qualified majority voting. Indeed, the Government supported qualified majority voting on most environmental matters. However, the Labour party does not wish to abandon the national veto on matters of taxation, for example, and the Government should know that that is our position.

Mr. Peter Ainsworth (Surrey, East): I am grateful to the hon. Gentleman for giving way. I understand that he was quoted about a year ago in *Green Magazine* to the effect that the Labour party would consider imposing VAT on environmentally unfriendly products. The hon. Gentleman must accept, and I urge him to do so today, that fuel consumption conflicts with environmental objectives. Will he please clarify his party's policy on that in the light of statements that he has made about increasing VAT?

Mr. Smith: The hon. Gentleman is reading his Conservative party briefing rather than the article or the document on which the article was based. If he had read those, and if he had also listened to the reply that I gave to an identical point several months ago in the House, he would know that what we proposed in the past was a raising of VAT on some small items, such as heavy metal batteries and items containing chlorofluorocarbons, and a corresponding reduction in VAT on items such as insulation materials. If the hon. Gentleman cannot tell the difference between a heavy metal battery and someone's quarterly gas bill, he is somewhat dimmer than I took him to be.

Mr. Simon Hughes (Southwark and Bermondsey): Will the hon. Gentleman give way?

Mr. Smith: I will give way for the last time, but then I must make progress.

Mr. Hughes: I intervene only because it is important and because the Government are under pressure—and no doubt will continue to be under pressure. Will the hon. Gentleman tell us the Labour party's current policy on energy taxation and environmental taxation?

Mr. Smith: As I said a moment ago, we do not accept the proposal from the European Commission for a carbon energy tax, for two reasons. First, it has a potentially severe social impact in exactly the same way as VAT on domestic fuel has had. Secondly, even if it is a 50:50 proposal between carbon and energy content, the carbon element discriminates unfairly in favour of some sources of power, such as nuclear, as opposed to other sources of power. We therefore do not accept the proposal currently coming out of Europe.

I wish to deal with two particular issues. The first relates to the bathing water directive and the point in which the hon. Member for Gravesham (Mr. Arnold) may be interested. At present, one in five of all beaches in this country fails to meet the mandatory quality standards for water quality and two out of three of all our beaches fail to meet the guideline standards for water quality. Evidence from recent surveys, including the *Reader's Digest* survey, shows that we are getting worse rather than better in Britain.

The Government's response is to try to get the standards lowered. They have circulated a memorandum throughout the Community saying that, with the French Government, they want to see the bathing water directive withdrawn, amended or repealed. The Prime Minister came back from the December Council of Ministers meeting saying that our restrictive water quality requirements were to be eased as a result of a deal that he had done. When it transpired that, in fact, water and the water directive were not even mentioned at the December Council meeting, and that the rest of Europe were absolutely firm in saying that standards should not be in any way reduced, the Government none the less seemed to be persisting in saying that water quality standards in the bathing water directive—the standard of water at our seaside resorts—ought to be diminished rather than strengthened.

Labour Members insist that standards must be maintained. We want to meet the mandatory standards for bathing water quality and to see the investment in place to ensure that that happens. If the water companies were sensible about it—if they were looking not to their own profits and their directors' salaries, but to the way in which they spread their borrowing, where it comes from, to what they devote it and what their investment programme is —they would be able to meet the standards, and to do so a jolly sight sooner than they are currently doing, without imposing additional costs on the water customer.

However, the Government appear to think that it is perfectly all right for our children to go to the seaside and paddle or swim in sewage-contaminated water. We do not believe that that is right, and we want our bathing waters to be cleaned up. If the Government were sensible about environmental protection, instead of trying to diminish standards they would be trying to ensure that that protection was put in place.

[Mr. Smith]

The other point that I promised the hon. Member for Gravesham that I would consider is the urban waste water treatment directive. That directive relates to the treatment of sewage from our urban areas. The fact that the city of Hull discharges all its sewage untreated into the Humber estuary is of obvious concern to many people. However, the Government—and the Conservative party echoes this point in its document—say, "Ah, but we didn't realise how much all this was going to cost." The Conservative party document states:

"The cost of implementing the Urban Waste Water Treatment Directive . . . is far higher than was first thought."

Mr. Julian Brazier (Canterbury): Will the hon. Gentleman give way?

Mr. Smith: No, I will not give way as I have already given way many times. Other hon. Members wish to contribute to the debate and I want to make progress.

By saying that the figures are far higher than they first thought, the Government are ignoring the fact that they were told very clearly when the urban waste water treatment directive was under discussion, and before the Government signed up to it, what the cost implications were going to be.

In clear evidence to the House of Lords Select Committee in 1991—

Mr. Jacques Arnold: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker (Mr. Michael Morris): I hope that it is a point of order for the Chair.

Mr. Arnold: It is a point of order for the Chair, I hope, Mr. Deputy Speaker—

Mr. Deputy Speaker: Order. It is no good hoping. That is not good enough.

Mr. Smith: Mr. Deputy Speaker, I—

Mr. Devlin: On a point of order, Mr. Deputy Speaker. Would you consider, with Madam Speaker, whether it is satisfactory for a debate to be held on a motion in the name of six right hon. and hon. Members, of whom only two are present in the Chamber, when the average attendance on the Opposition Benches has been 13? Would it not be better if we introduced a rule stating that 50 right hon. and hon. Members had to call for a motion to be tabled on the Order Paper—

Mr. Deputy Speaker: Order. It would be much better if the hon. Gentleman knew the procedures of the House. That is a matter for the Procedure Committee. It is not a matter for the Chair.

Mr. Smith: The hon. Member for Stockton, South (Mr. Devlin) may be confusing the procedures of this House with the procedures for leadership elections in the Conservative party.

Before the Government signed up to the urban waste water treatment directive, they were told what the likely cost would be. The Water Services Association and the Fellowship of Engineering gave evidence to that effect to the House of Lords Select Committee, which determined that the estimates indicated expenditure of more than £8 billion. For the Government to say, "Oh, but no one told us at the time," means either that they do not read Select Committee reports as they should or that they are displaying even greater incompetence than I expected. On all the issues—bathing water, drinking water, sewage treatment, access to environmental information, protection of habitats and air quality monitoring—Europe is far ahead of us. The progress that we have made in this country has been led by the European Community and the European Parliament. I commend especially the work of the Environment Committee of the European Parliament and its chairman, Ken Collins. The lead has certainly not come from either Marsham street or Downing street.

Of course, there are things that Europe could, and should, be doing better. Agriculture is an obvious case. There is a need to move away from highly intensive methods of agriculture towards less intensive agricultural methods. The new procedures of set-aside may in some cases compound the problem and encourage even more intensive use of land that is not set aside. No serious thought appears to have been given to how set-aside land could be used ecologically.

Improvement in the use of the structural funds may also be worth while. Regulations now refer to sustainable development and the need for environmental safeguards in the use of structural funds. I wish at times that the same principles could be applied to the trans-European road network.

In Britain, as always, we lag behind. Britain has made some bids for structural funds without separate environmental assessments. English Nature and the Countryside Commission in England have not been formally involved in drawing up plans for submissions for structural funds although, interestingly, Scottish Natural Heritage has been involved in that process. When will the Government start to ensure that the environmental aspects of applications for structural funding from Europe are included as Europe expects them to be?

The case is clear. Europe has a good record on the environment—much of it proposed, nurtured and campaigned for by Labour Members of the European Parliament. Of course there is room for improvement in what Europe does, but the present British Government have an outstandingly poor record on the environment. From the complacency of the post-Rio documents to the paucity of the "Third Update on Common Inheritance" which was published yesterday, and the content and tone of the Government's amendment today, there is precious little prospect of any improvement forthcoming in what the Government do in relation to our environment or in their contribution to the positive progress that Europe is, and should be, making in preserving and protecting our environment in Britain.

4.42 pm

The Secretary of State for the Environment (Mr. John Selwyn Gummer): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'recognises that the environment cannot be properly protected by national endeavour alone; acknowledges the importance of Europe-wide action to prevent pollution and improve environmental standards; applauds the work of the European Union and especially of the European Parliament in helping to safeguard the environment here in Britain; welcomes the lead taken by Her Majesty's Government in ensuring that the European Union plays an effective part in global environmental matters and implements the principle of sustainable development

in all its activities; insists that Britain should continue to press for sensible and cost-effective environmental decisions on those matters which are properly the concern of the European Union; welcomes the progressive policies of the United Kingdom in all those other areas where national measures are appropriate; is saddened by the failure of Her Majesty's Opposition and of the Liberal Democrat Party to support the necessary fiscal measures to reduce energy consumption; highlights their failure to evolve effective policy towards the environment and their desire to remove the United Kingdom's influence in the European Union by their insistence on majority voting and the abolition of the veto; and regrets the way in which they fail to support the Government's insistence that in internal matters it is for the United Kingdom Parliament to decide upon the most appropriate ways of reaching sustainable development goals.'.

The House may have been rather surprised by the speech that we have just heard. At the end of it, the hon. Member for Islington, South and Finsbury (Mr. Smith) said that much of what was good in Europe had been proposed, nurtured and campaigned for by the Labour party. Yet it is extremely difficult to understand what the Labour party stands for on any of the issues that he raised.

The hon. Member for Southwark and Bermondsey (Mr. Hughes)—with whom I do not always agree and have sometimes been sharp—asked what the Labour party's policy was. He received a clear answer: it was what the Labour party's policy was not. It is not Labour party policy to support a carbon tax, although 11 out of 12 countries do support it.

I have a picture—to which I will not refer, Mr. Deputy Speaker—of the leader of the Labour party signing a statement in the manifesto of the European socialists for the European elections. He has signed up to the principle that majority voting will be the rule in the Council.When this fact was put to the hon. Member for Kingston upon Hull, East (Mr. Prescott)—he used to be the Opposition spokesman for transport, but I am not sure what he speaks on now—he said that we were quoting from the French edition of the document. I do not know how the hon. Gentleman could have known that in any case, but we were actually quoting from the English edition which was signed by the Labour party.

How will the hon. Member for Islington, South and Finsbury square this fact? He says that we have to support all that comes from the European Community. Indeed, the burden of his speech was that on every occasion when the British Government had even questioned something that had been agreed in Europe, we were wrong and they were right. The hon. Gentleman went on to say that although 11 countries want the carbon tax, he and the Labour party do not want it. But he did not explain how the Labour party would deliver the reductions in carbon levels which can be delivered only by the sort of taxation system which we have put forward and to which he is substantially opposed.

We could not meet our targets without that taxation system. The hon. Gentleman would not go along with the alternative of a carbon tax, which he rightly said was disadvantageous to the United Kingdom; that is why I have opposed it continually. If the hon. Gentleman cannot accept either proposal, he is admitting that, far from having a policy of reducing carbon levels after 2000, he does not even have a policy for reducing them before 2000.

The hon. Member for Islington, South and Finsbury had his facts wrong all along. He was challenged about his general statement that we are the only country in Europe which has not signed a policy for the reduction in carbon levels after the year 2000. But we are in the majority. We are one of 10 countries which have not signed a policy; only two countries have such a policy. Even if we were not in the majority, this country believes in the European Union and therefore we believe that countries should set those targets together. That is the only way of ensuring that the whole of Europe signs policies which matter to the whole of Europe.

The real problem with the motion before us is that, although it pays lip service to the Opposition's support for Europe, it betrays the Opposition's history with regard to Europe. The Labour party has had six changes of mind about Europe. It has been against Europe for far longer than it has been in favour of Europe. The only distinguished former Labour Secretary of State for the Environment hates the European Union and everything to do with it. He opposes it on every ground and if he votes for the motion this evening it will be with his eyes closed to the first half of the motion.

The speech by the hon. Member for Islington, South and Finsbury was sad not just because it was inaccurate or unacceptably vague about Labour party policy, but because it did not seek to establish a consensus with regard to the environment. Consensus is essential if we in this country and other nations in the European Union and beyond are to create the sustainable development on which the future of the globe depends.

Mr. Brazier: Will my right hon. Friend give way?

Mr. Gummer: I will give way in a moment.

We should establish consensus in this area, but, sadly, the hon. Member for Islington, South and Finsbury has seen fit only to trot out a few inaccurate, party political statements.

Mr. Brazier: I am most grateful to my right hon. Friend for giving way. In supporting his broad vision of the total absence of Opposition policies, I suggest to my right hon. Friend that even at the lowlier, purely factual, level there are further great holes in the argument of the hon. Member for Islington, South and Finsbury. He referred to sewage and bathing water directives and so on, but it was his party which cut spending on sewerage by half and left many of my constituents in areas of population growth with sewage problems in their gardens. However, we have had the largest capital programme ever in this area.

Mr. Gummer: I promise my hon. Friend that I will return to that and I will do so accurately, unlike the hon. Member for Islington, South and Finsbury, who tried to push off a direct question from my hon. Friend the Member for Gravesham (Mr. Arnold) about the cost of his proposal on water. The hon. Gentleman revealed that he had no idea what that cost was. I will tell the House that it would cost £10,000 million. It would take a large number of directors' salary reductions to make up £10,000 million pounds.

The hon. Gentleman does not have a policy. When he was pressed on a carbon tax, he had no answer. When he was pressed on the figures relating to the way in which we are meeting the requirements of the urban waste water directive with the extra speed that he demands, he did not know them. The answer that he gave was clearly trumpery and rubbish because he did not want to give the real answer, which is that if we speed up the application of the directives, the cost falls upon the consumer. It can fall nowhere else.

The hon. Gentleman also had the gall to mention Hull's infrastructure. Who does he think was responsible, until

[Mr. Gummer]

relatively recently, for the investment in that? The people responsible were his friends in the Labour party, and we have difficulties today because of the constant failure of the public sector to invest. When the Conservative party says that private sector investment provides the answer, it is right, and the answer is £3,000 million a year in investment.

That investment makes up in large measure for what happened particularly at the time of Denis Healey, when the Labour Government cut investment because they would not stop paying inflationary wage increases to their friends in the Labour-supporting trade unions, such as the Transport and General Workers Union and General and Municipal Workers Union.

Mr. Devlin: Will my right hon. Friend remain seated for a moment while the hon. Member for Islington, South and Finsbury intervenes to tell him what the Labour party's policy is?

Mr. Gummer: I should be happy to do so, but the hon. Gentleman had three quarters of an hour and the position as far as the House is concerned is as befogging as it was when he began.

Mr. Tracey: Will my right hon. Friend give way?

Mr. Gummer: Will my hon. Friend let me move on? I will come back to him in a moment, and I am sure that we will come back to this point.

I want to get back to the issue of the environment. The Labour party is in no position to criticise the failings of others on the environment. It has never done anything memorable for the environment, either in or out of government, and today shows that it has no hope of doing so in the future.

All the key environmental legislation in the past 25 years has been introduced by Conservative Governments. A Conservative Government created the Department of the Environment. All Labour has ever done is what it is doing today—carp, criticise and whinge from the sidelines. It has not even done that effectively.

Mr. Chris Smith: Will the Secretary of State tell the House which Governments introduced the Town and Country Planning Acts, the national parks and the country parks? Would he like to tell the House that those were Labour Governments and that the Labour party in government has a proud record on the environment?

Mr. Gummer: It is sad that the hon. Gentleman has to go back to the 1945-1950 Government to produce two of his three very miserable suggestions. That was an amazing statement. "We have not had a policy since 1950, and we do not have a policy," says the Labour party; that is what we hear from the so-called environmentalists on the Opposition Benches.

I have some sympathy for the hon. Member for Southwark and Bermondsey: it looks as if he will be the only representative of the Opposition parties who will need some direct criticism. That is a sad situation and I think a question of ignorance.

Let me cite a few examples. On climate change, we were the first country in the Union to ratify the climate convention. We were the first in the Union to produce the detailed programme for fulfilling our commitments to return carbon dioxide emissions to 1990 levels by 2000. We were the first to suggest how to it could be done: we did not just vaguely sign up.

On sulphur dioxide, we have already reduced our emissions by 30 per cent. since 1980 and 40 per cent since 1970. In doing so, unlike some of our most vociferous critics and despite the fact that we were attacked by Opposition Members, we achieved the targets set by the so-called 30 per cent. club under the first United Nations Economic Commission for Europe SO_2 agreement.

We did not sign up when we did not know whether we could meet those requirements. We sought to meet them, and we have done so. Where we sign up, we deliver and where we do not sign up, we seek to deliver. That is the difference between the Government and the Opposition, who have only generalities without a policy to back them.

We are on course to meet our target of reducing nitrous oxide emissions to 1987 levels by the end of the year. We have one of most sophisticated networks for monitoring air quality anywhere in Europe, and an equally sophisticated network—the radioactive incident monitoring network—for monitoring radiation.

About 95 per cent. of our rivers are of good or fair quality, compared with an average of only 75 per cent. in the rest of the Union. Why did not the hon. Gentleman say that the Union is good with 75 per cent., but we are better with 95 per cent.? Can he never praise Britain? Must he only praise other people? Is there not a place in the House for supporting the United Kingdom, or is the Labour party committed to pulling the nation down whenever possible?

Mr. Tracey: My right hon. Friend will have noted that the motion talks about

"applauding the work of the European Union and especially of the European Parliament in helping to safeguard the environment here in Britain."

Coming much closer to home, has my right hon. Friend noted the difference in certain London boroughs where local councils deal with the environment? The hon. Gentleman represents a part of Islington. If one moves from Islington to Hackney to Lambeth and then to Wandsworth, one will notice a considerable difference in the environment. The point is that Wandsworth is controlled by the Conservative party.

Hon. Members: It gets more grant.

Mr. Gummer: The highest support per head is in Hackney, as a matter of fact, and those who live in Hackney will know which council out of Hackney and Wandsworth picks up rubbish.

The hon. Member for Islington, South and Finsbury goes wrong in other areas. Some 98.7 per cent. of nearly 3 million drinking water tests in this country met the standards last year. I wonder whether the hon. Gentleman could say the same about Spain, Portugal, France, Greece or even Germany. I do not believe that many countries even test their water on that kind of scale, let alone meet those figures.

Mr. Llew Smith: The Minister criticises Labour's environmental policy. [HON. MEMBERS: "What policy?"] If Conservative Members shut up for a minute, I will tell them.

Mr. Deputy Speaker: Order. I make a plea that hon. Members should use normal English language, and not the language of the street.

Mr. Smith: If Conservative Members keep their lips closed for a few moments, Mr. Deputy Speaker, I will tell them Labour's environmental policy.

Mr. Deputy Speaker: Order. Not on an intervention.

Mr. Jerry Hayes (Harlow): It would be a short intervention.

Mr. Smith: The right hon. Gentleman has criticised Labour's environmental policy, part of which is to end the commercial trade in toxic waste between countries. Do the Government support that policy? If so, would they use their powers to ban toxic waste from being dumped from other countries in parts of the United Kingdom?

Mr. Gummer: I have not criticised Labour's environmental policy. I have complained that there is not a policy to criticise. I am sorry that the rules of the House —which I entirely accept—did not give an opportunity for those on the Back Benches to achieve something which those on the Front Bench did not manage, which is to explain what the Labour party's policy is. It certainly would not take long to describe Labour's policy in full.

There is no dumping of toxic waste in this country, so the question does not arise. My aim is to ensure that toxic waste is dealt with in the most environmentally friendly way possible, so as to protect the people of this country and the rest of the European Union. The hon. Member for Blaenau Gwent (Mr. Smith) will find me steadfast in that. I will not allow dumping, wherever it may be done.

Moving on to our bathing waters, 80 per cent. of them meet EU standards already. I always like to look at what is happening elsewhere. I do not know how recently the hon. Member for Islington, South and Finsbury has been abroad, but if he was to travel the length and breadth of the Union he would probably learn that not every country even approached that percentage—I put it no more definitely than that. Why does the hon. Gentleman not point to the fact that we have already achieved 80 per cent. of the target, despite the virulent public spending cuts under the Labour Government? The hon. Gentleman should urge us on to achieving the other 20 per cent. instead of claiming that Britain is wicked because that 20 per cent. has not been achieved.

We are committed to spending £30 billion over 10 years to improve the quality of our water. If that is not good enough, how much more is the hon. Member for Islington, South and Finsbury asking for? Who will pay for it? How much will the money buy? Will it be cost-effective? What will the hon. Gentleman do about the things that he will not be able to pay for because he is spending the money on water? [HON. MEMBERS: "Answer."] These are questions that the hon. Gentleman cannot and will not answer. That is why it is not reasonable to accept his credentials as a spokesman for the green sector.

Mr. Simon Hughes: I guessed that the Minister had reached the end of the section—hence my intervention now. In the Tory party manifesto for the European elections of five years ago, the Government stated, under the title "Cleaning up the sea and the rivers":

> "We want to do still better. We will ensure that all our bathing waters meet relevant European community standards."

By what date was the promise of five years ago intended to be achieved? Surely it was implied that all the standards would be imposed 100 per cent. of the time.

Mr. Gummer: I am happy to say that in five years we have achieved 80 per cent.—not a bad start. I do not intend to derogate in any way from European standards of bathing water cleanliness. My arguments, in so far as I have any, are simple: for instance, how much longer should we attempt to implement methods of delivery that have been superseded by better methods? Should we not be less prescriptive, and examine the time limits that have been set in certain areas to see whether they are cost-effective? Should we not hold the sort of discussions that sensible people would hold if they were doing anything besides hurling comments at each other across the Chamber? Would it not be better to compare the £30 billion being spent over 10 years with the pathetic sums achieved when water was in the public sector?

Her Majesty's inspectorate of pollution and the National Rivers Authority are two of the toughest, most respected and most admired environmental regulatory agencies anywhere in the Union. Can the Opposition spokesman name me any two agencies in the whole Union with such a good worldwide reputation for efficacy? In English Nature and the Countryside Commission, and in their Scottish and Welsh equivalents, we have some of the most effective bodies in Europe for protecting our national heritage—bodies which other countries copy when they come to set up similar agencies.

Our planning system is more effective at balancing economic and environmental considerations than are systems found in many other countries in the EU. We can use it to deliver sustainable development, and it is widely envied elsewhere.

Today, Labour has clearly shown that it has no policy on the environment. Moreover, Labour is wrong to claim that the Government have not taken the lead in Europe in delivering policies that are the envy of other countries. It is we who are forcing the pace, not a few members of the Labour party in the European Parliament who appear not to have caught up with the fact that, here in Westminster, there is no policy for them to support or nurture.

The fact is that there is no greater obstacle to sustainable development than the common agricultural policy—and who has done most to reform it and to bring the environment to its centre? The answer is: the United Kingdom. In four years, we have changed the whole EU attitude to the CAP; the environment has become not an add-on extra but a central issue.

The mechanisms used in the common agricultural policy were pioneered by this country—environmentally sensitive areas, protected landscapes and the like. These were British inventions, now accepted throughout the European Union.

Mr. George Stevenson (Stoke-on-Trent, South): Would the right hon. Gentleman care to tell the House how much of the extra £6 billion—the Commission's figure —that the CAP will cost between 1991-92 and 1995-96 will be devoted to environmental improvement?

Mr. Gummer: Far too little; we have sought all the time to make that a much larger part of the policy. The hon. Member for Islington, South and Finsbury tried to attack me, saying that we had not played a leading role in this campaign of bringing the environment to the centre. I should add that we have had precious little support in our effort from socialist Governments in the rest of Europe. The hon. Gentleman, if he wants to attack anyone, should

[Mr. Gummer]

attack socialist Spain, from which I received no support on environmentally friendly farming. He should attack the then socialist France. The French prevented my every effort to improve environmentally friendly farming while I was fighting for Britain's cause and the environment at Agriculture Councils.

The hon. Gentleman might have a word or two with socialists throughout Europe, who put fine words in documents and nice pictures of roses from "The Plantsman's Catalogue" but who say not a word when it comes to voting in meetings of the Council of Ministers *[Interruption.]* The hon. Member for Knowsley, North (Mr. Howarth) seems to have a lot to say, but I advise him to say it elsewhere to his friends in the Labour party.

It is Britain which pushed and prodded—I had written down "a sometimes reluctant", but "an almost entirely unhelpful" is more to the point—Commission into getting its eco-labelling scheme up and running. From socialist France there came not a word. The French spent their whole time trying to stop it. Now, thank goodness, the Conservative Government in France are supporting us.

Mr. Andrew F. Bennett (Denton and Reddish): How many eco-labellings have been awarded in this country?

Mr. Gummer: We have just got the system through, and the first has just been awarded—

Mr. George Howarth (Knowsley, North): None, then.

Mr. Gummer: The hon. Gentleman should not shout out the first thing that comes into his head. We have fought hard and have only just got the first lot through—not because we failed but because the socialists in Europe did not support us. It is all very well for the hon. Gentleman to laugh, but he was infinitely out: he said none, whereas the answer was one. The hon. Gentleman would have received a better answer if his friends in Europe had supported the British Government.

Our system of integrated pollution control is the most advanced in the world. Britain promoted the idea within the European Union, and it provided the foundation for the draft directive on integrated pollution prevention and control. You, Mr. Deputy Speaker, have not been here for the whole debate; had you been here, you would not have heard a word from the Opposition about integrated pollution control—the most important pollution control system in the world. Perhaps the Opposition spokesman's advisers did not tell him that the rest of the world is now copying it. As usual, we have led the way. It is Britain that pushed for the European Environment Agency when its establishment was being obstructed by the pettiness of others. We led the charge to put in place the eco-audit regulations.

I shall remind the hon. Member for Islington, South and Finsbury of what happened with the Basle convention on hazardous waste. The developing countries said that they were not happy with a framework in which we told even those countries with a method of dealing with hazardous waste that they could not have it. Some of them said that that would be an imperialistic way of dealing with the matter. We therefore said that we would not export hazardous waste to any country that either could not deal with it properly or did not want to have it. We thought that a perfectly reasonable argument.

Then, the group representing the developing countries changed its mind and said that it wanted there to be no export of hazardous waste, so the United Kingdom wrote the necessary keynote document and persuaded every other EU member to support that. We led the way and brought on board a number of countries that did not want to come on board. Why not praise the UK? Do not praise me or the Conservative Government, but for goodness' sake praise our nation rather than always trying to undermine it from Islington.

Mrs. Helen Jackson (Sheffield, Hillsborough): In view of the Minister's comments on hazardous waste, will he here and now reject the document on hazardous waste published by his business-led deregulation task force, which asks the Department of the Environment to

"examine the EC directive on hazardous waste . . . with a view to pressing for appropriate deregulatory change"?

Mr. Gummer: I find the hon. Lady's attitude rather odd. In her professional life, would she honourably say that she would never discuss or investigate any matter with a view to taking appropriate decisions? I certainly would not say such a thing. On first reading, I think that the appropriate decision is to keep matters as they are or to do a number of things of which she might well approve. I am sure that no academic or anyone with a rational approach would say that he would not even consider any matters. I will consider anything that the hon. Lady proposes, and so far she has no reason to complain about my response.

Time and again, we have argued that the EU's trade and environment policies should support each other. I am sad that the hon. Member for Islington, South and Finsbury cannot find it in his heart to acknowledge that Britain led the campaign to ensure that the World Trade Organisation would have an environmental input. We brought together the French, Spanish and Germans so that we could have a common view and we led the argument in the European Council to ensure that we achieved that. The hon. Gentleman should recognise that that is something that Britain has done that we could both support. Why cannot we both say that? We should argue about the matters on which we disagree rather than the hon. Gentleman's inventing criticism and throwing it not at the Government but at this nation, working within the EU.

Unlike some, we have nothing to fear from more rigorous enforcement of EU legislation. The hon. Gentleman managed to go through the whole of his speech not only not revealing Labour party policy, but not even mentioning enforcement. It does not matter what the EU decides if it does not enforce those decisions. Enforcement is the only thing that makes decision anything more than the outcome of a debating society meeting. Of course, as the hon. Gentleman's attitude to politics is that of a debating society, he does not mind if decisions are not enforced provided that he can attack Britain and the way that we deal with these matters.

Subsidiarity means nothing more than allowing the Commission to concentrate its legislative and enforcement resources on those areas where Europe-wide legislation is essential. It must ensure that that legislation is complied with. We are able to take the leading role in Europe because we do what we say we will do—unlike those who agree to ambitious, headline-grabbing targets one day only to revise them when the spotlight of publicity has moved

on. Few other EU Governments set out specific policy objectives year onyear and then report on both the successes and the failures.

The hon. Gentleman lauded certain countries in the EU —countries of which Britain can be proud to be a partner in the European Union that I so enthusiastically support. However, I also have some criticisms of them. How many of them have an annual update report on what they are doing on environmental issues and tell the public what they have failed to do as well as what they have done? None, as far as I know, but I hope that in the end all of them will do so because they tend to follow Britain.

We have delivered on the commitments that we made in Rio. Our national strategies on climate change, biodiversity and sustainable development were published in January, which is when we said they would be published. What other countries have done that with such directness and completeness?

Mr. Elliot Morley (Glanford and Scunthorpe): When does the Minister intend to deliver on the Government's commitment on hedgerow protection?

Mr. Gummer: I am sure that the hon. Gentleman is aware that the House turned down the Hedgerows Bill introduced by my hon. Friend the Member for Surrey, East (Mr. Ainsworth), with Government support. The hon. Gentleman knows that now we must find some form of protection that the House will support.

Mr. Peter Ainsworth: My right hon. Friend may wish to confirm that my Bill received the full support of the Department of the Environment.

Mr. Gummer: The Bill also received the full support of MAFF, where I was a Minister at the time.

We have put in place the machinery of government, the networks of green-oriented Ministers, a permanent Cabinet Committee, annual reports, a high-level advisory panel appointed by my right hon. Friend the Prime Minister and a round table of all the interests to maintain progress on delivering sustainable development.

I have listed all the things that the Government have done to meet our commitments in Rio, in the conferences on sustainable development and in our documents—yet not one of them was mentioned by the hon. Member for Islington, South and Finsbury. Why is he afraid of saying how well we have done? Is it because he does not know or because it would again show us how little the Labour party has to offer to those who care about the environment?

Mr. Chris Smith: In answer to the right hon. Gentleman's last comment, it is because I know that those things do not add up to very much. For the completeness of record about hedgerow protection, the right hon. Gentleman might like to inform the House that it was Conservative Back Benchers who ditched the Hedgerows Bill. The Labour party offered the Government full co-operation and support in bringing forward a Government Bill to protect our hedgerows, but the Government have failed to introduce such a Bill.

Mr. Gummer: No one could accuse me of being anything other than very supportive both of the Hedgerows Bill and of the principle of protecting hedgerows. I hope that it will not be misunderstood when I say that I find it difficult to understand how the hon. Gentleman can come to this House without policies on energy, on water or on any other subject on which he has been tackled. Yet his final fling is to complain that some individual Conservatives happened to hold a different view from him on hedgerows.

That the official Opposition descend to that level of argument seems to me to be extremely worrying. I can promise that we will continue to look at the whole of the environment and not be led astray, as the hon. Gentleman would like us to be. I would have been much more receptive to criticism about any failure to support the Commission's fifth action programme on the environment, which was one of things that the hon. Gentleman flung at me, were it to come from those, including the Commission, who had done as much as we have to put powerful institutional momentum behind their promises. We have done more than those who are criticising us.

It is because we do what we say that we have such a good record on implementation within the Union. Because we have such a large number of environmental organisations with a strong commitment to Europe, some 22 per cent. of all the complaints about infractions come from Britain. Yet they result in only 2 per cent. of the European Court of Justice environmental judgments being held against Britain. We have a better record than Germany, Holland, France, Spain, Italy, Belgium, Luxembourg and Greece. Why did the hon. Gentleman not mention that?

We have heard much today about the difficulties and dangers of misleading the House, and I am very conscious of the need never to mislead the House. But is it not possible that one can mislead the House by failing to say something? Is it not misleading the House to say that Britain has a worse record than its neighbours when one fails to mention that it has a better record than Germany, Holland, France, Spain, Italy, Belgium, Luxembourg and Greece? Is not that in a sense not giving the whole story as it is?

It is because we have such a good track record, because we are forcing the pace on the environment within the Union, because we do what we say and because we are prepared to make the difficult choices that we are in such a good position to protect all our interests.

I shall now deal with the hon. Member for Southwark and Bermondsey. The House will hear a large number of wonderfully flowery phrases about the Liberal party's commitment to the environment. The fact that they will fall on no other Liberal ears, for he is the only one here to tell us about it—

Mr. Simon Hughes: Out there they will.

Mr. Gummer: Perhaps they will come back in to hear what they are supposed to say. The hon. Gentleman is incredible, because he has failed to support any measure that helps the environment and is tough. He will support any wet measure, any woolly measure, any proposal that his constituents do not have to pay for, anything that he can claim is rather nice on his manifesto. But when it comes to having to take the measures to reduce the waste of energy, when it comes to having to increase the cost of motoring because of the very issues that he raises, does he vote for them? Oh, no; he has a different way of doing it. It is not quite the same, and, of course, it would not pain anybody. It does not cost anything—

Mr. Simon Hughes: We never say that.

Mr. Gummer: Ah. If they do not say it, perhaps he will own up to the fact that the Liberal party policy on the carbon tax plus their statements on VAT would mean that the effect on the price of fuel would, if anything, be greater than the VAT that we have introduced. I have not heard that said in any of the by-elections. I notice that he suggests that, if we cut out VAT on fuel, there would somehow or other be no other tax. The carbon bit and the basic VAT bit is kept for another day. I expect today to hear about it.

I expect also to hear whether the hon. Gentleman has joined the environmental club, because the price of joining it is to agree to pay the admission charge, not expect other people to pay it—the other countries of Europe, the countries of the European Union, which he claims to support—but not pay it himself. But, of course, he will not pay it. He will do what he always does. He will say to the people outside, "If you vote for me, you will not pay the bill. Someone else will." If it is in the south-west, it will be the water consumers in Northumbria. Then his right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) says, "Hang on a moment." If it is not Northumbria, it will be the water consumers of Severn Trent.

The hon. Gentleman is the ideal Liberal. Not only does he have a policy for every election, constituency, ward and street, but a policy for every house. And if there are two people in the house there are two policies. We know why, because his canvassing booklet has been leaked. It says you bang on—

Mr. Deputy Speaker: Order. Does it say very much about the environmental policies?

Mr. Gummer: I refer specifically to the section on the environment, Mr. Deputy Speaker. On the environment and everything else, it says very simply, "You ask the person on the doorstep what they are worried about and what they think, then tell them that that is what you are worried about and that that is what you think." Carrying the environmental message next door, they then ask what those next door think and, although they have always hated the people living on the other side because they think the opposite, that same candidate discovers—surprise, surprise—that he is absolutely in harmony with what those people think and want. House by house, and not very silently, the Liberal vote increases. But once they are in power in Tower Hamlets, what happens? They are rumbled. If one looks at the elections in Richmond, and I must say that I was pleased—*[Interruption.]*

Mr. Deputy Speaker: Order. The local elections are now over.

Mr. Gummer: I am hoping to defend our policies on the environment, Mr. Deputy Speaker, because no doubt that will be a central part.

We see the single market as an increasingly green market in which we have every intention of competing vigorously and successfully. This is an issue that should rise above partisanship. We will not solve the problems of the environment in this Parliament or the next, or for many thereafter. The issues are complex and difficult and affect all of us. They require difficult trade-offs to be made. If one spends non-cost-effectively in this area, one does not have the money to spend properly in another area needing environmental help. If one does something that one has not thought out properly in one area, it very often has a non-environmental effect somewhere else. Above all, if one promises to deliver the goods without spelling out the cost, one misleads the people of Britain and does not deserve to enter in the debate. We serve no one's interest by allowing them to become mixed up in another bit of the daily round of debate.

We cannot solve the issues in isolation. Britain has a great deal to contribute to the common effort, as we clearly demonstrated when John Major became the first world leader to go to Rio and lead the campaign to make it a world summit. We have carried that on through. We cannot do it on our own. We must do it as part of the European Union. It is in the European Union that we have been leading the way. It is with the European Union that we have forged the relationships with India and many other southern nations. It is with the European Union that we are able honourably to say not only that Britain one of the best environmental records in the world but that this Government have put Britain at the top of the environmental tree. It is the Labour party that has consistently failed to present any kind of policy or any good reason why anyone should take them seriously.

Mr. Devlin: On a point of order, Mr. Deputy Speaker. The attendance of Opposition Members dropped to eight during the last part of that speech. If it goes below six—

Mr. Deputy Speaker: Order. That is nothing to do with the Chair.

5.29 pm

Mr. Andrew F. Bennett (Denton and Reddish): It was disappointing that the Secretary of State devoted almost all his allotted time to yah-boo politics; he would have done better to use some of it to discuss some of the problems with which the Government must deal. Three examples are eco-labelling, the Energy Saving Trust and legislation on hedgerows. It is extremely disappointing that the Government are making so little progress on all three.

Let me deal first with eco-labelling, or green labelling. For at least five years a substantial number of people in this country—at least 30 per cent. of the population—have clearly been prepared to buy environmentally friendly products in preference to others, but most have found it difficult to identify the more environmentally friendly. They need a labelling system—the kind that the Germans had nearly 10 years ago and other European countries have subsequently adopted.

The Government have said that it would be illogical to develop an eco-labelling system for this country alone, and that such a system should be EEC-wide, or rather European Union-wide. I accept that, if we are to have environmentally friendly products, it is far better to have them throughout Europe. It is sad, however, that because of bureaucracy in Europe, a lack of drive and the Government's inability to persuade other European Union countries, five years on only one product has been awarded an eco-label.

That product is a relatively expensive washing machine produced by Hoover. The eco-labelling board is clearly reluctant to advertise it, not wishing to be associated with Hoover because of its problems. A cynic might say that Hoover had produced not only an environmentally friendly washing machine but environmentally friendly free trips, given that those trips do not actually happen.

Because of all the difficulties, eco-labelling has been given no publicity. The one product to which it has been

applied is too expensive for many people to buy: they might buy eco-friendly soap powder or tissues, but they cannot afford to make the choice when it comes to washing machines. But, instead of telling us that the Government are trying to breathe new life into the eco-labelling system, the Secretary of State simply argued with my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) about whether having no labels or having one label was more important.

Mr. Morley: The Government and the British eco-labelling board have consistently refused to consider animal welfare as one of the criteria for the eco-labelling scheme, although the subject has a direct bearing on cosmetics, shampoos and a range of other unrelated products. Other member states are interested in the matter, and we could set the pace.

Mr. Bennett: I intend to refer to early-day motion 1208, which concerns eco-labelling and makes that very point.

I hope that, when the Minister replies to the debate, he will give us a progress report on eco-labelling. Perhaps he will venture to tell us how much Government money has been spent on each eco-labelled product that has been sold so far; I suspect that setting up the system has cost thousands of pounds for each washing machine costing a few hundred. As I have said, progress over the past five years has been disappointingly slow. The Government need to find a way of ensuring that a large number of products are labelled quickly in the European Community, thus returning some credibility to the scheme.

Not only have the Government failed to get the system going, however; they have failed to deal with the Trade Descriptions Act 1968. As was made clear at the outset, one of the problems is caused by the false claims of many companies that their products are environmentally friendly. Some claim simply that their product is "green", which it is virtually impossible for a trading standards officer to investigate; others claim that certain ingredients are not included in the product—usually a detergent—when rival products do not contain those ingredients either. It would have been very simple for the Government to table an amendment to the Trade Descriptions Act, making it clear that any attempt to make environmentally friendly claims that could not be justified breached that legislation.

The Government must carry public opinion with them —and this is where testing on animals comes in. Many people who would be prepared to buy environmentally friendly products are concerned that those products should not have been tested on animals. I realise that this is a difficult subject, and I do not entirely accept the "holier than thou" arguments of the Body Shop: many of the products that originally went into shampoos were originally tested on animals. If the Government and the eco-labelling board want to carry public opinion, however, they must come up with some method of assessing whether it is essential for a product to have been recently tested on animals.

The Body Shop also argues that labels should be awarded to only a small proportion of products. That is a mistake: I think that we should try to ensure that virtually 100 per cent. of some products, especially detergents and shampoos, eventually meet the eco-labelling requirements. I understand why one or two shops want environmentally friendly products to have a certain exclusiveness, but if we are concerned about the environment that is the wrong attitude.

Mr. Andrew Rowe (Mid-Kent): One of the problems is the fact that the scientific base on which such judgments are made is constantly moving on. For instance, many people have switched to buying diesel cars, only to be shell-shocked on reading a recent report that diesel cars may well be considerably more damaging to the environment than the cars that they bought previously. How would the hon. Gentleman deal with that problem?

Mr. Bennett: I am quite prepared to accept that eco-labelling is not easy, but the west Germans have managed it for a number of years; besides, it is much easier in the case of certain products. I submit that, if it is difficult for people to award the labels and for hon. Members to make judgments now on the Floor of the House, it is equally difficult for other people to make such judgments when they are going around supermarkets and stores.

I believe that in many areas it is possible to make a scientific judgment. Such judgments must be made on the basis of the best information currently available, and alternative views may well be advanced in the future. It is difficult to say that certain products are environmentally friendly throughout Europe, which is one of my reasons for criticising the authorities for starting with washing machines. I have always thought that it must be hard to find a washing machine that would be environmentally friendly in the lake district and southern Italy. In the lake district, water consumption will not be particularly important, whereas energy and heat consumption for drying will be, while in parts of southern Europe where water is much more expensive it will be important for the machine to use the minimum amount; the drying may not be nearly so much of a problem.

It was the Government who said that, rather than establishing a British system, they would introduce a European system and encourage the rest of Europe to go along with it. As I have said, it is disappointing that, after five years, only one product—an expensive washing machine—has been given a label.

The Secretary of State made great claims about our signing up to reducing carbon dioxide emissions by the year 2000. When the Environment Select Committee—of which I am a member—looked into the matter, it found that the Government's main delivery mechanism was to be the Energy Saving Trust. It was to have a programme involving energy conservation, and it was hoped that it would provide at least 30 per cent. of the reduction in emissions.

The problem faced by the Environment Select Committee six months ago was where the money would come from to fund the Energy Saving Trust. It was suggested that it should come from a levy on the gas industry. The Select Committee wanted to know what the electricity and other industries as well as the Government would contribute to the Energy Saving Trust.

The Government have now appointed a new gas regulator and she does not believe that there should be a contribution from the gas industry to the trust. She believes that such a contribution would be pure taxation and would be illegal. It is time that the Government told us from where the trust is to obtain its money if it is not to receive it directly from the gas industry. Unless the Government

[Mr. Bennett]

can find some money for it, it will not be able to deliver the 30 per cent. reduction in carbon dioxide emissions. It is an urgent and serious problem. How can the Energy Saving Trust plan a programme for energy saving if it does not know how it is to be financed?

I think that there is a great deal of scope for encouraging people to move towards energy efficiency. We should also look towards solving the problem facing many low income households where it is difficult for them to find the capital to insulate their homes in order to reduce energy consumption and to make savings in their gas and electricity bills. It is important that the Government or the Energy Saving Trust should talk to the building societies and others to ensure that there is an assessment of how much energy is being lost from each property and then to see whether loans can be made to enable people to carry out the necessary work.

It is urgent that the Government tell us how they intend to finance the Energy Saving Trust. If they cannot come up with a system of finance, we will not be able to deliver our commitment to reduce emissions by the year 2000.

It was unfortunate that the Government did not have the courage in the previous parliamentary Session to introduce a Bill on hedgerows. They put it in their manifesto and I suspect that 90 per cent. of hon. Members would have supported them. They did not have the bottle to do it. They left it to the hon. Member for Surrey, East (Mr. Ainsworth) to introduce a private Member's Bill. They then allowed a small handful of their Back Benchers to filibuster and thwart the legislation.

I am disappointed that the Government have not introduced legislation in this Session. Several of my hon. Friends, including my hon. Friend the Member for Wentworth (Mr. Hardy), have offered to introduce such a Bill, but the Government have rejected all their suggestions.

We know that the Government are talking about introducing a Bill in the next Session, possibly to merge the Countryside Commission with English Nature and to set up the environment protection agency. I do not know whether the rumours are correct, but it is being suggested that the Government are trying to draw up the Bill in such a narrow way that it will simply be a bureaucratic measure dealing with the procedures of those organisations but that it will not spread over into any other environmental issues. That would be an insult to the House. If the Government are to introduce such a measure in the next Session, they must include hedgerows.

When the Minister replies I hope that he will make it clear that the Government intend to do that. They cannot go on ducking the issue. Hedgerows are disappearing and, worse still, many have not been maintained appropriately over recent years. I strongly believe that, if the Government can provide money for set aside and other things for farmers, they should provide money to regenerate many of the hedgerows that are disappearing.

The Government keep claiming that Britain does better than many of the other EU countries. If that is correct, how often have the Government gone to the Commission demanding enforcement across the rest of the EU? It is important that they tell us that. It is no good just complaining about a lack of enthusiasm from other parts of the Common Market. The real issue is how far and how often the Government use the mechanisms within the EU to ensure that there is enforcement.

The Minister for the Environment and Countryside (Mr. Robert Atkins): Constantly.

Mr. Bennett: If that is the case, I hope that the Minister can give us one or two examples of his success when he replies.

I shall listen carefully to what the Minister says about what the Government intend to do to take forward eco-labelling, where they intend to find the money for the Energy Saving Trust, when they intend to do something about hedgerows and what they intend to do about enforcement throughout the EU.

5.44 pm

Mr. Julian Brazier (Canterbury): I was so enraged by the comments by the hon. Member for Islington, South and Finsbury (Mr. Smith) that I should like to put on record the fact that the last Labour Government made the largest cut in the sewerage programme that there has ever been in this country. They cut it by about half. Areas such as that covered by Canterbury council, which I share with my hon. Friend the Member for Thanet, North (Mr. Gale) had growing populations and when I arrived as a new Member I found that many of my constituents suffered from the most appalling sewage problems.

Privatisation has enabled the largest ever programme of sewerage investment to take place in this country. In the area represented by my hon. Friend the Member for Thanet, North and myself, we have seen a brand new, ecologically sensitive, sewage works to replace an unbelievably filthy and smelly old one. The product that comes from that sewage works is used as fertiliser by the farmers. There has been a complete reworking of the sewerage system of Herne Bay, and many new pipes, including a major one at Seasalter in my constituency.

I want to deal mainly with metal recycling, particularly the EC directives on waste management and waste shipments. I have a good news story to tell. We were close to a Christopher Booker style horror story when the rapid and effective intervention of my hon. Friend the Member for South Ribble (Mr. Atkins), who was the new Minister responsible, averted what could have been a serious cock-up.

There are essentially two scrap metal industries—ferrous scrap metal and the British Secondary Metals Association. I have links with the BSMA because one of its past chairmen is a constituent of mine—he is our deputy lord mayor.

These are important industries. The BSMA embraces 30,000 jobs and hundreds of millions of pounds worth of exports. Even more relevant to this debate, it is by far the best established and most effective recycling industry in the country. A casual observer with only a mild interest in politics might imagine that, when the Government are committed to recycling and when we have a deregulation initiative in hand, we might be looking at ways to reduce regulations for such a highly successful recycling industry. In fact, as a result of the two EC directives to which I have referred, we were on the brink of having a string of new measures which would have had a devastating effect on the industry.

The waste management directive is something which I believe that nearly everyone here would support in outline. It is a thoroughly sensible idea that, in the public interest, we should have more regulation of waste disposal facilities such as rubbish tips and so on. The problem is that it appears—we will not know for certain until July—that its definition of waste includes metal recycling. We must bear in mind the fact that, on the average BSMA site well over 90 per cent. of what goes in through the gates comes out again, mostly in the form of high-cost, high-quality metal products, whether it is tungsten, copper, zinc or whatever. It is an extraordinary anomaly that the industry could be categorised with rubbish.

Also, our industry is concerned about what the regulations mean for them and about what is being done in other parts of Europe. Concern focused on two areas. First, there was the proposal for a duty of care which could mean, in principle, a lot of extra metal work and, in a business where there are many small transactions, it could lead to a great deal of paperwork.

Secondly, and even more serious, concern focused on arrangements for surrender. It is not always known what preceded a secondary metal site, which is usually built on 9 in of concrete, with the bulk of the site indoors. If people are made responsible for the sins of previous site owners, the impact on the value of their principal asset—their site—will be tremendous, and the willingness of bankers to lend and insurers to insure may evaporate.

I do not want to bore the House or my hon. Friend the Minister with an account of what other European countries are doing. The good news is that my hon. Friend has secured a five-month delay on the implementation of the regulations. The industry and his Department are investigating practice in other European countries. The BSMA and I are confident that that those countries have made less onerous proposals for implementing the directive and that we can learn from experience abroad.

I am particularly encouraged that my hon. Friend the Minister has said that we will have our own title. Although it is only a matter of the label, that shows a change of mind. The regulations will be called the metal recycling regulations to distinguish them from ordinary waste management—a fundamentally different activity.

We have had a lot of hot air from hon. Members about toxic waste, about which everyone is concerned. No one wants toxic waste to be dumped in an unsatisfactory fashion or to be transported in ships along coastlines.

In introducing new regulations, we must be careful that they do not catch perfectly legitimate businesses. Products are classified into green, amber and red categories. Batteries are amber items. It is in the interests of people who want a good environment that batteries should be purchased and sold to customers, whether in this country or abroad, for recycling and reuse.

Mr. Rowe: Does my hon. Friend agree that the highly developed industrialised world could assist countries that are striving to achieve that same level of industrialisation by taking some of their most hazardous waste and dealing with it in ways that we have painfully developed over many years?

Mr. Brazier: Indeed. My hon. Friend anticipates my comments. He and I share in our county the university of Kent, the world leader in the biodegradation of hazardous waste products. We could make that technology available to the world, to the benefit of the whole world. We must be careful that the regulations do not frustrate the objectives that they are designed to achieve. Other Departments might like to take note of the example of the Minister who recognised a potential problem and that serious worries had been exposed, but who was willing to listen and to say, "Let us take this slowly and carefully to see whether we can achieve our objectives in a way that is satisfactory to everyone." For that, I am most grateful.

5.53 pm

Mr. Simon Hughes (Southwark and Bermondsey): As always, this is an important debate. It will be all the more interesting because none of the three parties' manifestos for the European elections has been officially published yet. My colleagues—

Mr. Simon Burns (Chelmsford): And I.

Mr. Hughes: My colleagues and I will vote for the motion and not for the amendment. We welcome the Labour party's interest in the subject, which has grown over the years, although it is still weak at the top: the Leader of the Opposition is still not overtly interested in the matter and has said less about it than even the Prime Minister.

In my objective opinion, today the hon. Member for Islington, South and Finsbury (Mr. Smith) did not make one of his best speeches, whereas, in terms of performance, the Secretary of State did.

The fundamental flaw in the Labour party's justified attack is that it does not have adequate answers to some of the key questions. Until the Labour party sorts out the answer to the difficult question of how to pay for what it wants, it will have no credibility on environmental policy, environmental taxation and eco-taxation.

Mr. Burns: How will the Liberals do it? Answer the question.

Mr. Hughes: I shall answer the question, but let me deal with other matters. After about 10 minutes of expectation, the hon. Gentleman will have three minutes of fulfilment.

All the opinion polls show that environmental policy has been one of the most successful and most popular in the history of the European Community. The environment was not part of EC policy when it was created, although it was vaguely referred to in the preamble to the treaties in the early 1950s. It was included formally only when the heads of Government resolved to do so at their 1972 summit. One of the mischievous bits of history is that it was Lady Thatcher who signed up to the environmental commitments of the EC, to which the European Commission then paid attention and submitted proposals. When Prime Minister, it was Lady Thatcher who took the Single European Act 1986 through the House. It was only as a result of that Act and only after 1986 that we have really been committed to environmental policies as part of the European Community.

That Act, by which an article to the treaty of Rome was introduced, states:

"Action by the Community relating to the environment shall have the following objectives: to preserve, protect and improve the quality of the environment; to contribute towards protecting

[Mr. Hughes]

human health; to ensure a prudent and rational utilisation of natural resources."

An article in the treaties then allows legislation for environmental activity.

There have been European environmental action programmes—we are up to the fifth, which runs from 1993 to 2000 and is referred to in the motion. The debate on the Maastricht treaty touched on how much the Government would backtrack from their environmental commitments, which is a serious concern. Some of us believe that, were it not for the European Community, environmental attainment standards in Britain would be far lower.

We are naturally sceptical, therefore, if subsidiarity provisions under Maastricht will mean that the power to make decisions on environmental matters will return to the Government, not remain in the European Union. There was much suspicion—not all of it proven, but some of it apparently was justified—that during negotiation on the Maastricht treaty, the Commission did not pursue environmental issues against the Government, for example, in relation to Twyford Down, because it wanted to keep the United Kingdom on board.

The environmental impact assessment directive has been one of the best achievements of European legislation. It was passed by the House and it ensures that the effect of many proposals, such as road and power schemes, are assessed for their impact on the environment. Other directives raise our standards and tighten targets on air quality and emissions, including vehicle emissions, which, as the hon. Member for Chelmsford (Mr. Burns) will remember, followed an initiative from the European Community. Bathing water is probably the most urgent, controversial and topical matter, even before the publication today of the National Rivers Authority report on the quality of our beaches. Promptings on all those matters came from the European Community.

We may be good at enforcing directives that we have agreed compared with other member states. At least the law binds us, and the Government normally agree to sign up to a directive. For instance, the Conservative party manifesto for the previous European election gave a commitment to honour the bathing water directive.

The Government are aware that they are also being judged on other proposals that are in the pipeline and to some of which other hon. Members have already referred.

The Labour motion criticises the Government for their substantial failures. If the Government are honest they will admit—and anyone observing the environmental agenda will certainly admit—that they have as yet made no commitment to ensuring that the rest of the habitats directive is implemented in domestic law. The hon. Member for Denton and Reddish (Mr. Bennett) rightly reminded the Government that they have not honoured their manifesto commitment to legislate to protect hedgerows. Such legislation would have been passed had the Government been determined.

The Government appear to have backed off completely, but I hope that they will reconsider a Europewide system of civil liability for environmental damage. It is very important that there should be a legislative remedy for such damage, but the Government have tried to ensure that no such remedy exists.

We have not heard details of the implementation proposals of the fifth action programme; nor have the Government been positive about the proposed amendments to extend the environmental impact assessment directive. There is a list of similar items, some of which have been alluded to in today's newspapers, because yesterday the Government produced their checklist of what they had and had not done. Knowing that that list was coming, the Labour party rightly chose today for this debate.

The Government should not really need to be reminded of what still needs to be done, but I hope that they will now honour their commitments. We have not yet had details of the air quality targets which were due in 1993, nor have we received details of the minimum construction standards for chemical and oil stores which were due in 1992. We were also expecting proposals for the removal of lead solder from water pipes which were promised in 1992.

We are still awaiting proposals for the adequate protection of sites of special scientific interest, especially after the National Audit Office today confirmed that one in five—or 20 per cent.—of them have been partly or wholly damaged since the legislation to protect them came into operation. We are also awaiting the draft legislation for the environmental protection agency. There is still no sign of the terms of reference, let alone the timetable and details, of the nuclear review. In addition, contaminated land registers appear to have dropped off the agenda altogether.

Mr. Atkins: Yes.

Mr. Hughes: Long-term targets for limiting CO_2 emissions seem to have disappeared.

Mr. Atkins: No.

Mr. Hughes: In that case, I look forward to hearing what they are.

Most vividly and most recently, the Government were wholly determined to thwart the energy conservation proposals outlined by my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith)—the Minister himself ensured that the Energy Conservation Bill was talked out.

There is a further worrying suggestion in today's newspapers. The Government yesterday published their third yearly report after "This Common Inheritance". It was eight months late, but the Government's lame excuse was that they had to wait for their proposals on sustainable development. Any logical person would realise that the report could have been published on time eight months ago; the sustainable development proposals, which were meant to have been in place by the end of last year, could have been published later; and the fourth report could then have been published on time later in 1994. However, the third report appeared only yesterday.

It has been reported today, especially in *The Daily Telegraph*, that the Government may be deciding not to produce another report. I expressly ask the Minister to give an undertaking that, as the Government promised in 1990 when they issued the first report, there will continue to be annual reports, that they will in future be published on time and that they will contain a checklist of what has and has not been achieved. I agree with the Secretary of State that it is a good thing for the Government to produce annual reports. The Government gave an undertaking to do so and, if they are now dropping it, it would severely weaken their accountability.

Mr. Atkins: This is the first that I have heard of any such intention. It is certainly not my intention or that of the Secretary of State that such reports should be dropped.

Mr. Hughes: I am encouraged by the Minister's reply. However, I refer him or his officials to the suggestion in *The Daily Telegraph* today. I had not heard the suggestion before. The Government clearly made a commitment in 1990 that there should be annual reports. We were frustrated because this year's report was eight months late, which was inexcusable. It would also be far better if there were an opportunity annually for the report to be sent to the appropriate Select Committee, for the Select Committee to issue a report on it to be put before the House and for us then to assess annually the national and global environment, as happens in the United States.

I deal now with two issues in which I know that all hon. Members are interested. I accept the Secretary of State's proposition that, if we are to join an environmental club, we have to pay the admission cost. By way of a preface, may I say that there was nothing in the Conservative party's 1992 manifesto or in the Labour party's 1992 manifesto about energy taxes. However, my party's manifesto did mention them and our proposals were costed. In order to make it clear, I shall put our proposals on record.

Our view is set out clearly, and it will save Tory central office sending people for the brief—

Mr. Burns: "Costing the Earth".

Mr. Hughes: No. Our view has been set out most recently not in "Costing the Earth" but in another document, properly adorned—it is the European policy document passed by our conference at the beginning of the year, in March.

Mr. Patrick Nicholls (Teignbridge): It is the same as "Costing the Earth".

Mr. Hughes: No, it is not the same as "Costing the Earth". I have never before written a document which has had such a wide readership among all parties as "Costing the Earth". Had I known that it would be so popular, I would have increased the price and insisted on taking royalties. I shall not bore the House with details of our policy process, but it clearly fascinates Tory Members, so I shall relate a quick history of it.

As Conservative Members know now, we considered and rejected the idea of value added tax on domestic fuel and we now have this policy, which I commend to the House. The new policy is contained in one and a half columns of the document—in other words, there is plenty of it. I shall not read it all; I shall paraphrase.

We propose a shift in the burden of taxation towards taxing resources rather than people. We also propose a carbon energy tax along the lines of the European suggestion, which we could not accept as it stands because it stupidly leaves out some of the biggest polluters, which is clearly nonsense. Such a tax should be phased in and we believe that the rate should vary according to the energy content of the fuel and the amount of carbon dioxide that it releases. That would mean making cleaner sources cheaper and the polluting ones more expensive.

I come now to the party political issue—let us not mess around. Such a tax would be revenue-neutral, because the money raised would be put back into the economy in one of three ways. First, there would be compensation for those who were especially vulnerable to higher energy and transport costs. Secondly, there would be targeted investment in energy efficiency schemes and public transport. Thirdly, and interestingly—especially for a Government who say that we must retain VAT on domestic fuel—there would be a reduction in other taxes such as income tax, national insurance contributions and employers' national insurance contributions and, perhaps, a reduction in VAT on domestic fuel to 5 per cent.

We cannot get rid of VAT on fuel now because we are committed to it under European legislation. However, as I have told the Secretary of State to his face, we do not believe that levying VAT on domestic fuel was the right way to tax fuel. In any event, the paradox is that in last year's Budget the Government also proceeded to levy taxes on petrol which were higher than we had proposed.

We voted against them, but not because we did not believe that fuel costs should go up. We did, and do, believe that they should. That view has been shared by all three parties and all three have gone on the record on the subject. But we did not believe that the Government should impose the combination of VAT on domestic fuel, increasing in two stages up to 17.5 per cent., and the increase in petrol duty.

Mr. Burns *rose—*

Mr. Nicholls *rose—*

Mr. Hughes: I did not think that I would get through my speech without having to give way. The hon. Member for Chelmsford (Mr. Burns), as often, was the first to indicate his interest.

Mr. Burns: As the hon. Gentleman is in such helpful mode, I should be grateful if he would help me a little further. On the revenue-raising side of the equation, will he tell the House how much would be raised by the proposals that he paraphrased? On the other side of the equation, has his party made an assessment of the impact of the proposals, before any reliefs, on rural parts of the country?

Mr. Hughes: Yes. At the risk of being tedious, I must tell the hon. Gentleman that we have. I have another document here, which I shall let him see afterwards. It contains costings from our 82 manifesto—

Mr. Burns: Eighty-two?

Mr. Hughes: Yes, 82.

Mr. Nicholls: Eighteen eighty-two?

Mr. Hughes: No, it was 1982—or rather, 1992. I meant to say 1992. Two whole pages—pages 5 and 6—of our 1992 manifesto set out the yields for proposals linking car tax to fuel efficiency, the cost of a 1 per cent. cut in VAT phased in over five years, increases in benefits for the poorest, and other compensation measures for people with disabilities and people in rural communities. All that is set out year by year.

Mr. Burns: How much?

Mr. Hughes: In the first year nil, in the second year £80 million, in the third year £240 million, in the fourth year —but I need not go on. It is all here. We have all the details for the graduation of vehicle excise duty with fuel efficiency, and for environmental grants and subsidies. Because it is all so detailed, I shall not amplify my explanation any further, but I assure the hon. Members for Chelmsford and for Teignbridge (Mr. Nicholls)—

Mr. Burns: Will the hon. Gentleman send me a copy?

Mr. Hughes: I shall give the hon. Gentleman a copy, and I shall not charge him for it. As the hon. Member for Teignbridge, too, always quotes Tory central office briefings during such debates, I shall let him have a copy as well.

Mr. Nicholls *rose—*

Mr. Hughes: I shall allow one more intervention; then I shall say a few words about bathing water; then I shall finish.

Mr. Nicholls: I am grateful to the hon. Gentleman. We always enjoy his contributions, even when he turns round and says, "Forget about that previous document; we've got another document now." From what he has said, we now understand that there has been a terrible misunderstanding and that the Liberal Democrats actually supported an increase in petrol prices, but not quite as large an increase as the Government chose. So will he remind us whether, during the passage of the Finance Bill, he tabled an amendment calling for an increase in petrol prices, but not such a large increase as ours? I cannot recall such an amendment, but I am sure that the hon. Gentleman will remind me if there was one.

Mr. Hughes: The hon. Gentleman is hoist with his own petard. He should remember the procedure. In this place we first vote on the money resolutions; a selection is made of those on which we are to vote. There was a vote on that resolution, and we opposed it.

Mr. Nicholls: Did the hon. Gentleman table an amendment?

Mr. Hughes: My right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith), the Treasury spokesman of the Liberal Democratic party, and my hon. Friend the Member for Christchurch (Mrs. Maddock), who participated in the Committee proceedings on the Finance Bill, made our position clear.

The hon. Member for Teignbridge is unusually badly informed, for him. I can send him chapter and verse, showing that we have argued for increases in petrol prices, but that before the 1993 Budgets we argued that they should be less than the increase that the Government eventually chose. Thereafter we said, "Look, you have gone over the top. Even you need not have done that much."

Mr. Nicholls *rose—*

Mr. Hughes: I shall send the hon. Gentleman chapter and verse.

Mr. Nicholls: So the answer is no.

Mr. Hughes: The answer is not no. The argument went on in Committee almost ad nauseam. We voted accordingly and the speeches are on the record.

My last point is about the bathing water directive. The issue is not only topical but extremely important. There is a programme under way to ensure that we comply with European standards. Many of our beaches do not comply. When people go to resorts such as Blackpool and Brighton, they often have to swim in sewage. That is a disgrace. It is unacceptable. At a time of high environmental awareness, we cannot expect to persuade people to spend their holidays here if that is what happens when they go to many of the beaches round our country.

We believe that we must honour the commitments; we must not water them down. Of course, a politically acceptable formula must be found, and that means a variety of things. As my hon. Friend the Member for North Cornwall (Mr. Tyler) suggested, it means changing the basis on which people pay their water rates. It means changing the way in which the cost is shared over the whole country. It should not be borne disproportionately by the region with the most beaches, such as the south-west. I have supported proposals by hon. Members to alter that, whichever party they come from. Finally, there must be more public investment by the Government. The problem is not insuperable. The Government can deal with it, but standards must not be reduced.

I hope that our clarity on this and other issues will be rewarded when in many places we are returned as the party with the best environmental commitments—[*Laughter.*]—at the European elections next month. I assure the Government that their inadequacy in honouring their commitments means that they will find it difficult to defend their record.

6.14 pm

Mr. Harold Elletson (Blackpool, North): I shall not take up too much of the time of the House, but I want to make a couple of general points and one specific point on a subject that, perhaps somewhat surprisingly, has not been touched on so far. I congratulate the Opposition on choosing a debate on this subject, although it is a bit of a shame that the speech by the hon. Member for Islington, South and Finsbury (Mr. Smith) did not match the magnificence of his theme.

None the less, I congratulate the hon. Gentleman, because the environment is a sphere in which Europe has an important role to play. Clearly, many environmental problems cannot have a purely national solution. Pollution does not respect international frontiers; it works its way through the air, the sea and the rivers of Europe, oblivious to any notion of national sovereignty. So it is right that we should seek solutions to those common international problems at a European level.

The question is how Europe can best address those problems. What institutions and organisations are best equipped to provide solutions, and how far should their competence extend? That is a developing area of European policy, where targets, strategies and institutions are being fashioned to meet the challenge of protecting our common environment. The environment is an area of great public concern, in which the legitimacy of Europe's competence is widely accepted, and where European solutions are expected. It is also an area in which Europe has already demonstrated its determination to bring about significant improvements in the quality of our environment. As the Secretary of State has already outlined, the United Kingdom has played a leading role in shaping European policy, institutions and legislation.

However, several issues concern me, and they will present Europe with real dangers, difficulties and challenges in the years ahead. Those issues must remain at the forefront of the Government's approach to the European environment.

The first problem is the damage that the European Union could do to itself and to its long-term ability to provide solutions to environmental problems if it fails to get the balance right between issues best tackled at a

European level and those that are best left to national Governments. A failure to make that distinction would undermine all the good work being done. It would create disillusionment and, ultimately, destroy European institutions. That is why subsidiarity is so important, and why the Government are absolutely right to pursue it as doggedly in the environmental sphere as in any other.

My constituency was recently threatened by the over-zealous encroachments of a Greek Commissioner, Mr. Paleokrassas, who decided to try to ban bathing on Blackpool's beaches. It would not surprise me if the hon. Member for Southwark and Bermondsey (Mr. Hughes) agreed with that idea, because he talked about people swimming in raw sewage off Blackpool. Of course, that was absolute nonsense. The very thought of banning bathing off Blackpool's beaches is absurd, and was rightly recognised to be a monstrous piece of Greek cheek.

In the event, Mr. Paleokrassas's attitude proved completely unnecessary. After a campaign by Michael Welsh, the Member of the European Parliament for Lancashire Central, the Commissioner agreed that his proposed bathing directive would have been unnecessarily intrusive and that decisions on whether to close beaches were best left to national Governments and local authorities. If he had not had the good sense to accept Michael Welsh's argument, he would have done untold harm—harm which the hon. Member for Southwark and Bermondsey still seems prepared to do—to Blackpool's lifeblood, its tourist industry.

He would also have failed to put in place any more effective solution to the problem than was already being provided by North West Water, because the north-west now has a £5 billion programme to modernise the water and sewerage infrastructure of the region. That will include a brand-new, high-technology waste water treatment plant at Fleetwood, along the coast from Blackpool, which will mean that Blackpool and the Fylde coast will be able to meet the, quite rightly, high standards of the bathing waters directive by 1996. It could not be done any quicker than it is being done at the moment and the European Commissioner's attitude was as irresponsible, before he reconsidered, as that of the hon. Member for Southwark and Bermondsey currently appears to be.

My second anxiety is about the problem of implementation and enforcement. A common criticism of European legislation is that it never appears to be universally applicable. In this country, we ensure that it is enforced rigorously. We have an excellent record of implementing Community environmental legislation in full and on time. The same cannot be said for many of our European partners. Between 1988 and 1992, of all the cases in which the European Court of Justice identified infractions of environmental legislation, only 2 per cent. were against the United Kingdom, compared with 10 per cent. against France, 16 per cent. against Germany and 24 per cent. against Italy.

To return to my example of the bathing waters directive, it is very irritating to find that while the European Commission was turning its attention to Britain's beaches, where a multi-billion pound programme was under way to meet the new standards, other European countries appeared able to get away with staggering levels of pollution.

The Secretary of State mentioned some of the appalling horror stories from the rest of the European Community. A recent report in the *Daily Express* revealed the pollution in some other European resorts. It said, for instance, that in France, untreated sewage is discharged in Nice, and

"at Cannes, special filter boats battle to clean up the water.

In Italy, the Bay of Naples is muddy brown, churning raw sewage and oil from tankers . . .

In Spain, a high water stain of pollution and sewage rings the resorts of the Costa Brava and Costa Blanca. . .

In Portugal, raw waste from shanty towns flows directly into the sea along parts of the Algarve."

For all the hon. Member for Southwark and Bermondsey speaking about people who visit Blackpool swimming in sewage, which is nonsense, he should consider, as should Labour Members, what is happening in other parts of the European Community, not spend his time talking down British resorts, and British tourism, which is Britain's second-largest industry.

The Government are absolutely right to make implementation of environmental legislation a major priority. We should hold all member states to account and insist that the Commission monitors implementation and publishes its findings.

The third problem that I wanted to mention, which has not been mentioned but which none the less strikes me as very important, is the scale of the environmental catastrophe confronting Europe and our efforts to tackle it.

Little has been said about what I would refer to as "the forgotten half of Europe". Communism in eastern Europe has left a tragic legacy of environmental devastation and pollution. The countries of eastern Europe and of the former Soviet Union have inherited massive air and water pollution, degradation of the soil, deforestation and loss of biological diversity. Lakes, forests and seas are dying or disappearing. Marshes are turning into sandy wastes. Noxious emissions have polluted scores of cities. The number of cases of terminal cancer and respiratory diseases has increased in industrial areas. The nuclear industry in certain areas continues to be a serious problem.

That is happening throughout eastern Europe, but the problem is especially bad in the former Soviet Union and in Russia. Water pollution, contaminating drinking water, has led to outbreaks of disease in the former Soviet Union. Water pollution has reached crisis proportions in parts of Kazakhstan and the rest of central Asia after decades of improper agricultural practices, such as the over-use of pesticides. In Siberia, Lake Baikal, the largest freshwater lake in the world, is polluted by a pulp and paper mill, which every year disgorges into the lake 100 megatonnes of cellulose waste, only partially treated by an inadequate purification system. The condition of Lake Ladoga, outside St. Petersburg, in which levels of phosphorous have increased by 300 per cent., and those of nitrogen by 30 per cent., in the past 30 years, is alarming.

All that is happening on our doorstep. That is only one example of water pollution, but one can go through every sphere of environmental concern—soil degradation, industrial and radioactive waste—and find the most horrific examples of massive environmental catastrophe on our doorstep. It is extraordinary that that has not been mentioned in the debate. It is perhaps a measure of how seriously we treat the problem. However, I think that the Government are starting to take it seriously. Some measures are now in place which begin to tackle the problem.

Mr. Peter Ainsworth: The subject of the former Soviet Union and the eastern bloc was mentioned earlier. My hon.

[Mr. Peter Ainsworth]

Friend may remember that the hon. Member for Islington, South and Finsbury (Mr. Smith) deplored the role of the private sector in this country in environmental policy. Does my hon. Friend agree that the appalling human and environmental tragedies in eastern Europe occurred under state control, and that many British companies, including privatised water and power companies, are now active in eastern Europe, helping to sort out the problems that state control created?

Mr. Elletson: My hon. Friend is right. That was one of the more ludicrous arguments of the hon. Member for Islington, South and Finsbury in what was pretty well an entirely ludicrous speech. Of course state control, state communism and state planning have created the problem in eastern Europe, and the British private sector and European private companies are helping to clean it up.

My plea to the Minister is that we should consider further ways of helping British and European companies to tackle that problem. We have begun to do that through initiatives such as the know-how fund, and through organisations such as the London Initiative on the Russian Environment, but I hope that we shall find further ways of helping to solve a major environmental catastrophe on our doorstep.

6.27 pm

Mrs. Helen Jackson (Sheffield, Hillsborough): I shall speak briefly and offer one cautionary example of what I believe is the threat posed to all of us by the implications for the environment of the Government's policy on the environment within their policies on Europe.

We heard much from the Secretary of State about how a good environmental policy must be operated internationally within the European and the international frameworks. We totally agree with that. Indeed, the members of the European Community who have gained most from being members of the Community are those whose national Governments work closely towards commonly held goals with the European Commission and with their regional governments.

Britain at the present time, with the current Government, is hopping along in a three-legged race on one leg, because we have no regional structure at all and the Government will not participate wholly in European goals because they believe that the most important policy on Europe is to opt out of everything to do with the social chapter.

I suspect that at least half of Conservative Members would, if they were honest, quite like a second opt-out, on the environmental issues of Europe, despite the protestations of the Secretary of State for the Environment earlier. In the deregulation task force's proposals for reform, which we have pored over long in the Committee considering the Deregulation and Contracting Out Bill, there are no fewer than 12 pages of recommendations from big business, the masters and controllers of the Conservative party, of ways in which they want to deregulate; to remove what they consider to be burdens on business, including some imposed by European directives and some imposed in this country. In contrast, there is only a page and a quarter about the employment element. Twelve whole pages are devoted to regulations that are considered to be burdens on business. My guess is that there is a desire to deregulate the environment out of existence.

One of the most welcome environmental initiatives of the European Commission's grant regime is the requirement that applicants for help under grant-aided projects should spell out an environmental impact assessment. That has put pressure on both private companies and big public authorities to look to the long-term effects of their proposals, rather than consider just short-term gains. When we read, under the heading "Environmental Assessment", that one of the recommendations of the task force is that

> "Existing requirements should be reconsidered and any further European Community proposals vigorously resisted",

we should be extremely concerned. This is one of the major benefits from Europe that business interests have wanted to see removed.

The same thing applies to utilities such as water, about which we have heard a good deal today. The task force says that there are often

> "unnecessarily high standards in new drainage and sewerage requirements."

The public do not believe that high standards in this field are unnecessary. Whatever business says, they want to see high standards retained, as has been pointed out by other hon. Members.

It is in this context that I relate my cautionary tale. As chairman of the recently formed all-party parliamentary group on water, I was approached last week by a delegation of business men involved in the manufacture of clay and plastic pipes. They came to say how concerned they were —so concerned that they offered me a briefing paper pointing out that Britain's sewers are under threat because of what has happened since the privatisation of water, following which the major water companies set up their own water industry certification scheme, commonly known as WICS. The problem here is that the industry itself is both giving certification and setting standards—not necessarily European standards—for this crucial aspect of sewer pipe work and drainage. This is clearly important for public health.

The most recent event of great concern to the Clay Pipe Manufacturing Association is the granting of a certificate outwith any European certification, for fairly thin plastic pipework—I was shown an example—currently used to take surface water away from motorways but proposed for use in sewerage. According to the association's tests, there is no doubt that such plastic pipes would not last the 100 years that we have heard Conservative Members say sewer pipes have to last. What concerns the association is that approval has been granted for the first time through an unprecedented private agreement with a single manufacturer.

My point is that, if we lose to bodies financed by private companies the control of the standard of products in industries as crucial as water and sewerage, the public will be deprived of the guarantee that the European Union offers through its certification schemes—the guarantee that we shall have healthy systems.

As the Secretary of State said, we must not talk this country down. Over the centuries, the United Kingdom has led the way in the provision of water of a high standard and sewerage and plumbing systems second to none. That is the result of the pre-war drive of public authorities to ensure good water and sewerage systems.

Our concern is that the damage resulting from the weakening of controls that has occurred over the past 15 years and the drive towards the privatisation of these crucial public utilities will become apparent not next week or next month but in 20, 30, 40 or 50 years' time. That would be the effect of 15 years' non-compliance with the very high standards that are necessary in this area.

I do not want to be accused of scaremongering, but I must draw attention to the fact that, according to one of today's newspapers, South West Water has had to agree to pay £400,000 in settlement of claims from people whose health was affected by contaminated drinking water six years ago. There are long-term dangers. In the case of the River Severn, recently there was major pollution. We are extremely concerned at the way in which individuals with particular interests in chemical companies are being appointed to water companies up and down the country, and to the Ofwat customer services committees.

We do not believe that the thrust of the Government's policy on the environment will have other than extremely dangerous consequences for the public in the long term.

6.36 pm

Mr. Andrew Rowe (Mid-Kent): This whole debate is misconceived. It is based on highly dubious premises. It is a terrible mistake to think that it is good for Britain to work with other countries on a matter of this kind. How much easier it would be if the United Kingdom were not part of the European Union. What possible national advantage do we derive, for example, from efforts to clean up the Mediterranean? The only possible way of enhancing the attractions of the newly gilded Blackpool tower would be to ensure that Mediterranean beaches were filthy enough to make the one at Blackpool attractive despite the weather.

If only we were to withdraw within British territorial waters and ignore the European Union, we could spend the money that is currently being spent to clean up our drinking water on adjusting our methods of dealing with sewage. If, for example, we could build stores for it until the wind was in the right direction, we could use our new long sea outfalls to ensure that it ended up on some foreigners' beaches rather than on our own. At the moment, companies such as Southern Water are buying a channel tunnel drill to bore a huge and expensive tunnel under Brighton beach to deal with a bit of flood water.

What about the birds, which seem to preoccupy so many of our environmentalists? If, instead of trying to reverse the progress of this century, we were to accept that birds are messy creatures that spend an unacceptably large part of their time dirtying our lovely shiny motor cars, we could stop worrying about trying to protect them. What is more, so many of the birds about which people like the hon. Member for Islington, South and Finsbury (Mr. Smith) are worried are foreign. They come here only to mess up our eaves or eat our cereal crops or generally make a nuisance of themselves. In addition, they are probably unqualified birds that have not taken an exam in their lives.

Then there is all the fuss about trees. How can the rapidly expanding United Kingdom forests possibly compete with Scandinavian or Russian forests unless we are allowed to kill off large tracts of foreign forests with our industrial emissions? Hon. Members who want to confine European action to market activities are quite right. Take the common agricultural policy. Why go on arguing about set-aside when there are thousands of hectares of land in the European Union so poisoned that it beats set-aside hands down? Let us not waste valuable cash trying to clean up the poisoned hectares. Instead, let us refer to them as set-aside land.

Another advantage of cutting loose from the European Union would be that many large United Kingdom companies that have plants in Europe and elsewhere could stop trying to equalise standards across their plants and return to the United Kingdom, where we could set our own standards well below those of other countries and thus repatriate many British jobs.

It could be argued that I am advocating a risky strategy. For example, what if European Union countries resent our acid rain or sewage outfalls? What if they retaliate against our trade? We need not worry about that. After all, if we were outside the European Union we would trade with countries so far away from us that they would not be directly affected.

Some suggest that we have a duty to our grandchildren to protect the environment. That is a dangerous argument. Generations of nannies are reputed to have said that a speck of dirt harmed no one. Natural selection will ensure—if we do not waste time and money on reducing fumes, for example—that we shall breed grandchildren who are immune to asthma, lead and many other current bogeys.

As I have said, the debate is ill-founded. We need to return to little England outside the European Union, setting our own robust standards of protection and giving not a fig for all those ridiculous foreigners across the channel. I am sure that my hon. Friend the Minister secretly shares my view that true Brits can swim anywhere and that all the talk about European Union or Rio standards is just a fiendish foreign conspiracy to take away our sovereignty, and should be resisted.

6.41 pm

Mr. George Howarth (Knowsley, North): I think that the hon. Member for Mid-Kent (Mr. Rowe) directed his remarks more to the Government Front Bench than the Opposition Front Bench. I am sure that he was not speaking seriously. It seemed that the Minister did not take his remarks seriously and, that being so, I shall not take them up. I hope that the hon. Gentleman will forgive me.

It has been a useful and interesting debate. I compliment my hon. Friends the Members for Sheffield, Hillsborough (Mrs. Jackson) and for Denton and Reddish (Mr. Bennett). They demonstrated their usual grasp of the subject and their concerns in extremely useful speeches.

The Secretary of State made some very ambitious claims. Sadly, they seem not to be matched by specific actions on the Government's part. The right hon. Gentleman's speech was a catalogue of extravagant claims which, unfortunately, had little substance. It was outrageous when he claimed that the Government have a better record overall than any other European Union state. I shall not go through all the criteria—*[Interruption.]* I note that Conservative Members shake their heads. I shall take only one example—the Government's compliance with the bathing water directive.

I have the figures for 1993, which are the most recent to be published. The Secretary of State said that Britain was at the top of the list and that Greece, Germany, Italy and all the other member states were at the bottom. When it comes to complying with the directive and meeting guidelines, Britain is not at the top of the list, as the Secretary of State

[Mr. George Howarth]

extravagantly claimed. In fact, it is the second dirtiest man in Europe. Greece meets 95 per cent. of the criteria and values. Ireland and Denmark respectively meet 86 per cent., Italy comes in with 85 per cent. and Portugal 75 per cent. Next to bottom of the list is Britain, with 36 per cent. The facts hardly meet the Secretary of State's rhetoric.

Problems are building up throughout Britain as a result of toxins. There are problems in Derbyshire, as there are with bathing water at Blackpool. It is a sorry state of affairs, and the Government should be ashamed of their record rather than trumpeting it.

No amount of hot air from the Minister, or from any other Ministers—we get plenty of it—can lead us away from the fact that airborne pollution in Britain, for want of a sensible strategy, has increased at the same rate as the incidence of asthma since 1979. Regional levels have increased by between 100 and 200 per cent. These are inescapable facts that reflect on the Government's record. The Secretary of State tries to disguise those facts, but he is unable to do so.

The Secretary of State claims that the imposition of value added tax on fuel is a green policy that proves the Government's green credentials to the British people and to Europe. Nothing could be further from the truth, and the right hon. Gentleman knows it. He has never been able to refute the assertion that the imposition of VAT on fuel will reduce by only 1 per cent. the amount of fuel that is consumed. That is the reality. That is what should be set against the Government's exaggerated claims.

If the Government are serious about protecting the environment and reducing emissions, where is their energy conservation strategy? There is no such strategy. The Government do not have one. Where will the money come from for the Energy Saving Trust? The Minister will not be able to answer my question. The Government's policy is in tatters. I pay credit to the right hon. Member for Berwick-upon-Tweed (Mr. Beith), who attempted to introduce energy-saving legislation, but his Bill was wrecked by the Government's tactics.

A sensible energy-saving strategy would go far beyond anything that could be achieved by the imposition of VAT. If it were introduced sensibly—it would be quite cheap—emissions could be reduced by 4 per cent. That would indeed be a green measure. Instead, the Government have been panicked into imposing VAT on fuel because of the economic mess for which they are responsible.

Time does not permit me to tell the House of the difficulties that I have encountered in obtaining information from the Government or their agencies on sites of special scientific interest. Today, however inadequate it is, we have a report published by the National Audit Office on the protection and management of SSSIs. What is the truth about the Government's attempts, and those of their agencies, to protect wildlife and natural habitats in Britain? Since 1987, the instances of reported damage to SSSIs have increased from 94 in 1987 to 218 in 1991-92, the last year for which figures are available. Such instances have more than doubled. That is another failure on the Government's part.

The list continues. There are numerous examples of failure, but time does not permit me to refer to them.

Last week, in local government elections throughout the country, the people demonstrated that the Government's overall performance is woeful and inadequate. They will do so again in next month's Euro-elections. The environment will be one of the key issues against which they will judge the Government. We need positive action, but all we get from the Secretary of State is froth and bubble. It is not good enough.

6.48 pm

The Minister for the Environment and Countryside (Mr. Robert Atkins): I can say only that the speeches of the hon. Member for Knowsley, North (Mr. Howarth) and for Islington, South and Finsbury (Mr. Smith)—my view is shared by my hon. Friends—were ineffective and not appropriate to the debate. In one of the best speeches that I have ever heard my right hon. Friend the Secretary of State make—I have heard a good few in my time, believe you me, in one way or another—he touched on every important topic that relates to the environment and to Europe generally. He dealt with each one in great detail. We are proud of our record and, as I say, my right hon. Friend spelt it out in some detail.

I shall comment on the speeches of my hon. Friends the Members for Canterbury (Mr. Brazier) and for Blackpool, North (Mr. Elletson). My hon. Friend the Member for Canterbury, in his inimitable fashion, talked with some knowledge about scrap metal and the recycling of metals, which he knows about through his connection with a prominent industrialist in his constituency. The British Secondary Metals Association and the British Scrap Metal Federation have spoken to me at great length about what they believe, with some justification, to be probably the oldest recycling industry in the world.

The point they make about their concerns and the effects of the European directive is one that we take to heart. I was pleased to be able to go on a visit to see what was involved in relation to the various sorts of recycling of waste and scrap metal and I have given them, as my hon. Friend said, a few months to consider the proposals which we have come up with. Incidentally, I congratulate my hon. Friend on the point that he made about sewerage in Canterbury. He spelt out clearly the obvious difference between the Government and the Opposition, in that the money spent by a private water company on improving sewerage facilities in his constituency compares favourably with what happened before.

My hon. Friend the Member for Blackpool, North, who spoke with great authority on matters relating to the eastern bloc, raised a very interesting point. Only the other day, the Minister for the Environment for the Ukraine came see me to talk about the special problems in his country. Incidentally, keen as he was to hear of our success stories on the water front, he also came to tell me and the Government about the problems of the former Soviet countries of one form or another.

It is interesting that the debate has been brought to the Floor of the House by the Opposition. They performed abysmally from start to finish and they are not interested—it has to be said—in the summary of the debate. Indeed, not many Opposition Members were here, but some have arrived belatedly, presumably to vote for a motion which did not really address the subject at all.

My hon. Friend the Member for Blackpool, North talked about the beaches. He knows better than anyone how important Blackpool is to the tourist industry, not only of this country, but, arguably, of Europe as one of its

biggest tourist resorts. I was glad to hear my hon. Friend talk about our friend Michael Welsh, the MEP for that area, who has done so much to safeguard the beaches of Blackpool and its tourist industry. I know that the electors of Lancashire, Central will do their best to ensure that he is re-elected.

My hon. Friend the Member for Blackpool, North also made a point about the fairness of enforcement. I am delighted to agree that enforcement of the directives brought to this country is crucial. That is why my right hon. Friend the Secretary of State, and those of us who are involved in negotiating in Europe on those directives, fight so hard to protect our corner, from the British point of view, and to ensure that when a European directive becomes effective in this country it meets our interests and fits well with what we require.

Other hon. Members have raised points with which I would like to deal. Much has been made of the Energy Conservation Bill. My hon. Friend the Parliamentary Under-Secretary of State has dealt in considerable detail, and rightly so, with that Bill.

The hon. Member for Knowsley, North suggested that we had no policy in that respect. The Government spend £100 million a year on energy conservation—something like a doubling of the amount previously allocated to that area. Investment in the home energy efficiency scheme, which is directed at the more vulnerable members of society, the low-paid and those who need assistance, has been increased to some £75 million, yet the hon. Gentleman has the nerve to say that we do not have an energy efficiency policy. It is simply not true. The hon. Gentleman would do well to read the speech of my hon. Friend the Under-Secretary in some detail and learn precisely what has been and will be done.

One aspect of the Opposition motion that I find wholly unacceptable is the expression that we are somehow "lagging behind". They say that Britain should be at the forefront of environmental progress, rather than lagging constantly behind our European partners. It simply is not true and my right hon. Friend demonstrated cogently and articulately why that is the case. As he pointed out—it is worth reiterating—of the 22.5 per cent. of complaints laid against Britain, in terms of the European Commission, only 2 per cent. result in anything like infraction proceedings. The Labour party allies itself to any campaign to knock the United Kingdom and most of those campaigns are based on inaccuracies and false information.

Of course, we all recognise that we do not all meet the objectives that we set ourselves or which are set for us. However, the point worth reiterating to the hon. Member for Knowsley, North and to Opposition Members is that we are better than Germany, the Netherlands, France, Spain, Italy, Belgium, Luxembourg and Greece. We argue our corner. We fight our corner from a position of support for the European Union, but for what we believe are sensible directives in Britain's best interest.

For example, how would the Labour party's support for the Euro-socialist manifesto, which removes the veto and advocates majority voting on everything, help? My right hon. Friend made particular reference to the carbon tax. How would the Labour party cope with something which it could not prevent from happening when it says that it supports that manifesto?

As everyone knows, there is a balance to be struck.

Mr. Chris Smith: The Minister clearly cannot have heard what I specifically told him earlier in the debate. The Labour party wishes to retain the national veto on matters relating to taxation. That is precisely the point that he is now ignoring.

Mr. Atkins: If the hon. Gentleman is in a minority of one and he believes in majority voting on everything, how will he prevent the carbon tax, to which he said earlier he was opposed, from happening? He cannot. His policy does not make sense, like most of the rest of the stuff that he used this afternoon.

Therefore, there is a balance to be struck.

Mr. Nicholls: My hon. Friend talks about the balance. Does he share my concern at the effect of European judgment 57-89, which means that, once an area has been designated as a protected area, member states are unable to alter that designation for industrial or economic reasons? That means that rampant environmentalism could yet achieve for the expansion of our ports what the dock labour scheme failed to do. Is there not a balance that must be achieved between industry and the economy and the environment, and is it not highly suspicious that, this evening, we have heard not a single word about that threat from Opposition Members?

Mr. Atkins: My hon. Friend is a lawyer and he doubtless reads such matters with a great deal of interest and expertise. I can only say that, since he has raised the matter in such a way, I shall look at it closely and doubtless I shall have his help in so doing. However, he is right to say that a balance needs to be struck between environmental requirements and the costs of them.

We did not hear much from the Labour party about whether those costs had been examined and whether the commitments that it was making had been approved. Sustainable development must be sustainable if it is to be successful. That means carrying with us all sections of society. On every count, the Labour party shouts loudly and knocks our country's achievements. It offers not policies but panaceas—uncosted, unco-ordinated, uncontrolled and mostly illogical and ill thought out. It does not understand the effects on industry and commerce, to which my hon. Friend the Member for Teignbridge (Mr. Nicholls) referred, and it does not understand the effects on ordinary people.

Tagging along behind the Labour party, we have the Liberal Democrats, nodding and winking to every populist issue, never mind what was said the day before. Whatever doorstep they arrive on, they say what they think is appropriate for that doorstep and nothing else. What is more, both the Labour party and the Liberal Democrats have been rumbled by the many environmental organisations that are interested in those matters in the country.

Many of those organisations criticise Government, and rightly so. That is what they exist to do. However, often, they are privately complimentary for what we have achieved and, notably, what my right hon. Friend the Secretary of State has achieved. But they have little or no time at all for the Opposition, whether Labour or Liberal. If we could harness the wind and hot air that emanates from Opposition Members, the country's energy requirements would be met from now to the end of the century.

By contrast, the Government, under the leadership of the Secretary of State and the Prime Minister, have faced,

[Mr. Atkins]

are facing and will continue to face up to the difficult, sometimes costly and controversial decisions required to protect our environment for the future. The balancing that we need to do of the needs of the environment, with those of industry and commerce, which have to pay, are paramount in our considerations. That is why we have got it right and the Opposition have got it wrong, and that is why I urge my hon. Friends to support the Government amendment.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 244, Noes 298.

Division No. 237] **[6-59 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Bradley, Keith
Bray, Dr Jeremy
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'll)*
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. John Cummings and
Mr. Eric Illsley.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Biffen, Rt Hon John
Blackburn, Dr John G.

Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsythe, Clifford *(Antrim S)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Key, Robert
Kilfedder, Sir James
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maginnis, Ken
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(Hants NW)*
Montgomery, Sir Fergus
Moss, Malcolm
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Portillo, Rt Hon Michael
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon. Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stern, Michael
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Derek Conway.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments) and agreed to.*

MADAM SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House recognises that the environment cannot be properly protected by national endeavour alone; acknowledges the importance of Europe-wide action to prevent pollution and improve environmental standards; applauds the work of the European Union and especially of the European Parliament in helping to safeguard the environment here in Britain; welcomes the lead taken by Her Majesty's Government in ensuring that the European Union plays an effective part in global environmental matters and implements the principle of sustainable development in all its activities; insists that Britain should continue to press for sensible and cost-effective environmental decisions on those matters which are properly the concern of the European Union; welcomes the progressive policies of the United Kingdom in all those other areas where national measures are appropriate; is

saddened by the failure of Her Majesty's Opposition and of the Liberal Democrat Party to support the necessary fiscal measures to reduce energy consumption; highlights their failure to evolve effective policy towards the environment and their desire to remove the United Kingdom's influence in the European Union by their insistence on majority voting and the abolition of the veto; and regrets the way in which they fail to support the Government's insistence that in internal matters it is for the United Kingdom Parliament to decide upon the most appropriate ways of reaching sustainable development goals.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith pursuant to Standing Order No. 102(9) (European Standing Committees).

Weights and Dimensions of Vehicles

That this House takes note of European Community Document No. 11504/93, relating to weights and dimensions of vehicles; whilst supporting the proposal to consolidate the existing legislation, questions on grounds of subsidiarity the harmonisation of maximum lorry weights for national journeys; and considers that the proposed general weight limit of 44 tonnes for 6-axle vehicles conflicts with Community and United Kingdom policy intended to encourage combined road/rail transport for environmental reasons.—*[Mr. Robert G. Hughes.]*

Question agreed to.

Deregulation Orders

Motion made, and Question proposed, That this House do now adjourn—*[Mr. Andrew Mitchell.]*

7.10 pm

Sir Peter Emery (Honiton): I wish to support the recommendations of the fourth report of the Select Committee on Procedure. *[Interruption.]*

Madam Deputy Speaker (Dame Janet Fookes): Order. I am sorry to interrupt the right hon. Gentleman, but there is far too much noise in the House. It is extremely discourteous. If those present do not wish to listen, they will kindly leave the Chamber.

Sir Peter Emery: I refer to the report entitled "Parliamentary Scrutiny of Deregulation Orders" and to the response received from Her Majesty's Government, which is House of Commons paper No. 238.

Before dealing with the details of the report, I will attempt to clear up three matters. First, it was not—and is not—for the Procedure Committee to consider whether Ministers should be given the power to repeal or amend primary legislation by deregulation or any of the principles arising from the Deregulation and Contracting Out Bill. That is a matter for the House as a whole, and the House is proceeding to make a decision about it.

Secondly, it was argued that the Committee should not proceed or report until the Bill became an Act as it was suggested that that would prejudice its legislative passage. The Committee rejected that suggestion, because many people wanted to know how the House would deal with the deregulation orders. If amendments to the Bill were considered necessary because of the Committee's recommendations, it is unlikely that they would be made after the Bill had become an Act.

Lastly, there were adequate examples to allow the Committee to proceed once the Bill had reached the Second Reading stage. The Opposition will understand these illustrations. In 1966 the ombudsman was appointed before the Parliamentary Commissioner Bill received a Second Reading. In 1978, before the Scotland Bill became an Act, money was spent to bring the school in Edinburgh up to the required standard for an assembly. Tens, if not hundreds, of thousands of pounds were spent but to no avail. So the Committee was quite certain that, at the request of the Government, there were enough precedents to allow us to proceed while the Bill was before the House.

Mr. Andrew F. Bennett (Denton and Reddish): It is a tradition of the Procedure Committee that it attempts to get all-party agreement. Will the right hon. Gentleman accept that he rushed ahead with this inquiry in the face of opposition from the Opposition parties and that he has devalued the report because he made no attempt to carry the whole House with him in the discussions about it?

Sir Peter Emery: I am sorry to have to tell the hon. Gentleman that that is absolute nonsense. We wanted to attain as much agreement as possible. All the parties on the Committee agreed that we should proceed.

Mr. Nigel Spearing (Newham, South): All Members on the Committee.

Sir Peter Emery: All members of the Committee, representing all parties, agreed that we should proceed. All the members decided initially whom we should ask to appear before the Committee.

Mr. David Winnick (Walsall, North): Will the right hon. Gentleman give way?

Sir Peter Emery: I will finish this point and then I will be delighted to give way.

The Committee remarked in the report that the hon. Lady the Member for Derby, South (Mrs. Beckett) refused to give evidence before the Committee. She was invited to do so—with the agreement of all members of the Committee—at the same time as other people were invited to appear. That is the first time that any person has refused to give evidence to the Committee. One must remember —but I hope not remember well enough to encourage a repetition—that at that time resolutions between the usual channels had broken down. So as far as I am concerned, the matter would be soonest forgotten, quickest mended.

Mr. Winnick: The right hon. Gentleman chairs the Committee and he knows that it is my view that the Committee works far better when the Conservative majority on the Committee does not act at the behest of the Government. Does he accept that Labour Members voted against the report because, while we accepted that the inquiry should take place—the right hon. Gentleman is correct in that respect—we did not believe that the report should come to the House before the Bill had been passed? That was the issue at stake, and that is why the hon. Member was quite right to refuse to come to the Committee. She was courteous and explained her reasons, and the right hon. Gentleman should recognise that.

Sir Peter Emery: I hope that, in my speech, I have tried to make it clear that the Committee proceeded in a normal manner. As I have suggested, Labour Governments have taken action and made preparations before a Bill has been enacted. I must thank the hon. Gentleman, who is a member of the Committee and has made his view clear. He took a considerable part in the Committee's deliberations. I am certain that he can make his own speech and that I shall not have to make it for him.

Let me turn to the recommendations which—I am glad to say—were not amended. To explain how they work, I must stress that the deregulation orders will be substitutes for primary legislation. The Committee did not consider that the Government's proposals went far enough, and all Committee members felt that. That is made clear in paragraph 21 of the Committee's report.

We considered that a deregulation order should not be considered as just another statutory instrument. After all, a statutory instrument is secondary legislation and provides for regulations which are empowered by the original Act. A deregulation order is entirely different and must be considered as such by the House, the Clerks and the lawyers outside. It is in effect primary legislation or, if it is not accepted as such, it is a substitute for primary legislation.

To illustrate that, let me point out that the Committee said in paragraph 16 of the report:

"In our recommendations we have sought to ensure that no Act of Parliament is repealed or amended under this new power without examination at least as thorough as if the change had been made by a Bill passing through the House."

Mr. Spearing: The statement which the Chairman of the Procedure Committee has just made is very important. He said that a deregulation order would not be a substitute but would be primary legislation. He also said that it should not be subject to any different form of examination from ordinary legislation. However, it does in the Bill.

The Committee about which we are talking will recommend but will not dispose of matters and it will not necessarily amend the statutory instrument. Does the Chairman of the Procedure Committee agree that there is a major distinction? The central part of the current Bill, through primary legislation, does exactly what the orders would do.

Sir Peter Emery: I understand the argument made by the hon. Gentleman, whom I respect. He has experience as an ex-Chairman of the Committee on Statutory Instruments. That matter was not for my Committee to consider; it was for the House. If the House gave Ministers that power, my job was to try to ensure that a full and thorough investigation was carried out

"at least as thorough as if the change had been made by a Bill passing through the House."

The House therefore, we have argued, must be given the power to do that.

The Bill allows a Minister to make an order which is subject to an affirmative resolution in both Houses to amend or repeal primary legislation which imposes a burden, providing that necessary protection is not removed. As a first step, the Minister must consult representatives of those who are likely to be affected. He then lays before Parliament a deregulation proposal, which is a draft of the order, with an explanatory document giving reasons for the measure, the benefits which would result from it, details of any necessary protection provided by the existing legislation, how the protection would be maintained, details of the consultation and how it had been taken into account.

It is at that stage that we must consider how the House should act. The Committee set out certain criteria which are set out in paragraph 21 of our report:

"from the start the Committee would need to establish that the proposal for a deregulation order was within the powers conferred if the Deregulation and Contracting Out Bill is enacted . . . a Committee would have to examine the merits of a deregulation proposal to see whether it did remove a burden without reducing necessary protection . . . an opportunity should be provided for those affected by a deregulation proposal to express their concerns to the House . . . Members other than those serving on the Deregulation Committee should have an opportunity to express their views before the proposal is finalised in an order . . . there should be an opportunity to put forward changes to the deregulation proposal . . . the House should have the advice of a Committee on whether the proposal, as amended following the period for parliamentary consideration, should be made . . . when the House would want to have an opportunity to debate and vote on the final version of the order."

Anybody would accept that those are fairly strong criteria. Having established them, we decided that the Deregulation Committee should be one of the most senior Select Committees of the House, that it should comprise 16 members and that it should be given powers which were different from and greater than those of any other House of Commons Committee. How, then, will the Deregulation Committee work?

Mr. Winnick: Will the right hon. Gentleman explain why, on his casting vote, he came to the conclusion that the Deregulation Committee should not be chaired by an Opposition Member? Would not the Deregulation

[Mr. Winnick]

Committee have been strengthened for obvious reasons —as Labour and Liberal Democrat Members believe—if it had been chaired by an Opposition Member?

Sir Peter Emery: As I said at the time, the chairmanship of Select Committees is normally decided by the usual channels and between the Whips. The numbers which are established in the break-up is left to the usual channels and it seemed that, whatever we said, that was going to happen anyway.

Dr. Tony Wright (Cannock and Burntwood): This is an important issue. The right hon. Gentleman will recall that the great strength of the Public Accounts Committee is that it has a Chairman from an Opposition party and, far from diminishing the standing of that Committee, it vastly enhances its status in the House. In these exceptional circumstances, would not it have been sensible to include such a provision in the report?

Sir Peter Emery: The hon. Member for Cannock and Burntwood (Dr. Wright) has made a point which I hope was heard by the usual channels. I can understand it and the point could well be argued, but that does not alter the fact that the decision will be made by the usual channels. I believe that it is right that the usual channels should take into consideration the point made by the hon. Gentleman.

Mr. Anthony Steen (South Hams): Will my right hon. Friend give way?

Sir Peter Emery: Yes. I am trying to get on, but I am not succeeding.

Mr. Steen: Is it not true that the House has passed far too much legislation during the past 30 or 40 years, and that there is a surfeit of legislation? We are now getting thousands of directives flooding in from Europe. Will not the Deregulation Committee try to speed up the repeal of legislation which has become antiquated or which is no longer working?

It is important that the Chairman of the Committee is a Member of the ruling party in order to expedite the deregulation and the repeal of laws which are hostile to the revival and the future of this country, and to speed up the process by which industry and commerce are no longer hidebound and restricted by regulations. The Opposition may appreciate those regulations, but the Government recognise that they must be repealed to expedite the future of our industry.

Sir Peter Emery: The usual channels will have heard that intervention as well.

The Committee therefore believes that the issue will be decided by the usual channels—it will be up to them to make the decision.

Mr. Gordon Prentice (Pendle): Is the right hon. Gentleman aware that during proceedings on the Deregulation and Contracting Out Bill the Minister envisaged a system involving a Chairman's sift? The idea was to control the number of matters coming before the Committee. Did the Procedure Committee realise that, in the exceptional circumstances of the operation of a Chairman's sift, it would indeed be right for the Committee Chairman to be a member of one of the Opposition parties?

Sir Peter Emery: I hear what the hon. Gentleman says. The Committee decided that there should be 16 permanent members serving throughout a Parliament so that they could become expert in the work.

To return to how the Deregulation Committee would work, it would greatly assist hon. Members if they turned to the appendix to the report, which contains a flow diagram showing how the Committee would carry out its tasks.

I have explained how the Government will lay the draft order. Then, legal views on the vires should be sought. At the same time the Committee should ask the Clerks to consult the Clerks in the House of Lords to find out whether, if evidence is to be taken, it can be taken jointly.

Once the Committee has considered this advice, it will decide whether it needs further evidence or advice, or whether oral and written evidence should be taken. Once again, the Clerks should be consulted.

One of our recommendations was that the Committee should be able to call Ministers. As shown by the Government's response, this was the only recommendation that the Government did not agree with. Indeed, they say:

"The power to summon Ministers, which would be unprecedented, is unnecessary, since Ministers with responsibility for a deregulation proposal will be anxious to assist the Deregulation Committee with its work".

The Government cannot see a time when Ministers

"would refuse to attend the Committee as witnesses if their attendance is requested."

That is the strongest statement I have ever heard by the Government about the attendance of Ministers at such Committees.

Having decided whether or not to take oral evidence, the Committee would then make its first report to the House. That report would say that the proposals had been unanimously agreed, or that amendments were necessary, or that the order should not be made at all. If the order should not be made, the Committee recommends that the proposal be withdrawn, or that the Government revise it, or that they introduce primary legislation.

If the Committee decides, on the evidence, that amendments to the order should be made, those amendments should be sent to the Government. The Government have made it clear that they would pay particular attention to any amendments or proposals recommended by the Committee. When the Government eventually lay an order, the Committee will be able to see whether it has emerged exactly as drafted—if it was unanimously agreed to—or whether the Government have altered it in any way.

If the Committee decides that the Government's amendments are unsatisfactory, it will adopt a certain approach. If the order has been unanimously agreed to, of course, the Committee will adopt a different approach. If, on the other hand, a majority of the Committee has merely approved the measure, a third approach will be taken.

Mr. Bennett: The right hon. Gentleman suggested that the new Committee would take advice from Speaker's Counsel and from counsel in the House of Lords to decide on the vires. Does he agree that the deregulation Bill is so widely drawn as to make it difficult to decide that any deregulation measure was ultra vires? Both the Joint Committee on Statutory Instruments and the Select Committee on Statutory Instruments look not only at the vires of a measure but at the clarity of its drafting. Would

it not therefore be logical for some committee to examine those areas right at the start, instead of discussing the merits?

Sir Peter Emery: In many ways the hon. Gentleman is correct. I believe that, as with the Statutory Instrument Committees, this Committee should make a decision on the vires at the outset, because it would be nonsensical if the Deregulation Committee started on its work before an order had cleared the hurdle that a Statutory Instrument Committee would usually put before it. To that extent, I welcome the hon. Gentleman's remark.

If there is not unanimous agreement to an order, it will be reported back to the House and a debate of 90 minutes can take place, if that is wanted. Opposition Members or those who voted against the order may, however, decide that a debate is not necessary—but that decision rests with the House. If the Committee unanimously supports an order and believes that it should be proceeded with, it will be put forthwith; but if the Committee considers that the amendments are unsatisfactory and is against approving the order, it will make a recommendation to the House in those terms.

Before the order can be presented for approval, the Government must put down a motion to disagree with the Committee's recommendation, so an order cannot proceed unless the House disagrees with the Committee. As a number of hon. Members have argued strongly, the House should have a chance to say how it would like an order to be amended. The motion to disagree with the recommendation of the Committee is amendable, so the House will have the chance to express its feelings about the order as amended and about the Government's motion to disagree with the Committee.

Mr. Steen: I recognise my right hon. Friend's distinction as Chairman of the Procedure Committee, but is not the whole point of the deregulation Bill to reduce the amount of bureaucracy and information gathering in the system? Surely the procedures that my right hon. Friend has outlined will be a nightmare for all involved.

Sir Peter Emery: What my hon. Friend must understand, and I tried to make absolutely clear at the start, is that the deregulation order is the equivalent of primary legislation. If it did not exist, the Government would have to introduce individual Bills to deal with it. It is right that there should be a fast track. If everybody agrees with it, that is fine. My hon. Friend has what he wants, but that is only if everybody agrees with it. If there is some doubt, there must be a debate on the Floor of the House. But if there is disagreement in Committee, the Government must show the House that they disagree with its views. There must be a three-hour debate to do that, and that motion can be amendable. I believe that that is right when one is dealing with primary legislation.

The Government recommended that 40 days be available for the Committee to deal with matters. In paragraphs 78 and 79 of our report we suggested that in some instances, particularly in the event of a detailed inquiry, 40 days might not be sufficient. In that circumstance, the period should be extended to 60 days. I am glad to see that the Government are willing to go ahead with that.

What powers did we recommend that the Committee should have? I ask hon. Members to turn to paragraph 117 of the report, where we make it absolutely clear that it should have the power to send for persons, papers and records. It says

"(including Ministers of the Crown)",

but I have already dealt with that. It continues:

"to sit notwithstanding any adjournment of the House;
to report from time to time;
to appoint specialist advisers;
to adjourn from place to place (within the UK)—

it is not to be a Committee that travels around the world—

"to meet with the equivalent Lords Committees to take evidence;
to appoint a sub-committee with a quorum of two to meet with a sub-committee of the Lords Committee—

if necessary;

to exchange evidence with other Commons Committees;
to have the assistance of Counsel to the Speaker;
to be nominated for a whole Parliament;

and

"to admit Members who are not members of the Committee to ask questions of witnesses when evidence is taken".

Because a Committee of 60 cannot cover every interest and geographical area, and because it will be open to hon. Members to give evidence, a Member may well want to question the Minister or a witness. We have suggested, therefore, that the procedure is used, as in the European Committees, whereby a Member gives notice to the Chairman that he wishes to question the Minister or witness, and the Chairman is given the freedom to call such a person to put a question within the time scale that he has set for the questioning of the Minister. It does not ensure that the Member will be called, but it does allow the Member to argue why he needs to be called—he may be the only Member from the area affected; or perhaps he is the only Member representing a certain industry. I have no doubt that the Chairman would therefore want to ensure that, where there was special pleading, it could be put. That is indeed a new way of proceeding.

I am pleased that the Government were asked in paragraph 121 to report to the House on our recommendations. In their report on Monday, they did so. The power to call a Minister and the addition of bringing to the House a deregulation order prior to the Committee's report in exceptional circumstances, which they suggest at the end of a Session, are the only basic alterations to the whole of our recommendations.

The Procedure Committee, in the words of the *Financial Times* of Monday last,

"had recommended tough new powers . . . to scrutinise all deregulation proposals."

They are powers that will work. Close examination will allow evidence to be given in detail from whomever the Committee wishes, with a call on Ministers and the use of outside experts advising the Committee. That would ensure a thorough and exhaustive consideration before any recommendation was made to the House, with the Committee ensuring that the House has the last word.

Although our recommendations are tough and comprehensive, the Government have shown that they are willing to go along with them. I congratulate the Government, and particularly my right hon. Friend the Leader of the House who has given evidence and has considered the matters in full, on being so wise.

7.44 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): I am glad to be able to respond to what I think were the wishes of the House, and the expressed wishes of the Procedure

[Mr. Tony Newton]

Committee, by arranging an early debate on its report on the important issue of deregulation orders. I shall be fairly brief, partly because the Government's views were, I hope, clearly set out in the report on Monday, and I cannot add a great deal at this stage, and partly because the principal purpose of the debate is to hear the views of the House on the report and, indeed, the Government's response.

I sense also that a fair number of right hon. and hon. Members wish to make a contribution, and I am anxious to hear them. I am also conscious that there is some pressure tonight on my opposite number on the Opposition Front Bench, the hon. Member for Newcastle upon Tyne, East (Mr. Brown). I shall take this opportunity to say that I appreciate that he will not be able to stay throughout the proceedings as he would have wished.

The whole House should be grateful to my right hon. Friend the Member for Honiton (Sir P. Emery) and his Committee, both for their work and for carrying it out so quickly. That has enabled us to hold this debate—I realise that this is a point of controversy with some—before the House deals on Report with the clauses of the Deregulation and Contracting Out Bill which provide for the deregulation orders. I disagree with those who think that it was inappropriate. If the House was to be invited to decide on whether there should be such orders, it was sensible that it should have a fairly clear idea of the basis on which the machinery should operate before it came to that decision.

As the House will have seen from the detailed response that we published on Monday, and as my right hon. Friend the Member for Honiton kindly acknowledged, the Government were able to respond positively to the Committee's report. There is just one exception—one could say one and a half, but essentially one, on which I will touch later—where we were not able to agree; apart from that, however, we have agreed to all the Committee's recommendations. I shall not attempt to rehearse them all in view of the effective and comprehensive way in which my right hon. Friend set them out.

As I have said, we shall listen carefully to the views expressed in the debate. Once the Bill is enacted—as we hope and expect—we will introduce proposals for new Standing Orders so that when the first deregulation proposals come before the House the scrutiny procedures will already be in place. In saying that, I should re-emphasise—I am sure that it will come up when my right hon. Friend the Member for Honiton addresses the matters in our debates tomorrow—that the Government do not propose to use, or even try to use, the procedure to deal with large and controversial amendments to primary legislation.

The Bill provides that the power cannot be used to remove any "necessary protection". I appreciate that that entails a degree of subjective judgment, but if the new Deregulation Committee thinks that the Minister's judgment is wrong, it will be able to say so when it considers the proposal that the Minister lays before Parliament. I can give the House an assurance that the Government would be bound to take an adverse recommendation from the Deregulation Committee extremely seriously, and in normal circumstances we would expect either to submit a revised proposal or to withdraw the proposal altogether.

Mr. Spearing: We understand the different views about protection. Leaving that aside, however, is not the Leader of the House falling into the trap, as have so many Leaders of the House and Ministers over the years, of saying what the present Government are willing or not willing to do, whereas the Standing Orders that he has talked about and the legislation to be debated tomorrow will exist for Government after Government? The right hon. Gentleman seems to be falling into that rather serious trap.

Mr. Newton: I appreciate that the hon. Gentleman sees that as a trap; I see it as a point that he can legitimately make. I forget whether he and I entered the House at the same time—he may have been here a little longer than my 20 years—but I must tell him that I have rather more confidence in this place, and in Members of Parliament. In the end, Governments can pass only what this place is prepared to let them pass.

This may seem a curious thing for someone who has been a Minister for 15 years to say, but in my experience Ministers do not lightly ignore clear, strong feelings in the House, and those expressed by Committees of the House. There is a degree of independence among hon. Members which goes beyond what the hon. Gentleman appears to believe.

Mr. Bennett: If the Leader of the House really wants to reassure us, would not the simplest way be to ensure that the Government do not have a majority on the new Committee?

Mr. Newton: The hon. Gentleman and others have already raised that point, and he will have heard what my right hon. Friend the Member for Honiton said about the chairmanship. He will also know that, under Governments of both parties—for as long as I have been here and, indeed, rather longer—the convention, and the normal expectation, has been for those with a majority in the House to have a majority on its Committees.

Mr. Archy Kirkwood (Roxburgh and Berwickshire) *rose—*

Mr. Newton: I give way to the Liberal Benches.

Mr. Kirkwood: I would certainly be prepared to concede that point, but I would be much more confident about doing so if the right hon. Gentleman would concede the point about the chairmanship being in the hands of the Opposition.

Mr. Newton: I have to say—I had better say it straightforwardly—that I am not convinced that that would be appropriate, but I will not go beyond what was said by my right hon. Friend the Member for Honiton. The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) is, in terms of his own specialised version, "a bit of the usual channels"; he will therefore understand the way in such matters are discussed and—hopefully—resolved.

To return to the thrust of my speech, in no circumstances will we simply brush the Committee aside. As I told the hon. Member for Newham, South (Mr. Spearing), I do not believe that the House would collectively allow this or any other Government simply to brush aside a Committee of the kind that my right hon. Friend the Member for Honiton has described. If, when the draft deregulation order is laid, the Committee is still not satisfied, it can recommend the rejection of the order. Again, the Government would want to think very carefully

—indeed, they would have to—about whether they should nevertheless proceed. As my right hon. Friend explained, if the Government thought it right to do so, there would have to be a three-hour debate on an amendable motion. I really do not think that it can be suggested that changes could somehow be smuggled through without scope for proper parliamentary debate.

In acknowledging the special nature of the proposed orders, I must draw attention to an essential ingredient in the arrangements—the fact that the initial proposal itself is not presented to the House simply on a "take it or leave it" basis. One of the reasons for requiring a Committee to look into a deregulation proposal—with provision for the involvement of other hon. Members—is to enable any possible amendments to be considered at the preliminary stage, before the final version of the order is laid.

We have tabled an amendment to the Bill—we hope that it will be moved tomorrow—to require the Minister to report to Parliament any changes made to the proposal as a result of representations made, or resolutions or reports of either House or their Committees, during the scrutiny period. If the Minister does not make the amendments that the Committee wanted and fails to give it an explanation for not doing so that it accepts, the Committee will be entitled to recommend the rejection of the order, with the consequences that I have described.

As I think my right hon. Friend the Member for Honiton acknowledged, we have also tabled—and hope to move tomorrow—an amendment to give effect to the Procedure Committee's recommendation about the length of time needed for the Deregulation Committee's inquiries. The Bill gives the Committee 40 days in which to carry out any inquiry into a proposal, excluding any period when either House is adjourned for more than four days. The Procedure Committee has suggested that in a few cases 40 days might not be enough, and that in those cases the period should be extended to 60 days. As we have always intended the Deregulation Committee to have enough time to conduct whatever inquiries are thought necessary, we have readily tabled an amendment to meet the Procedure Committee's concerns.

The only issue on which we cannot go quite so far as the Procedure Committee wanted was the question whether the Deregulation Committee should be empowered formally to summon Ministers to appear before it. That is simply because rather wider issues are raised, including—I hope that this will not be dismissed—the question whether one House should be able to require the attendance of a Member of the other House, which would clearly be implicit in such a power.

I see no reason to suppose, however, that the absence of such a formal power would hinder the Deregulation Committee's work. Ministers will co-operate fully if the Committee needs to take evidence from them; indeed, they will normally be keen to meet the Committee to explain their proposals and gain support for them. Frankly, I cannot envisage circumstances in which the responsible Ministers would refuse to appear.

Finally, I thank my right hon. Friend the Member for Honiton and the Procedure Committee again for the thoroughness with which they have examined these matters. As a result of their work, we shall be in a position to present the House—at the appropriate time—with proposals for a scrutiny procedure which I believe will be both robust and flexible. I expect that to be both an assistance and an assurance to the House when it debates the deregulation order-making power tomorrow.

7.55 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): I thank the right hon. Member for Honiton (Sir P. Emery) for presenting the report of his Committee. I also thank the Lord President for being so understanding, and for accepting my apology for not being able to stay for the whole debate. It is no wish of mine not to be present, but I apologise to the House none the less. I also congratulate the right hon. Member for Honiton on having secured time from the Leader of the House for a debate on the Floor of the House, although I suspect that it comes too late to have an impact on the legislation.

The Government's approach to the provision of time for the debate of Procedure Committee reports is episodic and essentially pragmatic. It is worth exploring that topic before dealing specifically with the report. The Procedure Committee has an uneven record of success in securing debates in the Chamber on its reports. Last year we were able to discuss its first report on parliamentary questions and related matters—a valuable piece of work—but the other reports from last year, and two from this year, have still not been debated.

Sir Peter Emery: Press for them.

Mr. Brown: I do. I have pressed particularly vigorously for discussion of the report on budgetary reform and this year's follow-up report on Budget procedure, which have not been debated on the Floor of the House, but the Government have gone ahead and introduced the new unified Budget without seeking the House's views on procedure.

There is a marked parallel between the handling of the unified Budget issue and the report that we are discussing today. On the unified Budget procedure, the Government made key changes in the Finance Bill of 1993 before the Procedure Committee had even reported; they have continued to refuse time to debate the two relevant Procedure Committee reports, and they have ignored the Committee's principal recommendations. They guillotined the Finance Bill on the Floor of the House and on a day-to-day basis in Committee, and encouraged their own Back Benchers to filibuster on less controversial matters so that more controversial issues ran up against the guillotine, thereby relieving Ministers of the task of explaining the clauses to the House. Ministers may have found that convenient, but the House did not. As for the public spending aspects of the unified Budget procedure, the Government have not allowed the House to debate the details of their public expenditure plans since May 1991 —so much for the unified Budget.

It should be clear to the House that, when considering questions of procedure, including reports from the Procedure Committee, the Government are insistent—occasionally brutally insistent—on putting the narrow interests of the Executive before the interests of the House. They dealt with Parliament in a high-handed way over the unified Budget, an issue on which—in principle—Conservatives, Liberal Democrats and Labour agree. The Opposition were also willing to discuss and reach agreement on the practicalities, but to no avail.

[Mr. Brown]

No such consensus in principle underpins the debate on the deregulation orders. The Labour party is strongly opposed in principle to such an enhancement of the powers of the Executive: there is no precedent for conferring on Ministers the generalised powers on which the Government intend to ask the House to vote tomorrow. The principle is completely unacceptable to the Opposition and we are unable and unwilling to offer the Procedure Committee any advice on how practical effect should be given to the Government's desire to extend the power of Ministers.

The Opposition's view is clearly stated in the letter dated 23 February sent by my right hon. Friend the Member for Derby, South (Mrs. Beckett). The letter is helpfully reproduced as an appendix to the report, although it is incorrectly dated 24 February. The reply from the right hon. Member for Honiton is dated 24 February. In his letter, the right hon. Member for Honiton argues the case for examining the procedures before the Bill receives a Third Reading. He argues that representations from his Committee, if received before the Third Reading debate, could mitigate the worst excesses of which he implicitly believes the present Government to be capable.

The experience of the unified Budget inquiry does not bear that out. In practice, the Government ignored the views of the Procedure Committee and, indeed, pre-empted some of them. If it is any consolation to the right hon. Member for Honiton, I can tell him that the Government did not take any notice of the Opposition either, and I have no doubt that the same is intended today.

There is a clear disagreement between us and the Government on this fundamental issue of principle. We are opposed to the implementation of the Bill, so we have no view to put to the Procedure Committee as to how it should be done. Our view is that it should not be done and the House has not yet agreed that it should be done.

Opposition Front-Bench Members have taken part in the scrutiny of the Bill during its passage through the House and we have debated alternatives—that is the function of a Standing Committee—but no one, except possibly Conservative Members of the Procedure Committee, could possibly conclude that by seeking to amend the Bill in Standing Committee Opposition Members were conceding the principle underpinning the legislation. For the avoidance of any doubt, I make it clear that we do not concede such a principle.

Disappointingly, the report is partisan. The inclusion in the report of paragraph 6, which refers to the Opposition's unwillingness to elaborate on our written submission, is unfair and offensive. My right hon. Friend the Member for Derby, South had written to the Committee stating the considered views of the parliamentary Opposition. In summary, we do not agree with what is being done, so we are unable to give the Procedure Committee evidence as to how it should be done. Conservative Members of the Committee are perfectly entitled to disagree, but I do not accept that a Committee of this sort should vote into its report, on the casting vote of the Chairman, a paragraph as snide and unfair as paragraph 6.

Sir Peter Emery: The hon. Gentleman might have recorded that the second letter, written with the agreement of the entire Procedure Committee—including, at that time, Labour Members—was not even acknowledged.

Mr. Brown: There is no need for any acknowledgement. Our response had been clearly stated in the letter that my right hon. Friend the Member for Derby, South sent to the Committee and which has been recorded as an appendix. That is all that we have to say on the matter. For the right hon. Member for Honiton to use his casting vote to include in his Committee's report, with the votes of only Conservative Members—no Opposition Member voted for it—such a snide and unpleasant paragraph as paragraph 6 is completely against the spirit in which Committees of the sort over which he usually presides should proceed.

I notice that the right hon. Member for Honiton is trying to impose on the deputy leader of the Labour party, my right hon. Friend the Member for Derby, South, a requirement to attend in person before his Committee to explain party political decisions taken inside the Labour party. Yet Ministers of the Crown are not willing to accept an obligation to attend the Committee to explain matters of public legislation. However that can be described, it cannot be described as even-handed. It is clearly politically partisan.

Mr. Winnick: Is my hon. Friend aware that Labour Members on the Committee fully accepted the explanation offered by my right hon. Friend the Member for Derby, South (Mrs. Beckett)? That is why we voted against the paragraph and against the report. My hon. Friend the Member for Newcastle upon Tyne, East (Mr. Brown) understands the reasons why. Although this is the most political place on earth, does my hon. Friend agree that there are strong arguments for a Committee such as the Procedure Committee to try, as far as possible, to avoid the strong party politics of the Chamber? We have done so to a large extent in previous Parliaments, certainly in the last Parliament. Is it not unfortunate that the Procedure Committee is increasingly being looked upon as an instrument of the Government?

Mr. Brown: I accept my hon. Friend's case entirely. I shall deal with his second point later. From reading the report, I appreciated the point that he made about the Opposition accepting fully the views that my right hon. Friend the Member for Derby, South put to the Committee.

Mr. Newton: In fairness to my right hon. Friend the Member for Honiton (Sir P. Emery), the Opposition Front-Bench spokesman spent the first five minutes of his speech denouncing the Government for not acceding immediately to every recommendation of the Procedure Committee in respect of the unitary Budget. That was followed by apparent agreement between the Opposition Front Bench and Back Benches that the Procedure Committee is somehow the Government's poodle. That raises questions of consistency.

Mr. Brown: The right hon. Gentleman is right to be fair to his right hon. Friend the Member for Honiton, and his right hon. Friend was fair to him. There is nothing inconsistent in what I have said. The Leader of the House knows that we wish to debate the report on the unified Budget because there is wide agreement underpinning the issue of principle that there should be a unified Budget and that tax and spending decisions should be brought closer together if possible. The Government say that that is their view in principle, but they refuse to do it in practice.

This is something entirely different, and there is no agreement on the question of principle, so it is invidious to

suggest that somehow the Opposition should take part in the discussion on how the principle should be put into practice. We do not agree that it should be done at all, and when we are the Government, all this will be repealed.

Sir Peter Emery: There needs to be some consistency and fairness in the argument. Labour Members took part in the cross-questioning of witnesses and in all the discussions prior to the final vote. They did not vote against or amend any of the recommendations that we had talked about, but voted only against a factual recording about not giving evidence. The hon. Gentleman knows me well enough to know that I would not try to impute otherwise, but it is not fair for him to suggest that the Opposition played no part in the working of the Committee when in fact they did.

Mr. Brown: With respect, I was not trying to suggest that the Opposition played no part in the workings of the Procedure Committee. Whatever our complaints about partisanship, we have not yet reached the stage of boycotting the Committee. However, I notice that the Committee's procedures were characterised by a series of partisan votes—votes which could be categorised as being on party political lines alone. An example of that is the paragraph raised by the hon. Member for Aberdeen, South (Mr. Robertson). He attempted to make hon. Members who wished to question individual deregulation measures—presumably Opposition Members—appear as witnesses to be cross-examined before the scrutinising Committee, rather than having the right to cross-examine other witnesses if they had some special interest.

Since the propositions that are to be discussed by the Committee will all have originated with Ministers and their civil servants, it is surely the role of Members of Parliament to question Ministers and civil servants and not the other way round. One can see how such a proposition would be a partisan advantage for the Government; it would not be an advantage for anyone who wished to question the Government.

Fortunately, the proposition of the hon. Member for Aberdeen, South was so outrageous that it was voted down in Committee; I pay tribute to the hon. Member for High Peak (Mr. Hendry) for resisting what I believe was the most absurd of the tyrannies that his fellow Conservatives had in mind for us. Nevertheless, the fact that such a proposition was even considered by the Committee demonstrates the partisan way in which it was proceeding.

Another example of partisanship occurred when the Committee came to consider the proposition that the Deregulation Committee should be chaired by a member from an Opposition party. Again, that was thrown out on the casting vote of the Chairman. That did not seem an unreasonable proposition for a report to contain if it is aiming at bipartisanship. After all, the Committee only makes recommendations, suggestions or submissions. A report is not binding on the Government. It is not mandatory that the Committee should produce only things that the Government can accept.

It is especially important that we have a recommendation of that sort, given what we heard earlier about the Chairman sifting proposals before they are put to the Committee. I understand that the Clerks have advised that it cannot be done, but some consideration at least was given to doing it. The Government investigated whether it would be possible, as they thought that it would be to their advantage. Presumably they thought that the Chair would listen carefully to the Government rather than take a more independent view—hence their opposition to the proposal that the Chair should be drawn from the Opposition parties.

There is an interesting parallel with the Public Accounts Committee. It is almost a parliamentary cliché to say that Public Accounts Committee reports command great authority because of the unanimity among its members which underpins its reports. The Public Accounts Committee deals with contentious issues—losses to the taxpayer as a result of privatisation, fraud at the Ministry of Defence and corrupt Conservative quangos in Wales—yet it is always able to present a unanimous and clear view to the House. Tribute is routinely paid by hon. Members on both sides of the House, including PAC members, Treasury Ministers and Opposition Treasury spokesmen, to the work and skill of my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon); his Committee's reports are important and are taken seriously.

This Procedure Committee report has no such value: its only function is to provide a vehicle for the Leader of the House and the Minister for Industry to set out in detail how the Executive will allow the House to deal with deregulation orders. Conservative Members agree with what is being done and Opposition Members do not—that is all that the report tells us.

8.11 pm

Mr. Anthony Steen (South Hams): I do not want to be the odd man out—I seem to be the only Conservative Member who proposes to speak in the debate—but I have to say, with the greatest respect to my right hon. Friend the Leader of the House, who has done a magnificent job in a short time, that the report is another example of bureaucracy. It contains an amazing amount of paper and a complicated flow chart, which I cannot easily follow, showing an immensely complicated means of repealing measures.

Regulations are passed very quickly in the House. Statutory instruments flow in here quickly; we pass them upstairs in a moment. The deregulation procedure, however, will be immensely complicated.

Mr. Newton: I hope that my hon. Friend, whose interest in deregulation I share, has not misunderstood. Where regulation exists in a statutory instrument, it can be removed by another statutory instrument. We are debating regulation in primary legislation. That is the important point that my right hon. Friend the Member for Honiton (Sir P. Emery) sought to make.

Mr. Steen: Perhaps my right hon. Friend is making an important intervention, and I am grateful to him. [*Laughter.*] I shall not be deterred by the mirth of Opposition Members.

It is much easier to pass measures in the House than to repeal them. Directives flood in from Europe, which we are unable to stop but which, once on the statute book, are very difficult to repeal. A good example is directive 92/58, which proposes minimum requirements for safety signs in the workplace. All fire safety signs that do not show a little man running up or down stairs will not meet the requirements of the directive and will have to be replaced when it comes into force on 24 June.

The directive will impose enormous costs on offices, businesses and local authorities. Officials in this place will

[Mr. Steen]

want to ensure that we are ahead of the game. Every door in the Palace of Westminster will show a little man running up or down stairs. Do not existing signs—for example, those that say, "Fire Exit"—give sufficient information? Apparently they do not. According to the Health and Safety Executive, the directive is mandatory. Doors on every public building will need to have such signs so that everybody will know that there is a fire exit.

I listened to the brilliance of my right hon. Friend the Member for Honiton (Sir P. Emery) in explaining this complex procedure—I believe that it is more complex than Opposition Members think—under which fire exit signs in cinemas, theatres and concert halls will have to change overnight on 24 June and at an enormous cost.

Dr. Wright: Would the hon. Gentleman be perfectly happy for Ministers of a future Labour Government to have the power to sweep away primary legislation by ministerial order?

Mr. Steen: That is a hypothetical question. It is also speculative: the hon. Gentleman is making assumptions about whether there will ever be a future Labour Government. I understand what he is saying, however, and the public should have some protection against what a future Labour Government might do. I am talking about something slightly different—the bureaucracy that we are introducing for past rules and regulations as opposed to the ease with which new rules and regulations are introduced without so much as a by your leave.

I gave the example of the little man running up and down on the fire exit because it is a good one. I wonder how many hon. Members or people outside are aware that this directive is mandatory. Nobody knows about it, yet millions of pounds of taxpayers' and private enterprise money will be spent on implementing it.

It is similar to the directive that has crept in in respect of filing cabinets that are not fitted with anti-tilt devices. I wonder how many people know that that Brussels directive was interpreted by the Health and Safety Executive to mean that it is unsafe to have any item of equipment at work that is not secure. The Serjeant at Arms, like many others, has interpreted that to mean that filing cabinets are dangerous. They are dangerous only if one opens four drawers and the cabinet falls over and knocks one on the head. Once someone has made that mistake, they will not repeat it.

New regulations are eating away at the public and private purse and destroying our economy's ability to revive. They are constantly reducing the profitability of private enterprise and increasing the amount of public money that must be spent on implementation.

I have nothing against a lengthy and complicated procedure, as suggested in the report, but can we please try to do something about the directives, which, as I said, are being allowed to creep in and destroy the economy? I am attacking not my right hon. Friend the Leader of the House but the way in which directives flow into this country and are passed only for the public suddenly to wake up and find such dreadful things happening.

8.19 pm

Mr. Nigel Spearing (Newham, South): The House and the public owe a debt of gratitude to the hon. Member for South Hams (Mr. Steen) because, despite the levity that greeted his remarks, what he said was genuine vox pop: he expressed what many people think. There may be a great deal of truth in what he said about directives from outside but we are discussing a different issue. I commend to him a weekly report published by the Select Committee on European Legislation which details all the directives.

The hon. Member for South Hams spoke about the regulations that emanate from Whitehall either with the signature of a Minister or that of someone whom a Minister has designated by law to authorise him. In other words, they come from the Executive, who are appointed by a majority of hon. Members and are accountable to them. I think that we can all agree on one matter. Suppose that a filing cabinet falls over, causes a serious injury to or even kills someone and the case ends in a coroner's court. The event may lead to a multiplicity of regulations that may appear necessary after a disaster but which, in practice, might be simple over-regulation. That is what the hon. Member for South Hams was complaining about.

I became involved in events following the Marchioness disaster, which was a great tragedy. It was rumoured—I emphasise that it was only a rumour—that the Department of Transport was going to order river boat operators above Teddington lock to have on board lifeboats, rockets and rations for 14 days. It did not go that far—it was only a story—but we can all cite practical examples of over-regulation from our daily life. To some extent, therefore, I agree with the hon. Member for South Hams.

Mr. Steen: I thank the hon. Member for Newham, South (Mr. Spearing) for his generous remarks and I am pleased that he recognises that there is a serious problem. However, the problem is rather different from that which he describes. The problem has to do not only with rules and regulations but with their interpretation by a large number of officials. In addition, we have to contend with notes and guidance notes.

Madam Deputy Speaker (Dame Janet Fookes): Order. The hon. Gentleman is going rather wide of the subject under discussion. I always permit a little latitude, but he has now had sufficient rope.

Mr. Spearing: I am grateful for your ruling, Madam Deputy Speaker. Of course, the interpretation is contained in the regulations themselves; it is not, as I understand it, a matter for the courts.

I thank the right hon. Member for Honiton (Sir P. Emery) for his courtesy in inviting me to give evidence to the Select Committee on Procedure and for the courtesy accorded to me while I did so, even though the thesis that I advanced in my initial letter to that Committee has not been dealt with in the Committee's report or elsewhere. I also thank the right hon. Gentleman for allowing me to intervene earlier, when he was saying, in effect that the procedure must be at least as thorough. The right hon. Gentleman nods, thereby emphasising the fact that we have a new type of regulation equivalent to primary legislation. He nods again, and I believe that the complexity and thoroughness with which the advice is given in the

Committee's report proves that very point. I shall later make a constructive suggestion in this connection which may appeal to the Leader of the House.

The problem that we are discussing—let us call it the South Hams question—needs to be tackled in a democracy, but not necessarily by giving greater power to the Executive of the day, because the Executive might be responsible for inappropriate, outdated, over-complex and ill-balanced regulations, and might inflict a larger burden than is warranted by the importance of the case. Is not the whole process of statutory law, especially Acts of Parliament, about the balance between private rights and freedoms and protection and the carrying of burdens? Is not that what parliamentary democracy is all about?

I understand that in Elizabethan times there was uproar in the House when it was decided that one should only drive on the left. What about income tax and taxation in general? Taxation is a burden and a privilege—it is a matter of getting the balance right. The crossrail legislation, or any public or private Bill, involves argument about collective advantage versus private protection. In a sense, Acts of Parliament are about the balance between burden and privilege.

The Government have recognised the problem—the South Hams question—but have come down on one side only. They have chosen to stress the reduction of the burden and have not given sufficient attention to the other aspect, which is the collective advantage. Indeed, they have done so in a way that gives the advantage to the Executive. There is no doubt about that. The diagram on page xxv of the Select Committee's report is complex but the Deregulation Committee can only advise, not dispose. I was asked how I would give the Committee more power and I said that it could be given the power to dispose—the Standing Committees have them and the Government have them.

I thank the Leader of the House for his courtesy in giving way earlier. I know his views on parliamentary democracy but he will not be the Leader of the House for ever. He said that no Leader of the House and no Government would brush aside the Committee's recommendations. At one time, the Select Committee on European Legislation—this is the sort of thing that worries the hon. Member for South Hams—could call for time to be allocated on the Floor of the House or in Standing Committee to discuss outside regulations and directives. The Government decided that that was rather too time-consuming and that all such debates should take place in Committee but said that, if there was a request to debate the issues on the Floor of the House, they would consider it carefully. That was said in the Chamber when we were discussing directives.

On 30 March, the Select Committee strongly recommended that there should be a debate as soon as possible on the Floor of the House on the proposals for the enlargement of the Community. It is a very important issue, but the weeks have passed and still there was no debate. The issue is to be discussed by the Council of Ministers next Monday but we have not debated it in the House.

I do not have a copy of it with me, but the Leader of the House wrote a letter to the Chairman of the Procedure Committee in which he said that such a debate would be impractical. He has had since 30 March to make the necessary arrangements but has brushed aside the recommendation of what is not, but what is supposed to be, an analogous Committee, whose very purpose was to make recommendations about debates. He has brushed aside a recommendation that he said would not be brushed aside if we adopted the proposals in question.

Mr. Newton: I note the hon. Gentleman's point and the spirit in which it is made. I do not remember whether he was present during business questions last week, when I made it clear that the circumstances are not quite as he describes them. We did not know that it was a proposal until it was cleared by the European Parliament only last week, at which point it became clear that it would be put before the Council of Ministers next week. That left very little time, and it is against the background of a full debate on Europe next Monday.

Mr. Spearing: I am grateful to the right hon. Gentleman for raising that issue—I had not mentioned it because I did not want to make my speech too long. I am sorry to hear what he said, because it means that the Government had to wait for another Parliament to reach a conclusion before agreeing to discuss a matter recommended for debate by a Committee of the House. Surely that is what he is saying, in effect, and I am sorry to hear it.

Mr. Newton: I hope that there is no misunderstanding. The hon. Gentleman has put his point in an uncharacteristically tendentious way. The fact is that accession could not go ahead until it had been agreed by the European Parliament. Until then there was no proposal, in the full sense, to be debated. That is all I meant.

Mr. Spearing: I hope that the Leader of the House will accept my next remark in the spirit in which it is meant, but I must remind him that the proposal was certainly on the cards, because the Prime Minister came back and told us all about it some weeks ago, and there has been much discussion about the content of his statement.

I now hasten on. We are talking about the balance between the Executive and the House. I wish to draw the attention of the House to the document HC 588, which is the 1977-78 report of the Select Committee on Procedure —the Committee that is now chaired by the right hon. Member for Honiton. Referring to Lord Glenamara, who was then the Leader of the House, the report said:

"The essence of the problem, as Lord Glenamara himself recognised, is that the balance of advantage between Parliament and Government in the day to day working of the Constitution is now weighted in favour of the Government to a degree which arouses widespread anxiety and is inimical to the proper working of our parliamentary democracy."

If that was true in 1977, it is at least as true now.

That was a unanimous report, backed by the following hon. Members:

"Mr. Kenneth Baker, Mr. A. J. Beith, Mr. George Cunningham, Mr. Michael English, Mr. John Grant, Mr. Norman Lamont, Mr. Richard Luce, Mr. David Marquand, Mr. John Peyton, Mr. J. Enoch Powell, Mr. Giles Radice, Sir David Renton, Miss Jo Richardson, Mr. Nicholas Ridley, Mr. Nigel Spearing and Sir Thomas Williams".

We are suffering at least as much now. In the context of the Deregulation and Contracting Out Bill, which we are not discussing now, I suggest that, if the recommendation for the Committee is accepted, that uneven weighting will become far worse, for one simple reason. That was the thesis of my letter, and I do not believe that any hon. Member could disagree with it. Although statutory and primary law is available for contention in the courts, and involves the total balance between advantage and privilege

[Mr. Spearing]

with which Acts of Parliament are always concerned, regulations are administrative law. They are designed to allow officials to take executive action to carry out in detail the will of the House.

In the example that the hon. Member for South Hams used, if the regulation says the Minister "shall" or "may" specify something concerning a certain number of inches, or a certain number of little men running up and down stairs, that is it. That is quite a different matter. To use secondary legislation to change primary legislation wholesale would be in breach of the constitution.

The Chairman of the Committee pointed out that, if law is made, it should be unmade in exactly the same way; otherwise, it would be devalued. The hon. Member for South Hams may not have heard of amending orders, annulment orders, or orders made for a certain period of time after which they expire and have to be renewed. That is how we could provide an opportunity, perhaps not in the Chamber but by consultative machinery, for over-regulation to be dealt with if it occurs.

Mr. William Ross (Londonderry, East): Surely the hon. Gentleman is now talking about the same sort of system as has been used to govern Northern Ireland for the past 25 years. Why should hon. Members who have supported that system being applied to Northern Ireland for 25 years not welcome its extension to the rest of the United Kingdom?

Mr. Spearing: I am grateful to the hon. Gentleman, because he has illustrated what may be in store for us.

Mr. Ross: Exactly.

Mr. Spearing: I do not think that anybody could question that.

In respect of that type of regulation, I shall conclude—

Mr. Steen *rose—*

Mr. Spearing: No. Time is limited.

Mr. Steen: I shall be very quick.

Mr. Spearing: Go on.

Mr. Steen: Does the hon. Gentleman agree that, although statutory instruments tend to get passed in three minutes in Committee, the procedure likely to result from the Deregulation and Contracting Out Bill will take much longer to unwind or repeal them? I should like to hear what he thinks about that.

Mr. Spearing: The hon. Gentleman is right, but for the wrong reason. We have to put in place something that, however skilfully it may be constructed, will be an enormously complicated procedure. That is because regulations are being used for the wrong purpose. It would be much easier to amend an Act, as does the middle part of the Deregulation and Contracting Out Bill, which we shall discuss tomorrow.

I finish by suggesting an alternative procedure to deal with what, while it may not be described as the West Lothian question, could be described as the South Hams question. Over-regulation and unnecessary regulation have to be dealt with. Why not have an annual deregulation Bill? We have one this year, and there are bits in it about public vehicles and all sorts of other things; it affects regulations about this, that and the other. Such a Bill could even be amended, if the House wished. Indeed, a spectacular amendment was made yesterday to the Deregulation and Contracting Out Bill. So there would be an opportunity for the hon. Member for South Hams, or anybody else, to say that something was wrong. But the law should be changed in the same way as it was made.

There may be a danger in doing that, because if we use the same procedure as we use for Standing Committees on Bills, such a Committee, like the Committee on the Deregulation and Contracting Out Bill, would have to deal with a vast range of all sorts of different issues. Its membership could not be hand-picked, so there could be difficulties. If such a Bill were to be introduced every year, therefore, there ought to be outside consultation before its introduction. That arrangement could be part of some overriding Act. I have attempted to suggest how that could be done with my amendment No. 90—which, of course, I cannot talk about now, because that would be out of order, but which hon. Members can read on the amendment paper.

Instead of going to a Standing Committee, why should not the annual deregulation Bill be dealt with separately? The Army Bill is dealt with separately, and so is the Finance Bill. Initially it would go to a Public Bill Committee—the sort of Committee that I think we should have, and which was advocated by the Procedure Committee in 1977. There would be a Select Committee procedure for a period—perhaps the membership could change with the subject—and then a normal Standing Committee, after which the Bill would return to the Floor of the House.

I suggest that that would be using the House in the proper way. There would be pre-legislative consultation, scrutiny and questioning of Ministers in the House where necessary. That might not be necessary; let us hope that it would not. I hope that that would deal with the problems that concern the hon. Member for South Hams. It would also help the Government, and would avoid the great complications, and the enormous manpower and extra work, that the Procedure Committee's recommendations could entail.

8.37 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I am pleased to be able to make a short contribution. I start by paying tribute to the work of the Procedure Committee. I was lucky enough, if that is the phrase, to be summoned, and I was received with courtesy and listened to attentively for a happy 15 or 20 minutes. That was a worthwhile exercise. The Committee's work has been most valuable, and the House should be grateful to its members.

The Leader of the House has something to answer for in that he has brought us to this position. Here we are in the middle of the week having to insinuate the debate in between two days of a Report stage. We are in the middle of the consideration of the Bill. The Government should have seen that problem coming when they conceived the Deregulation and Contracting Out Bill in the first place. It is wrong to have to hold such a debate, and to force the Procedure Committee to make such a hurried report—although it was executed with dispatch, with proper expedition and with expertise.

We should not be having this debate in the middle of a two-day Report stage. The question should have been resolved clear of the final stages of the Bill, so that the

House could have had more time to contemplate some of the profound changes that will result from the legislation. I do not think that it is right that this important debate about the work of the Procedure Committee should be sandwiched in the middle of the debate on Report.

The Leader of the House must bear in mind the wider worries that some Members on both sides of the House have, to which the hon. Member for South Hams (Mr. Steen) has adverted, in relation to regulations. There is a widespread view that the House is suffering from overload at every level and in every direction. I do not think that the Government are doing enough about that. We have mentioned the Jopling report and the distinguished work that the Procedure Committee has done in the past. It has made plenty of recommendations. There is a growing sense, especially among my generation, if I can put it that way—although I am older than I look—that the House is overloaded. At some time or another, someone will have to grasp that nettle.

I am in favour of the fast-track procedure, subject to safeguards, but I do not think that it is enough. I should not want the Leader of the House to go away thinking that, if he obtains the agreement of the House to the procedure, that is the end of the matter, because it is not. Europe will produce more important legislation, and anxieties will grow in Scotland and in Wales that inadequate time is available on the Floor of the House of Commons. I am not by any means suggesting that that leads one to a conclusion about separation. There are all sorts of other ways, in a federal context, in which those problems could be tackled. There is a long agenda, which we ignore at our peril and which is not tackled by the narrower but nevertheless significant changes that are proposed in the Bill.

While I have the attention of the Leader of the House, I want to tell him that the measures that we are considering should only be temporary. If we accept the fact that in the past there has been over-regulation and over-legislation, presumably the penny has now dropped: the day has dawned; we all now see the error of our ways; and after the forthcoming Queen's Speech, all those problems will be solved. That is the responsibility of the Leader of the House. If the right hon. Gentleman lacks the bottle to say to Departments in future, "Up with these excessive attempts at legislation we will not put in future," he will fail the House and will not be doing his duty properly. He must take that seriously, and the measures should be temporary.

I am worried that the work that the Procedure Committee has done, in rightly and thoroughly scrutinising the problem that it was set, will turn into a procedure that will be built into the bricks of this place and that, in future, we shall have primary legislation that will need to be stripped out by the fast-track procedure in due course. If the House gets into that mind-set, it will fail in its duty. The procedures should be used, appropriately and thoroughly, for the next few years, until we return to the situation in which we want to be, which is that we only introduce legislation in this place when it is essential.

The hon. Member for Newham, South (Mr. Spearing) rightly argued that rights, checks and balances must all be borne in mind. I must say in parenthesis that I am attracted by the solution that he proposed, which would provide a viable alternative, and I wonder whether the Government have given that suggestion the serious consideration that I believe that it deserves.

There are some anxieties about the context in which the debate is taking place and I hope that the Leader of the House will realise that he has a duty to go away and think longer and harder about some of the longer-term issues that stand behind the proposals that we are considering.

Putting all that to one side, speaking for myself, I am willing to contemplate a fast-track procedure and I think that the Committee was right to propose it. I would add the qualification that it is essential, for the procedure to operate safely, that the House has ultimate control of the way in which the legislation and the new provisions are executed.

I say to the Leader of the House that I believe that an important factor in that—it may be a minor point—is that the Government should seriously consider offering the chairmanship of the Committee to an Opposition party. It is a special Committee and we must mark it out as a special Committee. The Leader of the House gave me an understandable response to my intervention, that the usual channels will dispose of questions such as that. From my perspective as someone who plays a minor part in the usual channels, I am not convinced that that will not be lost in the normal carve-up of perfectly ordinary and acceptable party interests. It will simply be lost.

I believe that the right hon. Member for Honiton (Sir P. Emery) is right in saying that the Committee should be set slightly apart from Select Committees. One of the ways that we can slightly set it apart—it is done in terms of the Public Accounts Committee and it works perfectly well in that regard—is to select and nominate a chairman from the Opposition ranks.

Mr. William Ross: The hon. Gentleman said that he was hoping that the Chairman would come from a minority party, or rather from an Opposition party. How many minority party Members does he think will be on that Committee?

Mr. Kirkwood: I hope that there will be at least one; perhaps two. It depends on the size of the Committee.

We can have an argument about the rights and the balances and the opportunities that minority parties have —and as shop steward for the minority parties on the Committee of Selection I try to do my best, within the confines of the contest between the two major parties, to protect our interests; however, although I accept what the hon. Member for Londonderry, East (Mr. Ross) said, my argument is slightly different. By virtue of our allowing the chairmanship to fall into the hands of the Opposition parties, the Committee will be given a certain distinction. Such a move would set the Committee apart and give the House added protection in the sense that the Committee would not then be driven simply by the perceptions, needs and desires of the Executive, which is a significant worry.

If the Government are not willing to do that, and if they are not willing to put proper safeguards into the fast-track procedure, which gives the House some sense that it has ultimate control, they will fail in what they are setting out to do. That would be a retrograde step.

I hope that the Leader of the House will consider the longer-term issues as well as some of the shorter-term ones. In particular, I hope that he will give some added thought to the question of offering the chairmanship to a party that is outwith the party of government, because if those Committees are to be enshrined for all time, Governments will come and Governments will go. I know the Leader of the House well enough to trust him. I do not

[Mr. Kirkwood]

subscribe to the conspiracy theory that the procedure will be taken over and used in some nefarious way for Government political purposes. I do not believe that in the current context, but we cannot say that that will not change in future Parliaments, with different incumbents in the office that he holds. He must tackle those genuine anxieties to assure the House that that is being done properly.

8.48 pm

Mr. George Galloway (Glasgow, Hillhead): That was a terribly disappointing close to the hon. Gentleman's speech, and I think that he might have been better informed about the true nature of the measures and the procedural infrastructure that is being instituted this evening to bring the measures into effect. If the hon. Member for Gordon (Mr. Bruce) had been here last night or this evening, he would have been better informed. He at least was able to see the beast face to face.

Although the Government have fielded some jolly decent coves this evening, and have shown us a decent face —although, as one paragraph made clear, the report is not as nice as the person who introduced it looks—the measures are an affront to the constitution. They are an abuse of democracy. That is something that has not been fully reflected during a debate in which we have ranged very widely: we have had the latest battle in the hundred years war over Britain's membership of the European Union; the Jopling report; and all sorts of other essentially extraneous issues.

What we are talking about is the procedural infrastructure to give the Government what have been described as Henry VIII powers, so draconian are those powers in relation to Parliament and to the further accretion of control on the part of an Executive who have done more than enough over the past 15 years to lead us to conclude that their purpose is ignoble. The Government's accretion of executive powers is an ignoble crusade, however nice the gentlemen sent here to argue for it may have been.

I said in the Committee that considered the Deregulation and Contracting Out Bill that the Government were ill advised to choose Henry VIII as a role model at this parlous time in the Conservative party's political history. Henry VIII was a mass murderer; he was a serial adulterer, leaving what I think are known as love children all over the country; he disposed of parliamentary and any other opposition in the most brutal and undemocratic fashion. He even tucked his trousers into his socks. They were not actually trousers—more a kind of frock. But perhaps I had better not go further down that line.

All in all, Henry VIII was a very unsavoury character in British history. It is inappropriate for any Government in a modern democracy to be bent on taking powers so dictatorial that they have now become known universally as Henry VIII powers. From some mail received today I see that the Institution of Professionals, Managers and Specialists is to bring Henry VIII back to life with a personal appearance, including axes and stocks, on Westminster bridge at 11.15 tomorrow. No doubt the country's media will be there in force.

We are talking about giving a discredited Executive, a discredited Cabinet, a discredited Government, draconian powers to dispose of primary legislation that the House, in its proper way, has passed in years gone by. This is no laughing matter. A reading of the speeches of the hon. Member for Aldridge-Brownhills (Mr. Shepherd) and of other Conservative Members during the Second Reading debate on the Deregulation and Contracting Out Bill makes it clear that attitudes to the constitutional aspects of this matter are shared by Members on both sides of the House and will be shared in another place. I, for one, am not at all sure that the other place will tamely roll over to the constitutional implications.

I come now to the very emollient and gentlemanly discourse that the Chairman of the Procedure Committee gave at the beginning of the debate. In the few minutes available to me I shall deal with one or two aspects of it. The idea that we can be satisfied with the proposals that the Procedure Committee has come up with, especially with regard to the issue of the chairmanship, simply will not wash.

The very decent Leader of the House made it clear by implication that an Opposition Member will not chair the Committee. My hon. Friend the Member for Pendle (Mr. Prentice), in an intervention today and repeatedly in Committee, elicited, by implication, the answer that there will be a Chairman's sift. There is to be a Conservative placeman in the Chair, and that Chairman will have power to sift. There will be a majority of Government placemen, as is clear from responses to interventions during this debate. There will therefore be no real protection whatever.

I am very sure that the usual procedures, the Government's powers of patronage, fear of the Whips and the inducement of promotion and of other favours will be such that the Minister bringing forward a deregulation proposal will manage, no doubt with 40 or 60 days' huffing and puffing but ultimately with very little difficulty, to get it through by partisan vote. After that, we shall have only a 90-minute debate at the end of the evening, when the press have gone home and the nation sleeps. Primary legislation will be swept away as the Whips whip the majority through the Lobbies.

This is a coarsening, cheapening and brutalising of the procedures of the House of Commons that sits well with the coarsening, cheapening and brutalising project that the deregulation legislation itself represents. The legislation chips away yet more of the edifice of civilised British society. This is the necessary concurrent procedural infrastructure. I am very disappointed at the tame response of the Liberal party, as enunciated by the hon. Member for Roxburgh and Berwickshire, whom I admire very much and with whom I very rarely disagree. It will not be the tame response of the Labour party. We reject these proposals, as we reject the Bill.

The Minister for Industry (Mr. Tim Sainsbury): Has it occurred to the hon. Gentleman, in the course of his hyperbolic defence of democracy, that the reason for others taking a different view is that, unlike him, they think that deregulation is a good idea?

Mr. Galloway: If it is a good idea, why cannot it be brought to the Floor of the House with debate on an annual deregulation Bill? If it is such a good idea, it would no doubt stand the test of parliamentary democracy and would be approved by a majority of the House after due debate. If it is such a good idea, let the Government put it to the test. The truth is that it is a rotten idea, at least in so far as

it exists in the minds of Ministers, who are engaging in the exercise at the behest of vested interests, many of whom have stuffed the Conservative party's coffers with gold in exchange for deregulation measures.

It is because it is such a rotten idea that the Government want to push these things through in a 90-minute debate, after normal parliamentary business and while the nation sleeps. The purpose is to dispose of the business as quickly and in as much shadow as possible. This is to be done precisely because it is a rotten idea conceived by the rotten lot opposite.

There is undoubtedly legislation that should, and could easily in a bipartisan way, be dispensed with. We could take a couple of hours upstairs night after night and, with the statute book in front of us, agree among ourselves that this or that piece of legislation is no longer necessary. However, we know that this project, this bonfire—how inappropriate that term may turn out to be in the context of the deregulation of fire protection with which we dealt last night—of civilised society in Britain is something that the Government would prefer to hold very quickly and quietly and, if possible, when no one is looking.

8.58 pm

Mr. Gordon Prentice (Pendle): I shall be brief because I know that several of my colleagues wish to contribute to the debate.

It is a privilege to be able to take up the remarks of my hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway), for what he said was essentially correct. It is true that the entire exercise that we are debating is ideologically driven. It is true also, as my hon. Friend the Member for Newham, South (Mr. Spearing) said, that if the Government wanted to clear away the legislative undergrowth they could do so annually in a deregulation Bill. They could repeal redundant legislation by that means.

I smiled wryly to myself when the hon. Member for South Hams (Mr. Steen) made his ignorant contribution. We know from the Minister and his ministerial colleagues —this was made clear in Committee—that 71 per cent. of the regulations that the Government want to sweep away were introduced since 1979. They are Conservative, not Labour, regulations. A full fifth of the regulations have been introduced since November 1990, when the right hon. Member for Huntingdon (Mr. Major) moved into No. 10. The idea that satanic socialists from previous Administrations are responsible for all the regulations is nonsense.

Who will chair the Deregulation Committee? It should be a member of one of the Opposition parties. The Chairman will have the power to sift. He will decide what goes to the full Committee. In Committee, the Minister said that the Government

"do not intend to introduce many draft orders initially. We shall begin with a small number, depending on how many proposals the new Committee wished to inquire into in greater detail. That aspect may not have been appreciated. We anticipate that a Chairman's sift would identify those which the Committee wished to spend time on, or call witnesses to, or have further papers on."—[*Official Report, Standing Committee F,* 24 February 1994; c. 231.]

The Lord President of the Council and Leader of the House of Commons, who is not in his place, gave evidence to the Procedure Committee. He said:

"For example, if a procedure were adopted that did entail a sift, a chairman's sift, of the kind that exists under some other arrangements, or perhaps a sift by a sub-committee to decide which one seemed not to require a great deal of attention by the proposed new committee and others which really did require some investigation, then there would be the possibility, for example, that the Government would put forward a number which appeared, on the face of it, unlikely to be felt by the committee to require a major investigation."

So the role of the Chairman and the Chairman's sift is crucial.

Sir Peter Emery: Will the hon. Gentleman give way?

Mr. Prentice: I shall give way in a moment.

I move on to the evidence that was given to the Procedure Committee by no less a person than the Clerk of the House, Sir Clifford Boulton. He was asked specifically about the proprieties of the Chairman's sift by my hon. Friend the Member for Dunfermline, West (Ms Squire). She wanted to know whether it was established procedure in the House for a Chairman to act on a Committee's authority without the Committee actually meeting. Sir Clifford said:

"it is . . . not the practice of our Committees to give devolved powers to the Chairman and then ask for some kind of restrospective approval of action he had taken, if that was going to go to the extent of certifying to the Leader of the House that the Committee would not be bothering with certain proposals or something like that."

Later, he said:

"our Committees do not have power to sub-delegate authority to the Chairman."

Sir Peter Emery: May I make it absolutely clear to the hon. Gentleman that there was no intention in any aspect of the recommendation in the Procedure Committee's report that anything but every regulation should go to the complete Committee for its consideration? That is absolute. It is most important that the hon. Gentleman should realise that that was the Committee's judgment.

Mr. Prentice: I do not know for the life of me how it will work in practice. The whole thing has not been thought through.

Sir Peter Emery: It has.

Mr. Prentice: It has not been thought through. One of the problems was that the Standing Committee which was considering the Deregulation and Contracting Out Bill was running in parallel with the Select Committee on Procedure and the latter could not realistically be expected to know what was being discussed and being debated in the Standing Committee. I forget the number of occasions on which we were speculating on what would be the response of the Procedure Committee. We did not know because the Procedure Committee had not got round to dealing with the matters with which we were wrestling in the Standing Committee.

I say to the right hon. Member for Honiton (Sir P. Emery) that a fundamental contradiction exists. If there are a large number of deregulation orders and lots of legislative undergrowth needs to be cut and hacked down, there has to be a Chairman's sift. If there are not many deregulation orders, why bother in the first place? The whole thing is ideologically driven.

I shall say bluntly what, perhaps, my hon. Friends would not say. I do not think that the Procedure Committee report measures up. It falls far short of what we are entitled to expect from such a senior Committee of the House. The genesis of the proposal was in the minds of Conservative Members who could not conceive of Britain ever electing

[Mr. Prentice]

anything other than a Conservative Government. It was Conservatism in perpetuity. After the local elections and after what happens next month, Conservative Members ought to start considering—not chortling—that the boot may be on the other foot.

Sir Peter Emery: I was chortling at the hon. Gentleman's comments. We have considered that.

Mr. Prentice: I hope that the right hon. Gentleman has considered that. It is a problem that we are considering tomorrow in the final stages of a Bill that will dramatically alter the constitutional landscape of the country. The report that we are discussing does not measure up to that.

9.6 pm

Dr. Tony Wright (Cannock and Burntwood): We are, in a sense, discussing clause 4 of the Deregulation and Contracting Out Bill tonight. Clause 4 has a certain history in the annals of my party and I suspect that the present clause 4 will acquire a certain historical significance in the annals of the Conservative party. Perhaps it was because Conservative Members had been in power too long that they thought that the time had come when they could start to legislate by order. They began to get worried, because people—some in the other place, some constitutional lawyers outside and, indeed, some citizens—said that they did not think that they should proceed like that, and, if they did, there would be certain consequences.

So Conservative Members thought to themselves, "Well, we had better introduce a certain parliamentary device to make it all right and to legitimise what we want to do." So clause 4 was introduced. Clause 4 refers to the role of Parliament in the order-making process. There will be a device for parliamentary consideration and it is, of course, that device, that clause 4 mechanism, that we are being asked to consider. I believe that that mechanism will acquire a significance when the current period is considered, as our own clause 4 has over the years.

I want to consider the Procedure Committee report at face value. I shall not say what the report should have contained or, as some of my hon. Friends have said, how it is inadequate generally and that its genesis has problems. I shall take it as it comes because, remember, it is the device that we are being offered to make the process of the Government doing what they wish all right.

In its own terms, the Committee tried to do that. Indeed, it came up with what it called five safeguards, which, if any hon. Member would care to consider them, are in paragraph 102. Those safeguards are the bottom line that the Committee offers the House as the device to make the process all right. I will not read out all five of those safeguards as they are in the report.

However, it is most revealing that two of those extremely important safeguards have been rejected by the Government. They are:

"the Deregulation Committee should have the power to summon Ministers to give evidence."

and:

"a Deregulation Committee report that the order-making power should not be used for a specific deregulation proposal would prevent a final deregulation order being laid".

The Government rejected that and said that they would prefer to use the process in relation to draft orders rather than proposals. *[Interruption.]* The Chairman of the Procedure Committee wants to know whether that is correct. He seems to be asking the Leader of the House whether that is correct.

Sir Peter Emery: I wanted to know whether the Government's rejection of that was correct. I do not believe that the Government's rejection has ever been suggested.

Dr. Wright: That is very interesting. Time is short, but I simply advise the right hon. Gentleman to consider the Government's reply contained in paragraphs 15 to 18, which state precisely what I have just described.

The Procedure Committee report refers to the importance that the Committee attaches to the rejection power. Paragraph 64 states:

"We recommend that, if the Deregulation Committee reports that the order-making power should not be used in respect of a specific deregulation proposal, no deregulation order should be laid before the House in respect of that proposal."

That could not be clearer. It is a bottom-line demand in relation to the safeguards that are being suggested, but the Government have rejected that bottom-line demand.

We have five safeguards, but two of them have been rejected. In addition, the Procedure Committee's report states that the existing Government suggestions do not go far enough and paragraph 104 states very clearly:

"We recommend that acceptance of these recommendations should be signified by the Government before the third reading of the Deregulation and Contracting Out Bill in this House."

There we have it.

There is a clear declaration that the order-making machinery is acceptable to the Procedure Committee only if those five safeguards are met and the acceptance is given before the Third Reading of the Deregulation and Contracting Out Bill. However, two of the five safeguards have been rejected and we are to have Third Reading tomorrow. The Chairman of the Procedure Committee may be happy with that. Indeed, the House may be happy with that. However, I warn against the consequences of having embarked on a road of providing protections, but having two of those fundamental protections rejected, and then still pressing on.

I have raised important points and I want briefly to add a further point. During consideration of the Deregulation and Contracting Out Bill we offered the Government several tests of good faith. One test asked whether the Government were sure that nothing controversial would be introduced under the order-making power. We were not given that assurance in Committee. The Leader of the House seemed to give that assurance tonight, but there is great uncertainty about that point.

The Government do not know whether the Deregulation and Contracting Out Bill is a little Bill or a big Bill. If it is a big Bill, the order-making power is not appropriate. If it is a little Bill, how on earth can it deliver the promise of deregulation? That is the contradiction which is more exposed the more we talk about it. The Government would not respond to the tests of good faith that we put to them.

When we asked that certain key areas of protection, such as health and safety and employment protection, be written into the Bill so that they could not be included in the order-making powers, the Government refused to do so. They failed that test of good faith.

We asked the Government to accept in full the Procedure Committee's report. We specifically asked the Government to accept the recommendation of the Procedure Committee if it said that it was not appropriate

to use the order-making power for a particular proposal. That was one of the Committee's five recommendations, but the Government rejected it. All tests of good faith, such as the suggestion about an annual renewal of the Bill, were rejected. Yet we are being asked by the Chairman of the Procedure Committee to say that it is all right and that we can proceed nevertheless.

I am tempted to conclude my remarks here, but I want to go a little further. I cannot really join in the paeans that some of my hon. Friends have delivered to the normal legislative process in the House. I wish that there were enough time for me to share all the information that I have with the House. However, I will share some and my hon. Friends can tell me when to stop.

I have just emerged from the Committee which considered the Deregulation and Contracting Out Bill—which I suppose in one sense is an untypical Bill, but in another sense is very typical. It is the first big Bill that I have considered in Committee in this place. I hear regular descriptions in the House—I have heard them today—of the glories of the legislative process. Frankly, it is an illusion; it is self-delusion. It is a collective delusion of the Parliament. We have been rumbled outside, but in here I presume that we still believe this sort of thing.

I have made a quick analysis of exactly what happened with the deregulation Bill in Committee. The Committee sat from 15 February until 28 April. We sat for 35 sessions and for 88 hours. About 200 amendments were moved. Shall I give the House the terrible details? The 100 amendments moved by the Government went through and two of ours went through. One of those was passed because the Whip on the other side was asleep—I hope that it will not do irreparable damage to his political advancement. I am giving the House only the barest details.

I am afraid that this is the reality of the legislative process in the House. It is a case of Members not being present, Members conducting business in the corridors, being summoned by bells and doing their correspondence in Committee. The textbooks call it "scrutiny". It is an hilarious situation, and the hilarity was compounded when the Bill came back to the House last night.

We spent many hours in Committee talking about markets. We explained to the Government that we thought that we needed new liberalising legislation to clear away some of the antique provisions and to regulate where unregulated markets were causing trouble. We were assured that this was not an issue at all and that the thing to do was simply abolish charter market rights. Of course, all hon. Members from the Government party voted happily for that provision when the bell rang and they were required to do so.

After that process was completed, the Minister came into the House last night and told us that what we had said all along was right and that it would be sensible to bring in some new provisions. But this did not happen as a result of scrutiny in the House or because of the legislative process; it happened because the Opposition could not get away with it. That is the only way that changes are made. To make it even worse, there was a new provision about racing which had never been discussed in Committee and which had had no scrutiny at all. The Minister said that he was sorry that the matter had not been not consulted upon, but it was introduced and passed. That is the reality of the legislative process.

Mr. Bennett: I accept the cynical view which my hon. Friend is putting forward, but I would suggest that, on markets, perhaps spending those 80 hours in Committee did something useful. While the Committee was consuming time, an awful lot of people were lobbying outside. Therefore, while the scrutiny in the House may not have been very effective, the scrutiny in the country perhaps was.

Dr. Wright: There is a little truth in what my hon. Friend says, but I am afraid that the big truth still lies with my description of the process.

I have a certain ambivalence about the whole matter. In some ways, I find the new scrutiny machinery quite interesting. I do not like it in so far as it allows Ministers to legislate by order, but in so far as it begins to address some of the problems with the normal legislative process in the House, I begin to get interested.

Mr. Spearing: Is my hon. Friend aware that, for 10 or 15 years, those who understand what he has been saying have made strong efforts to introduce a public Bill procedure where, prior to the legislative procedure of amendments, Ministers appear as witnesses in a Select Committee format to justify their Bill? Does my hon. Friend agree that that would improve things enormously?

Dr. Wright: I agree very much. I feel myself being lured towards territory which I would like to enter, but I must prevent myself from doing that.

There is a reform agenda, and there is no difficulty in knowing what we ought to do. The Hansard Society produced the definitive reform agenda for the legislative process two years ago. The weight of evidence which came in from every part of society to that learned commission showed that there was massive and profound dissatisfaction with the way in which this place operates.

The society produced an agenda for reform which incorporated some of the ideas which my hon. Friend the Member for Newham, South (Mr. Spearing) mentioned, and it included First Reading Committees and a wider consultative process. Those ideas were available to us. The tragedy is that the House is not taking advantage of them.

I am not going back to the Jopling report, because I do not think that Jopling begins to go far enough. However, I shall quote from the Leader of House, who said on 2 July 1992 in reference to a debate on the Jopling report on the following Monday:

> "I hope that the debate . . . will pave the way for the House to reach some decisions very soon after it returns in the autumn."
> —[*Official Report*, 2 July 1992; Vol. 210, c. 964.]

That was two years ago.

Of course, the problem is that the House seems incapable of reforming itself. Everyone outside knows that we have to do that, but the House seems incapable of understanding that.

A result of our not acting in this case is that we will allow an order-making power to be introduced. We will do it in a way which does not have adequate safeguards built in, and which does not incorporate the safeguards which were suggested by the Procedure Committee. More important, the House is refusing to reform its own procedures in a sensible and comprehensive way.

Worst of all is that the House does not care about this at all. Tomorrow night, hon. Members will troop through to vote for the Third Reading of the Bill which has

[Dr. Wright]

inadequate protections. The Government will have got the Bill, but the House will have fallen a further notch in the public's esteem.

9.23 pm

Mr. Andrew F. Bennett (Denton and Reddish): The deregulation Bill will not solve the problem of the number of regulations produced by the Government. I have some sympathy on that score with the hon. Member for South Hams (Mr. Steen), although I think he missed the point about the sheer number of regulations that Ministers produce.

While the debate was going on I slipped out to the Board to collect my agenda for the Select and Joint Statutory Instrument Committees, just to see the number of instruments that we shall have to scrutinise next week. There are more than 30 of them, and the Government turn out that many week after week.

Last year the Government introduced more than 3,000 sets of new regulations and already this year the number has reached more than 1,000. Although the Government continually churn out regulations, Ministers do have a choice. They have tried to tell people that, because there is too much regulation, they intend to introduce a deregulation Bill—but the Bill is irrelevant to the problem. They have therefore tried to devise a new parliamentary procedure which I would suggest is wholly inadequate, as was the whole Procedure Committee report. It did not even consider the crucial issues.

Most regulations confer freedom on one group of people and restrictions on another group. I therefore can see no constitutional difference between a Bill that deregulates and a Bill that regulates.

Mr. William Ross: The hon. Gentleman has forgotten to point out that many of the pieces of legislation that we scrutinise in Committee every week are defective, so we often have to look at them twice or three times before the Government get them right. Does he agree that if Departments did their work properly there would be a great deal less work for us?

Mr. Bennett: Certainly, but the whole problem with legislating by regulation is that it offers the temptation of not drafting regulations particularly well.

If the Government will go along with my proposal for new legislation, I will accept that the procedure they propose is reasonable. Let us imagine, in the next Parliament, that an Act is passed to allow, by regulation, for the safety and good governance of the United Kingdom, and to ensure the fair distribution of wealth and power. If we passed such an Act and then proceeded by regulation to achieve those ends, would the Conservatives think that that was a fair use of parliamentary procedure? I suspect not. But that has not stopped the Government arming themselves with sweeping powers to make legislation under the terms of our accession to the European Union. The sort of Act that I have described might provide my constituents with much speedier remedies for many of the problems that they face. Still, I think that it would be constitutionally unacceptable.

The Chairman of the Procedure Committee said that deregulation measures should be treated like primary legislation. If so, I find it puzzling that the Committee failed to analyse the proposal of my hon. Friend the Member for Newham, South (Mr. Spearing) that there be a deregulation Bill every year. I believe that such a Bill, scrutinised on the Floor of the House, would take up less time than the proposed new procedures might take.

We are told that there is a possibility of 20 or 30 deregulation orders. Assuming that many of them are controversial, that would mean an hour and a half for each, or 30 or 40 hours of parliamentary time. If there were a deregulation Bill, it would mean some six hours for a Second Reading. A small group of people would discuss the Bill, possibly for a long time, in Committee. There would then be 10 or 12 hours for Report and Third Reading. So in terms of efficient use of parliamentary time, an annual deregulation Bill would be a more efficient procedure than the hybrid mess that the Procedure Committee has come up with.

The main safeguard of a proper piece of legislation would be the amount of time that would be taken. I tend to accept the view of my hon. Friend the Member for Cannock and Burntwood (Dr. Wright) that the time spent in Committee often is not very useful. But while that time is being consumed, debate often takes place outside. Groups of people lobby Ministers and come to see individual Members of Parliament. It is an important part of the parliamentary process that a certain amount of time is taken up. One of the problems with the deregulation measure is that the time will be compressed, and there is a possibility that things can be stampeded through.

On the proposals for markets, I find it remarkable that, although I spoke to one or two of my constituents when the Bill was first published, only in the past fortnight have a substantial number of letters begun to come in. We are talking about almost six months from its publishing to this stage. It is a sad fact, but in a democracy it takes a lot of time for the information to be disseminated to the country. One of the fatal flaws of the procedure suggested is that it does not allow sufficient time for trade associations, trade unions and lobbying groups to get the information out to their members, find out whether people are concerned and start the lobbying process.

We are told that, under the new procedure, 40 days will be allowed. If the Committee thinks that the matter is more extensive, it can be extended to 60 days.

Mr. Newton: I am beginning to wonder increasingly whether some hon. Members who are making speeches —I say this with due deference to the hon. Gentleman— have read the proposals. No proposal goes to the Deregulation Committee unless it has already been the subject of consultation, and a report on the outcome of that consultation is made to the Committee with the proposal.

Mr. Bennett: Who does one consult? The proposal will not be widely publicised. I find it amazing that the Leader of the House does not understand what happens with the general public. There is a substantial time lag. One can write to a particular group if one knows that a regulation affects a trade union or an industry, but that is the limit of the consultation. Only when it gets into the public domain do people become concerned about it.

If the Government are saying that there will be a 12-month process from the point at which a Minister proposes the deregulation to the point at which the order goes through, they might as well go along with the

proposal of my hon. Friend the Member for Cannock and Burntwood to have a deregulation Bill each Parliament. The only excuse for the procedure is that it is supposed to be a short cut—a quicker way of doing it than having legislation. The Government cannot have it both ways. If there is to be all the consultation and safeguards that I think there should be, they might as well do it through primary legislation rather than their intended short-cut.

Mr. Newton: I do not wish to prolong the proceedings or be unduly tiresome, but I will make the point that while I happen to believe—as do my colleagues generally—in consultation wherever possible, although there is a requirement to consult here before introducing the proposal, there is no such requirement in respect of introducing primary legislation.

Mr. Bennett: I accept that there is no need for that requirement. I do not think that the proceedings of the House are particularly well reported, but almost always on Second Reading there is a reasonable debate in the House about the proposals, and from that point on people begin to become interested in the matter. I think that the consultation process is pretty effective; certainly most of the organisations that would be formally consulted, as required by the legislation, would spot anything in primary legislation.

Mr. Spearing: Is my hon. Friend aware that, under consultation procedures, the Department of Transport sent out a letter on 11 February asking various official bodies what they thought about getting rid of three schedules of the London Transport Act 1982, taking away the burden of running a lost property service? I do not think that many London Transport passengers know about that—and I did not until yesterday, despite having asked a question to which I received a misleading answer.

Mr. Bennett: I accept that it takes time. If the Government are anxious for the consultation process to be effective, they should look to primary legislation.

Primary legislation, moreover, gives the power to amend. Again, the markets provision, which was discussed last night, is a good illustration. The power to amend in detail allows the possibility of cross-party activity in the House and the defeat of the Government. Regulations, because of the way in which they are presented, give the Government much more power: there is a "take it or leave it" approach. I understand that some power to amend has been suggested, but that would be a result of the Committee's scrutiny rather than any opportunity to make amendments in the House.

Appointing 16 Committee members for the duration of a Parliament would be a disadvantage. Although they may follow the procedures, my experience in the House suggests that during such a long period at least some members of the party in government will be promoted—perhaps not very far, but at least to parliamentary private secretary—and will leave the Committee. There may be a turnover of members for various other reasons.

I think it is easier to persuade people to volunteer for involvement in primary legislation—which will give them the interest to follow through the issues involved—than to hope for good attendance in a Committee that meets week after week, often dealing with matters in which individual members have very little interest. I can say from my experience of the Select Committee on Statutory Instruments that it is very difficult to maintain good attendance, although members are appointed for the duration of a Parliament.

I believe that there are major defects in the new procedure. If the Government cannot secure agreement, it will start at a disadvantage: people will be aiming to wreck it, rather than to make it work. I suggest that, even at this late stage, the Leader of the House should scrap the Procedure Committee's report and think again about finding some consensus—perhaps through the usual channels—if the Government are determined to bring about deregulation of Acts of Parliament by regulation. It would be far better to scrap the whole Bill and start again, perhaps promising an annual deregulation measure.

9.37 pm

Mr. William Ross (Londonderry, East): I shall be brief. I read paragraph 16 of the Committee's report with interest. It consists of only one sentence, stating that the Committee has sought to ensure

"that no Act of Parliament is repealed or amended under this new power without examination at least as thorough as if the change had been made by a Bill passing through the House."

As I said earlier in an intervention on the speech of the hon. Member for Newham, South (Mr. Spearing), Northern Ireland has been governed by Order in Council for some 22 years. I was astonished and delighted this evening to hear so many Opposition Members condemn that procedure as applied to their constituents; I hope that they will now understand how those of us who represent the Province have felt for the past 22 years, 20 of which I have spent in the House.

Our experience is that the procedure suggested by the Government invariably results in legislation by civil servants rather than by Parliament. That is literally what happens with Northern Ireland legislation. I do not think that we should adopt such a procedure and I commend what was said by the hon. Member for Newham, South. A deregulation Bill each year might not be particularly satisfactory, but it would be a sight better than what the Government propose.

9.39 pm

Mr. Derek Fatchett (Leeds, Central): We have had an important debate on the Select Committee's report.

I should like to preface my remarks by referring to the speech of my hon. Friend the Member for Cannock and Burntwood (Dr. Wright), who raised some important issues about the role of the House and ministerial accountability. It would do us all a great deal of good to explore that agenda because it is important for our democracy. It is extremely relevant to the debate that we have had this evening.

My hon. Friend the Member for Cannock and Burntwood referred to the issue of the markets and the three clauses that were deleted last night from the Deregulation and Contracting Out Bill. I offer my hon. Friend one thought: if the procedures recommended in the report had been in place, I contend that the clauses dealing with markets would have been enacted speedily without the process of consultation and opposition that eventually occurred. The short-cut procedure would have led to bad legislation which would have been highly unpopular. It may be a warning to the Government that, if the procedures

[Mr. Derek Fatchett]

that they are now trying to implement had been in place, they would have pushed through some unpopular measures on markets. That is one of the lessons that we need to draw.

Mr. Newton: That was in the Bill because the Government judged that it was not a proper use for the regulation-making power. It is a good illustration of where we think that it is appropriate to have new primary legislation.

Mr. Fatchett: With respect, there is no definition in the Bill or in the Procedure Committee's report of what is to come in the future, what is defined as important and what Bills or proposals can be used via the mechanism. The right hon. Gentleman's argument falls on its face because that sort of measure can come in the future.

The situation was well summed up by a telling intervention made by the Minister for Industry during the speech of my hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway). The Minister said that many people want to get on with the deregulation initiative. That was an interesting perspective and it was embodied in all our debates in the Standing Committee. It was highly and wholly practical, with no reference to the underpinning constitutional issues. The Minister's primary concern was to deal with a deregulation initiative. That is an extremely dangerous approach to legislation and administration. The best approach takes account of our constitutional principles and tries to bring legislation within those principles.

We objected to the Bill on Second Reading, and we shall vote against it tomorrow on Third Reading, because it gives extensive powers to the Executive to repeal primary legislation. I shall quote a passage from the evidence of the Procedure Committee which has not been quoted by any of my hon. Friends. It sums up our key objection. The right hon. Member for Honiton (Sir P. Emery), the Chairman of the Procedure Committee—

Mr. Bennett: Where is he?

Mr. Fatchett: I have received a note from the right hon. Gentleman saying that he has to fulfil another appointment.

The right hon. Member for Honiton asked the Clerk of Committees the following question:

"do you know of any other instances where primary legislation has been altered, other than by a Statutory Instrument which arises from the primary legislation"?

The Clerk said:

"No, I do not, Sir. I think this is recognised to be an innovation".

Is not the crucial point the fact that, under the Bill, the Government are taking the power to repeal and amend primary legislation? That is the key constitutional point.

It is a sad reflection on the House that no Conservative Member has felt this to be an important enough principle to come to the debate and to speak on these issues. Once that principle is accepted, others may use it. As my hon. Friend the Member for Cannock and Burntwood said, Conservative Members believe that they will be the Government for ever and that they will implement the powers for ever. That is a foolish view in terms of their stewardship and of our political processes. It is also a dangerous and arrogant view which the House and the country should note.

Once the Government take that direction, one precedent will lead to many others. Do not Conservative Members recognise the danger that others with different motives and objectives may wish to use the same procedures? They will not have the right to come back to the House and object. I should not want a Labour Government to use the executive powers proposed in the first four clauses of the Deregulation and Contracting Out Bill, or anything like them, but the Government have introduced them, to which we object in principle.

The Government argue that safeguards are included in the procedures, which is swallowed by the Procedure Committee report. It relies on two phrases—"burden" and "necessary protection"—which arose time and again in Committee. The report and Ministers believe that those words have an objectivity that can be applied in each circumstance, which is nonsense. Those terms are highly political; they are charged with political controversy. A burden on business or a cost to an employer may be a safeguard for an employee or a consumer.

The hon. Member for South Hams (Mr. Steen) is not in his place, but I would have said this even if he were. Time and again, he has gone on about fire regulations and environmental health inspectors. Many consumers prefer to eat in a restaurant or hotel that is subject to environmental health standards. They regard that as a necessary price to pay in a civilised society. For some, including the hon. Member for South Hams, however, that price is seen as a burden.

Those terms are not charged with objectivity. They are at the heart of the political controversy. Last night, the debate on health and safety regulations at work and fire protection regulations divided the House. It is no use the Select Committee's report or Conservative Members trying to pretend that those words will enable to us make objective judgments; they will not.

The next argument of Ministers and in the Committee report is contradictory. We have been told by the right hon. Member for Honiton (Sir P. Emery) and by Ministers that the deregulation Bill is a modest Bill. That slightly contradicts the great fanfare of trumpets at the Conservative party conference that heralded this great deregulation initiative. Many great ideas at Conservative party conference suddenly become modest ideas; deregulation may be one.

Is there not a clear contradiction? If these are modest measures, and the deregulation Bill is a modest measure, why, in the words of the Clerk of the House, must we invent a new constitutional procedure to deal with this modest Bill? Is there not a better way of proceeding?

If the other side of the equation is correct and these are not modest but extensive measures, as the Under-Secretary of State for Corporate Affairs told the Conservative party conference last year, and if we believe the rhetoric of that conference, is that not a greater warning to the House? If the powers are extensive, should not we be saying that we shall not give the Government innovative powers to do things differently and undermine our constitution? The more extensive the powers, the greater should be the vigilance and scrutiny by the House of Commons. It saddens me that these powers are being taken by the Executive without one voice being raised on the Tory Benches, despite the fact that the Government's arguments about the nature of the Bill do not add up.

We have also been told that the Bill is an on-going process. That makes me extremely cautious because, if we regard it as an on-going process, we must remember that what is on today's deregulation agenda may not be on

tomorrow's. The present Ministers may disappear, and it is not impossible that the Conservative party could lurch even further to the right and be even more out of touch with public opinion. I could write the hypothesis of how that could happen. What would happen to these powers in such circumstances?

We tried repeatedly in Committee to control the scrutiny powers and to put a time limit on them, but our attempts failed. The Minister for Industry said that deregulation was an on-going, rolling process. He forgot the point made by my hon. Friend the Member for Pendle (Mr. Prentice) that 71 per cent. of regulations have been introduced by this Government in the past 15 years. If deregulation is an on-going process, today's menu could change tomorrow and the new menu could be even more damaging for the interests that we should be protecting.

On the day the Bill was published, I said that the new powers contained in it would allow the Health and Safety at Work, etc. Act 1974 to be repealed. I received a letter from the Minister of State, Department of Employment, saying that I was scaremongering, that there was no truth in what I said and that it was not the Government's intention to operate in that way. Let us consider what could happen; I offer the House an hypothesis.

The Minister of State could tell the Deregulation Committee that the Health and Safety at Work, etc. Act 1974 is a burden on employers and that, if we are to compete against the Government's new model of industrial economies—against Taiwan and South Korea, where he sees Britain's future—we have to get rid of that Act. He could say that, because we have good employers, we have the necessary protection, so the two categories—burden and necessary protection—are satisfied. The Scrutiny Committee, under the control of a Conservative majority, could agree that, as the two conditions of "necessary protection" and "burden" have been met, the Act should be repealed. What is there in the Committee's report or in the Bill to stop the 1974 Act being repealed in that way? There is absolutely nothing. That is the real danger of this Bill.

The problem is not what is happening now but what will happen if new powers are given to the Government and the Government remain in office. My colleagues said many times in Committee and again tonight that the Bill and this initiative have been driven by people who have made substantial contributions to the Conservative party. The list of such people has been published and it is self-evident. The agenda can be pushed even further. There are no safeguards in the report or in the Bill to protect employee or consumer interests. That is why we asked for time scales and have disagreed strongly with these powers, but the Government persist in their strategy.

My hon. Friend the Member for Newham, South (Mr. Spearing) mentioned an alternative way of doing things. I am sure that he read the proceedings of the Standing Committee, and he will have seen that, for the first four clauses, we advanced the same argument. My hon. Friends and I said that there were other ways of dealing with the deregulation proposals.

I say the same thing again now. If the proposals are modest, small in number and limited in scope, why do the Government not take up the Opposition's suggestion? It would in no sense stop the Government's deregulation initiative, but it would help them to say that each year a miscellaneous deregulation Bill would pass through the House. That would have the advantage of providing greater scrutiny, accountability and openness. Why do the Government not take up that proposal? Why use the back door? Why do things through a scrutiny Committee, which will not have the powers to operate as we think it should?

I shall say a few final words about that Committee. In Standing Committee, I argued strongly that there should be a Chairman from among the Opposition parties. That is vital. But there is something else that we need to understand about this place. Flanked as I am by two Opposition Whips, I had better be careful what I say and how I phrase it, but I suspect that that crucial Committee defined in the report will consist of those whom the Whips know that they can manage—the ambitious, and those self-important enough to do the Whips' bidding. It will be a Government-controlled and Government-sponsored Committee. That will not help the reputation of the House, or answer the points made by my hon. Friend the Member for Cannock and Burntwood about the way in which the general public regard the House. We need a Committee with more independence. There will be little faith in it if it is fixed by the Government Whips, like everything else these days.

We voted against the Deregulation and Contracting Out Bill on Second Reading because of the extensive powers being given away. I ask my hon. Friends not to vote against the Select Committee's report now, but to join me in the Lobby tomorrow night to vote against Third Reading of the deregulation Bill. That will not be because, unlike the Government, we believe in red tape—after all, we did not introduce 71 per cent. of the current regulations—but because we believe in the House, in the accountability of Ministers and in a rolling scrutiny by Members of Parliament. That is why we shall vote against the Bill, and that is why we reject the report, which does not deal with the principal issues that the House should have tackled.

9.57 pm

Mr. Newton: I see that I have only three minutes in which to reply, so clearly I shall not be able to make any substantial comment on what has been said. I make no complaint about that, but I shall make one or two observations.

First, there has been some unfairness in attacks made on my right hon. Friend the Member for Honiton (Sir P. Emery) and the Procedure Committee for the alleged inadequacies of the report—I do not share that view of it—by a party that declined to take a full part in its proceedings.

Secondly, there is something slightly peculiar in the implication of the hon. Members for Newham, South (Mr. Spearing), for Glasgow, Hillhead (Mr. Galloway) and for Pendle (Mr. Prentice) that proposals for orders that would allow the Patent Office to accept documents in forms other than paper—such as electronic filing—or exempt purchasers of small and statistically insignificant annual tonnages of corn from the requirement to make returns of information under the Corn Returns Act 1882 somehow constitute an astonishing attack on the whole of our parliamentary democracy—

Mr. Fatchett *rose—*

Mr. Newton: No, I shall not give way.

Thirdly, with due deference to the hon. Member for Cannock and Burntwood (Dr. Wright), who made an interesting speech, and to one or two others, I must say that the repeated emphasis on executive powers and the

[Mr. Newton]

Government's power to legislate by order implies something verging on contempt of the House. We are speaking about orders that have to be passed by the House, whereas people persistently speak as if we are talking about government by fiat. To return to the argument that I made to the hon. Member for Newham, South, it is perhaps curious that I, standing here, have greater confidence in the House than many of the Members who have spoken.

Most of what the hon. Member for Cannock and Burntwood wanted was closer to what we have in the proposals from the Procedure Committee than to an existing study of legislation. Most of the things that we are speaking about would have been passed on the nod in some schedule in a primary Bill. Here we have a Committee that will have to consider them. The hon. Gentleman should consider whether we are moving in the direction that he wants. I sense that he recognised that in many of his remarks. I leave the matter there.

Mr. Timothy Wood (Lords Commissioner to the Treasury): I beg to ask leave to withdraw the motion.

Motion, by leave, withdrawn.

PETITIONS

Section 11 Funding

10 pm

Mr. Keith Vaz (Leicester, East): I should like to present to the House on behalf of 2,000 of my constituents a petition which was presented to me recently by teachers and parents concerning the proposal of the Government to cut section 11 funding. Such funding, as the House knows, has provided a great deal of support for teachers, especially in our inner-city areas. The petition has been signed by teachers, parents and other people who are affected by the cuts. The petitioners request the Government to change their mind and to restore the section 11 funding, which is to be severely cut.

To lie upon the Table.

Goodwood House

Mr. Vaz: I also wish to present to the House a petition that is signed by 1,725 of my constituents, living predominantly in the areas of Evington, Thurncourt road and West Humberstone. The petition calls on the Secretary of State for Social Security to intervene in the proposals of Leicestershire county council to close Goodwood house, which is a home that provides services and residence for a number of elderly people in my constituency. The proposals are opposed by a large number of people, and the petitioners request that the Secretary of State intervenes so that provision may be allowed to continue and the residents of Goodwood house who have lived there for so many years may be allowed to continue to live there.

To lie upon the Table.

Alcohol Sales (European Single Market)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wood.]*

10.2 pm

Mr. Nigel Evans (Ribble Valley): I am grateful for the opportunity to mention an issue that is of great interest to many people involved in the drinks business throughout the country. It is the single market and the effect that it is having on our domestic drinks business, whether that be brewing, on-sales or off-sales. The industry employs about 1 million people, and even in the north-west it employs up to 150,000 people. I am an executive member of the all-party beer group and I take my duties extremely seriously.

There are three breweries in and around my constituency. The first is a small brewery in Moorhouses, Burnley. It employs 11 people on the brewing side and 30 people in its six pubs. It also supplies 150 other pubs in the area, employing about 750 people. Thwaites is a larger brewery, but still in family hands, based in Blackburn. It was established in 1807. It employs 332 people on the brewing side and provides employment for 2,000 other people in its public houses. Finally, there is Whitbreads in Samlesbury, which employs more than 500 people on the brewing side and a considerable number of other people in pubs and clubs that sell its beer. It was established in 1742. I have been to all three breweries and I am proud of their contribution to the local economy.

In addition to the breweries, some of the finest public houses in the country are in my constituency. The British pub is an institution that is not properly replicated anywhere in the world, but it is the envy of the world. Seventy per cent. of visitors to Britain prefer British pubs to their bars at home. The one aspect in which we could learn something from the continentals is our licensing hours, and I hope that we can tackle those at a future date.

Although we have some of the best pubs in the world, and certainly some of the best beers in the world, that is now seriously under threat.

I applaud the single market. It is a trading bloc without frontiers of 350 million people. We have 12 countries in the European Community. Soon the number will expand to 16, which means 16 different taxes and 16 different Governments—long may that remain the case.

We have a policy in this country of switching taxation away from direct to indirect taxes and I applaud that policy. That has led to the top rate of direct tax being reduced from 83 per cent. to 40 per cent. and the bottom rate of tax being reduced from 33 per cent. to 20 per cent. at its lowest rate and 25 per cent. otherwise. We also have the lowest rate of corporation tax in the European Community. Where we are almost top of the European Community league table is in the taxation that is imposed on alcohol, and I shall refer specifically to beer this evening.

Beer drinkers in this country account for 21 per cent. of the European Community's total beer consumption, but we pay 55 per cent. of the total Community beer duty, whereas our German neighbours account for 40 per cent. of total beer consumption in the Community but pay only 14 per cent. of the duty yield. The excise duty on a typical pint of British beer is 24.5p and the VAT is 20p, whereas in France drinkers pay, on average, less than 5p in excise duty per pint. That means that beer sellers in France start off with an advantage of 25p a pint over their British counterparts when other factors are taken into account. Nor should we forget that French beer is stronger than British beer. The last thing we should be doing is encouraging people to drink more beer with a higher alcoholic content.

As we celebrate the coming down of the international barriers to trade, the chances are that we shall be toasting the frontierless trade with a glass of beer that originated abroad. Last year 330 million such pints of beer were drunk in this country. That is almost as much as is brewed in Norway.

I do not blame people for getting into their cars and vans and making the trek across the channel. It is a bit of fun, and, with the difference in the rates of tax on beer, there is a great incentive to do so. Nor is the ferry industry slow to encourage as many people as possible to use its services. Special offers appear in some national newspapers. The average customer will see a very quick return on his fare outlay.

The single market means that one can now bring back as much as one likes as long as it is for personal consumption. I fear for the health of the nation and I marvel at the physical capacity of some of my fellow countrymen to put away so much liquid. It cannot be doing them any good. I refer to those people who come back with their cars heavily laden with beer and tell Customs officials that it is all for their own consumption. What are the officials supposed to do with such evidence?

The trade is getting so big that British-owned store chains such as Sainsbury and Tesco are opening up across the channel, and others will soon follow. I am sure that Mr. Sainsbury will be relieved to learn that in my retail store in Swansea I do not intend to follow suit.

There are worrying signs on the horizon. I shall mention just one or two of them. On the question of smuggling, I refer the House to early-day motion 165, which has been signed by 125 hon. Members. Organised crime and the Arthur Daleys of this world have a nice little earner in the sale of massive quantities of their contraband. So prolific is the practice that it has reached the heights of Reg Holdsworth's minimarket in "Coronation Street".

The Minister will be alarmed, as I was, to learn that Britain's favourite landlady, Bet Lynch of the Rover's Return, could see her livelihood hit thanks to her boy friend's frequent illegal imports of cheap lager, which he brings back in his empty lorry on the return leg of his visits abroad. He sells the lager to Reg, who then sells it to his customers. Reg is a decent sort of bloke and probably thinks that he is not doing any wrong. Bet Lynch would probably think otherwise, as would Newton and Ridley, the brewery landlords of the Rover's Return.

However, I fear that in this practice Reg is not alone. A local brewery told me that the landlords of three of its pubs have been approached by people offering to sell them vanloads of imported beer. Someone even offered to supply the brewery's managing director with beer in this way.

I know that Customs and Excise has a dedicated task force visiting stores, pubs and car boot sales. Its members use the intelligence that they have built up from various sources, but it is not enough. Nor are there enough of these people. There must be more stops and searches. If they are successful in finding illegal supplies, these must be confiscated and prosecutions must take place. Perhaps my right hon. Friend the Minister will be able to tell the House how many prosecutions there have been to date and how many goods have been confiscated.

[Mr. Nigel Evans]

Potentially more worrying than smuggling is a practice called distance selling and buying. The practice may start and it has not been tested in the courts. It would involve someone using a middle man or agent to place an order and to receive imports of beer from France into the United Kingdom without accompanying the goods. If we think that smuggling has proved to be damaging to the trade as it stands, distance selling will lead to the decimation of the brewing industry.

When the single market was first introduced, swift action was taken by the Danish Government because they could see that there would be a problem. As a result, beer duty decreased by 47 per cent. That approach has worked. The Danes were fearful of the cross-border trading that would take place.

The specific problem to which I am drawing attention has been recognised by my right hon. and learned Friend the Chancellor of the Exchequer and he mentioned it in his November Budget. Only 40 per cent. of travellers take the opportunity to buy beer on their trips abroad, so there is scope for an even greater increase in the practice. That will be especially so when the channel tunnel comes into full operation and doubles the capacity for cross-channel travel from 28 million to 56 million passengers a year.

We are exporting our taxes and our jobs. The problem will be eradicated only by decreasing the differential between taxation systems. I would not dream of telling the French what to do with their domestic taxes, and I would be especially offended if the French told me what we should be doing with our taxes. We must recognise, however, that a problem exists and that there is a stark difference between our taxes on beer and their taxes.

I cheered with everybody else when Her Majesty the Queen travelled through the channel tunnel for the first time. I look forward to travelling through the tunnel myself. A new market will be created and many more people will be able to make the journey. As Her Majesty looks forward to the marriage of her youngest son to Sophie Rhys-Jones, I trust that she will not be toasting their future happiness with a glass of smuggled champagne, but all too many will.

The need is pressing for the Government to introduce tighter controls and tougher penalties on smugglers who abuse the single market. It is time to look again at the present tax regime in the United Kingdom, which is preventing the drinks industry from taking full advantage of the potential benefits. Having reassessed the tax regime, we would be able to preserve the drinks industry, which has grown up over centuries. It has contributed to our benefit and now is the time for us to support it.

10.12 pm

Mr. Graham Riddick (Colne Valley): First, I congratulate my hon. Friend the Member for Ribble Valley (Mr. Evans) on his luck in securing the Adjournment debate this evening. I thank him for allowing me to take a minute or so of the debate.

Secondly, I declare my interest. I am the parliamentary adviser to the Brewers and Licensed Retailers Association. In that role I meet many brewers, and I know that they are extremely concerned about the situation that my hon. Friend has outlined. It is not only the brewers in the south-east of England who are concerned about the effect of the importation of beer. The concern is shared by brewers throughout the country. We are finding imported beer on which no duty has been paid in Yorkshire and the north-east of England generally. It is a serious problem.

It is not only the brewers who are worried. CAMRA —the Campaign for Real Ale—which is certainly not in bed with the brewers, shares their concern. I shall quote what it states in a brief that it sent to hon. Members in July 1993. The brief reads:

"The massive differential between Britain and the Continent will lead in the long term to a smaller UK brewing industry, pub closures and revenue loss as beer is increasingly brewed and bought abroad."

I do not believe that CAMRA is being alarmist when it says that. There is a serious risk of the brewing industry being harmed as a result of the situation as outlined by my hon. Friend. He was quite right to talk of the threat to jobs. The problem, of course, is that UK beer duty is more than six times that in France. The result is that the UK tax regime perpetuates unfair competition in the European single market.

The solution should be that the Government follow a strategy of progressive reduction in UK beer duty to bring about fair competition. I am grateful to my right hon. and learned Friend the Chancellor for freezing beer duty as he did in the Budget. I do not believe that he did it simply because he is fond of the odd pint, but because he recognised the difficulties facing the brewing industry. The Danes, as my hon. Friend pointed out, had a similar problem, which they faced by reducing beer duty and it solved the problem. There may be other solutions, and if my right hon. Friend the Paymaster General has something else in mind, perhaps he can spell it out tonight. However, it seems that doing nothing is not an option.

10.15 pm

The Paymaster General (Sir John Cope): I am glad of the opportunity provided by my hon. Friend the Member for Ribble Valley (Mr. Evans) to give the House an update on how we see the position of cross-border shopping and the smuggling of alcohol. I want to talk briefly on three aspects: first, the scale and the effects of it all; secondly, the possibility, which my hon. Friend mentioned, of distance selling and unaccompanied goods; thirdly, the progress of customs in dealing with smuggling.

There have been a series of attempts to estimate the scale of cross-border shopping and the smuggling of excisable goods since the single market opened in the past year. Clearly, cross-border shopping is inherently easier to estimate, because people will tell us what they are doing, whereas smugglers, of course, conceal it when they can. Obviously, cross-border shopping for personal consumption is a legal activity; indeed, it is one of the benefits to consumers of the coming of the single market. Smuggling goods for resale is illegal, however, as is selling alcohol or tobacco here, which has evaded United Kingdom duty.

Often the estimates of the scale of such practices are expressed by me and by others in terms of duty lost. That is a convenient way in which to measure the volume of alcohol involved, but nobody supposes that the duty lost is the only fiscal effect of these phenomena. Clearly, there will be directly measurable effects on value added tax and indirect effects on corporation tax and income tax, although those are more difficult to estimate.

We consider all the available evidence for cross-border shopping and smuggling. Surveys have been done by the

brewers—understandably campaigning against such behaviour—and also by Customs and Excise. They have come to different results, partly because they have been expressing slightly different things. There was a certain amount of cross-border shopping and smuggling before the single market opened; our primary interest is in the increase of those activities since.

Surveys are not the only way in which to try to establish the facts. One of the things that I look at carefully every month is the returns of duty received. In 1993, after a year of the single market, our receipts from duty were up in every category. Duty receipts from spirits produced in 1993 rose from £1,698 million to £1,739 million. The volume of production was up by about 1.9 per cent. Receipts from beer produced rose from £2,394 million to £2,407 million. There was a volume fall of about 3 per cent., continuing the trend of recent years.

Wine receipts rose strongly from £974 million to £1,078 million—a volume increase of about 5.5 per cent. and the first year, incidentally, of more than £1 million of wine duty receipts. The pattern, so far as we can see, is repeating itself this year. The latest figures show that alcohol duties in the first four months of this year rose by 4 per cent. compared with the first four months of 1993, despite pre-Budget forestalling in that year.

When looking at the figures, one must assess how the duty receipts might have moved if the single market had not opened. I do not suggest that the market would have been static. Clearly the economic recovery would be reflected, and is no doubt reflected to some extent, in the figures. There has obviously been an increase in cross-border shopping and smuggling and we are losing some revenue. However, it is clear that there is no acute haemorrhaging of revenue threatening the basic yields of duty.

That is relevant to the decisions that the Chancellor of the Exchequer and the House had to consider in the Budget and in the Finance Bill in recent months, and which we shall have to consider again in the Budget in November. I repeat a point that I made clearly earlier: the extent of cross-border shopping and smuggling is a factor that we have to take into account in arriving at the Budget judgments to recommend to the House. As my hon. Friend the Member for Ribble Valley (Mr. Evans) said, we did that last year and we shall have to do it in every future Budget.

There is a beguiling argument which I only wish were true, but which does not stand up to examination. That is the idea that lower duty rates on alcoholic drinks would lead to higher duty and tax yields and would thus compensate for the loss of revenue. That depends on the level of cross-border shopping and smuggling that one believes is taking place now. It also depends on the additional sales to be expected as a result of cuts in duty being passed on in cheaper prices.

Even if we take the largest estimates that anyone has advanced for the present scale of cross-border activity, and generous assumptions about extra sales, the inescapable fact is that large cuts in duty—sufficient to make a material difference to cross-border prices—would cost a great deal more revenue than would be recovered from increased or repatriated sales. Nothing that I say today should be taken as a hint about future Budgets, but we cannot expect to recover the yield by increased or repatriated sales. For the sake of illustration, if we were to cut the alcohol duty rates in half, there would still be an incentive to cross-border shopping. It would no doubt be reduced, but it would certainly not be eliminated.

The cost in duty and VAT from halving our alcohol rates would be about £2.3 billion in a full year—five times the highest estimate by the brewers of the present duty and VAT losses. A big cut in duty, if passed on to consumers, would clearly increase sales, but not by nearly enough to recover the duty lost. Looking at the duty alone, to recover a cut of half the duty would involve doubling the total sales of alcohol in this country. The secondary effects on income and corporation tax would not bridge more than a very small fraction of that gap.

The Chancellor and the House must decide what other taxes to raise if it is desired to finance a major cut in alcohol duty rates. We must also reflect on the other consequences of a big cut in alcohol prices if one assumes that that would lead to a substantial increase in consumption. I accept entirely that there is a major dilemma. The single market will not go away and consumers are entitled to benefit from it. We, the British Parliament, however, are also entitled to decide British taxes. I do not believe that our constituents would thank us for cutting alcohol duty and raising VAT or income tax to pay for it.

The cross-border effects are one of the factors that the Chancellor, in every future Budget, will need to consider when framing the Budget judgments. That has been the case in respect of the Budgets in which I have been involved and it was so before that. It may perhaps be an increasingly influential factor, but the arithmetic is inescapable and necessarily difficult for us all.

My hon. Friend the Member for Ribble Valley referred to his concern—it is one that I share—about distance sales. Apparently, a Commission official suggested not long ago that distance sales of excise products would attract duty at the rate applicable in the country of the seller, not the country of the purchaser. In other words, if a purchaser in the United Kingdom buys alcohol from a seller in France through an agent or over the telephone, French duty would be payable and not British duty.

I am reliably informed that that is legally wrong. Goods must be accompanied across the border by the purchaser and be for his or her personal use if the duty in the country of origin only is to be payable. It was not the intention of the European Community agreement to permit such a loophole and it is not the obvious meaning of the relevant text. The European Commissioner responsible, Mrs. Scrivener, confirmed this opinion immediately after the story first appeared.

I assure my hon. Friend that we take very seriously the suggestion that the agreement might be distorted in that way. If any lawyers try to say that, regardless of the intention of the agreement, the words can be interpreted in that way, we shall resist it strongly in the courts. If necessary, we shall seek a modification of the agreement so as to make the intention clear. We have the support of other member states in this view because they know what was agreed, and in any case they do not want their various revenues from excise goods affected by such actions either.

I do not doubt that I have the support of everyone in the trade, as well as that of my hon. Friend and the House, in that matter. I also have no doubt that we have the same support in tackling smuggling. Whatever the exact extent may be, the smuggling of excise goods for resale is illegal, and selling excise goods here which have evaded UK duty

[Sir John Cope]

is also illegal. Such acts are punishable by fines, confiscation of the goods concerned and any vehicle involved, and by imprisonment in serious cases.

Customs and Excise has the Government's full backing in bringing smugglers to justice. So far, the new breed of excise verification officers that we have created have detected 1,600 cases of smuggling alcoholic drinks and tobacco, involving more than £2.3 million in duty. In most cases—particularly first offences—Customs has dealt with the offenders by seizing the goods. In 247 cases, it has also seized the vehicles. I need not tell you, Mr. Deputy Speaker, that that is a powerful deterrent in itself, but it also has the added bonus of not tying up the precious time of the courts.

Prosecutions have taken place in the more serious cases and, so far, 85 individuals have been prosecuted. The penalties imposed by the courts have included imprisonment, a number of suspended sentences, community service orders and the like, but mainly fines. There are more cases before the courts and the wheels of justice are grinding towards them. It may be a while before the full fruits of the Customs and Excise effort are fully visible.

I assure my hon. Friend that our actions against smugglers are increasing. Since 1 April—the beginning of the financial year—101 detections have been made in the Dover area alone. These have been made mainly in the port. About 10 per cent. of these cases involved people from the north west. A high proportion of them involved the use of vans, but one must not assume, as some do, that all vans automatically carry illegal alcohol. There is a lot of regular traffic in newspapers and magazines and so on using the same kind of vans, which is perfectly legal.

Those caught smuggling face fines often of thousands of pounds. So far, the biggest fine imposed was £8,000 and the longest sentence of 15 months was given at the Maidstone crown court recently. However, that case involved cigarettes.

The Customs effort is not confined to the ports. It is a crime to deal in goods which have evaded payment of UK duty, and a lot of effort is devoted to catching criminals in that area. Any licensee who buys or sells alcohol without paying United Kingdom duty risks his licence and his job or tenancy, so the legitimate trade is rightly very wary of becoming involved with that illegal activity. They and others are keen in many cases to help Customs with intelligence. We have recently set up a hotline—0800 901901—and I am glad to say that a considerable number of calls came in during the first few days of its operation with valuable intelligence, every bit of which is being followed up.

The excise verification officers have the specialist task and are dedicated to it, but in a way every Customs officer is involved. For example, VAT officers have been trained to look out for indications of sales of illicit alcohol and tobacco, and they visit a large number of traders. All customs and excise intelligence is co-ordinated because information which at first seems to be about one criminal activity may actually be about another.

Mr. Riddick: My hon. Friend the Member for Ribble Valley (Mr. Evans) and I welcome my right hon. Friend's robust approach on distance selling and also on smuggling, although I do not altogether welcome what he has said on the possible reduction in beer duty. Is he looking at other approaches to tackling the growing problem of the importation of beer into this country?

Sir John Cope: I am prepared to look at every approach, but the primary approach must be to catch the smugglers. The excise verification officers are the front line, but everyone is involved. I assure the House and my hon. Friend that the Customs and Excise is working hard on this and has my full backing. It has been doing that work for literally hundreds of years, but it obviously has new relevance and has been given a new impetus at present.

My hon. Friends will not expect me to anticipate the decisions of the Chancellor about future Budgets and future rates of beer taxation, and I certainly have no intention of doing so. It is the lot of excise Ministers to be attacked by brewers, of course, and I know enough about their campaign from my hon. Friends and also from newspapers. It may be popular for the latter to campaign for a cut in the beer duty, but I do not think that it would be similarly popular to campaign for a rise in income tax or in VAT to finance it. Even when we can afford to reduce the duty, the Chancellor of the day will need to balance the priorities. In those circumstances, it seems important—

The motion having been made after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-eight minutes to Eleven o'clock.

House of Commons

Thursday 12 May 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

DEATH OF A MEMBER

Madam Speaker: I regret to have to report to the House the death of the right hon. John Smith QC, Member for Monklands, East. The House will wish to know that this sitting will now be suspended until 3.30 pm when the Adjournment will be moved so that tributes may be paid to the right hon. and learned Gentleman.

Copies of the business statement for next week are available in the Vote Office.

Sitting suspended.

On resuming—

Mr. John Smith (Tributes)

3.30 pm

The Prime Minister (Mr. John Major): I beg to move, That this House do now adjourn.

When I heard the tragic news of John Smith this morning, I thought it right that the House should meet this afternoon to pay tribute to a distinguished parliamentarian and then adjourn. I do not believe that there would have been the stomach for any other business in the House today.

I know that the whole House would wish me first to express my deep and warm sympathy for Mrs. Smith and for John Smith's family, his wife and his daughters. In the House, we have lost a formidable senior Member of very rare ability.

To the Labour Party also, I offer my deep sympathy. After some serious hammer blows that they have faced among their colleagues in recent months, they have lost a leader and, I know, for many of them a deep and close friend of many years' standing. But above all, Elizabeth Smith, Sarah, Jane and Catherine have lost a husband, a father and a part of their lives which can never be replaced.

John Smith was one of the outstanding parliamentarians of modern politics. He was skilled in the procedures of this House, skilled in upholding its traditions, a fair-minded but, I can say as well as any Member in the House, tough fighter for what he believed in and, above all, he was outstanding in parliamentary debate. As one would expect of a barrister and Queen's counsel, he was always master of his brief, however complex and however detailed it might be. But beyond being master of his brief, on good days—and for him there were many good days—his speeches could shape and move the will of the House in the way that few Members are able to do.

Over recent years, both as Prime Minister and as Chancellor of the Exchequer, I had the pleasure and the privilege of facing John Smith across this Dispatch Box. I learned on those occasions to acknowledge the skill and the wit with which he mastered his arguments. He had that rare ability to switch with speed from irony to sarcasm to invective and to fact, and sometimes, in the heat of parliamentary debate, to half fact, on every occasion knowing exactly how and when to move from one mood to the other for maximum parliamentary and political effect. Those are formidable skills, they are rare skills and, even for those against whom those skills were deployed, it is hard to bear that we will never see or hear those skills in this House again.

He had no malice. There were things that he cared for passionately. He lived for them; he fought for them; he cared for them. But he carried his fight fairly, without malice, without nastiness. The bruises that existed soon faded after a dispute with John Smith.

In our parliamentary democracy, it is the fate of party leaders to dispute, to scorn, to disagree. We have an adversarial system of politics—the best in the world, I believe, but adversarial. So it was in the nature of my political relationship with John Smith that we frequently clashed in public and in the House, yet afterwards, in private, we met often and amiably—again, no bruises.

Inevitably, the Prime Minister and the Leader of the Opposition have to conduct business in private and on confidential matters. Whenever we did, I always found him courteous, fair minded and constructive, but also tough for what he was seeking and what he believed in. We would share a drink—sometimes tea, sometimes not tea—and our discussions on those occasions ranged far beyond the formal business that we were transacting. To the despair of my private office and, I suspect, sometimes of his, the meetings extended far beyond the time that was immediately scheduled for them.

Under our constitution, the role of the Leader of the Opposition is unique. It is a vital role—not in government, but vital to the determination of the way in which we conduct our affairs and to the protection of people who oppose the Government on a range of issues. The Leader of the Opposition is in the anteroom of power, yet not in the seat of power itself. In that position—perhaps for a short time, perhaps for a long time—he must maintain his party's hunger for government and never let that appetite diminish. He must remain confident and never let the years of waiting sour or embitter him or the nature of public life. He must keep alive hope and ambition and must keep sharp the cutting edge of his own party's beliefs. If I may judge him from this side of the House, it seemed to me that John Smith trod that path for his party and its supporters in the country with skill and assurance that few have matched.

Political differences are not the be-all and end-all of relationships for Members of the House. When I think of John Smith, I think of an opponent, not an enemy; and when I remember him, I shall do so with respect and affection. When I think of his premature death, I shall think of the waste that it has brought to our public life—the waste of a remarkable political talent; the waste of a high and honourable ambition to lead our country; the waste of a man in public life who, in all his actions, retained a human touch; and, in some ways above all, the waste of the tranquillity and happiness that his past endeavours would have so richly deserved in the years to come.

Let me end where I began. In the weeks that lie immediately ahead, John's family will need all their courage. Let us show by what we say and do today that, while we cannot bear for them their pain, we can offer them the comfort of shared respect and shared grief.

3.38 pm

Mrs. Margaret Beckett (Derby, South): I thank the Prime Minister in all sincerity for what he has said, and the spirit in which he has spoken.

Opposition Members also mourn our country's loss, but we grieve for our own. There are few people the announcement of whose death would bring tears to the eyes of everyone who knew them; John Smith was such a man. He was, as the Prime Minister said, a man of formidable intellect, of the highest ethics and of staunch integrity.

Part of the conventional wisdom of British politics was that he looked like a bank manager—something that caused him amusement, and some bank managers some resentment. Perhaps in consequence, he was often labelled unduly sober or excessively cautious—especially by those who judge readily—and judged on the facade. But, although he certainly had a safe pair of hands, appearances were deceptive. John was no sobersides. He had a wicked sense of humour, often displayed—as the Prime Minister said—in the House. He loved a good gossip, and he liked nothing better than a convivial drink with friends, when he was excellent company.

One of his favourite sayings was that to succeed in politics, you have to be prepared to take a risk. In fact, I used to joke with him that he was an ideal combination in a political leader: someone who looked the acme of sober judgment, but was perfectly prepared to take a flier when he thought the occasion called for it.

Some months ago, I saw a political profile of John which featured a photograph of him as a young boy. He had a wicked grin from ear to ear, his tie was around his ear and the text mentioned that his shirt tails were always hanging out. It was a kind of "Just William" of a picture. Those who saw John Smith every day had no difficulty in detecting that boy in the statesman and the leader.

Not long ago, I observed to a colleague that I had never known a man like John. He had such calm certainty, such natural strength and self-confidence; but, while he had supreme confidence, he lacked any trace of cockiness or conceit. He just knew what he could do. I have never known a man so at ease with himself.

He adored his family, and our hearts go out to Elizabeth and to the girls. He was at his most lovable when he was talking about his daughters—for the love and support that John offered to, and received from, his family was not only the core of his personal life; it was central to his political life and beliefs. He wanted for others the richness he enjoyed.

He said to me recently, "Why would anyone bother to go into politics, unless it was to speak up for people who cannot speak up for themselves?" That feeling for others, along with his hatred of injustice, was the force which drove him—the service to which he gave his life.

Last night, he spoke at a gala dinner in London. He was in fine fettle and in high spirits. He spoke not from a text but from notes, and when he sat down I congratulated him especially on his final sentence—spoken, as it was, off the cuff and from the heart. They were almost the last words I heard him say. He looked at the assembled gathering, and he said:

"The opportunity to serve our country—that is all we ask."

Let it stand as his epitaph.

3.44 pm

Mr. Paddy Ashdown (Yeovil): I wish to associate myself, the Liberal Democrats and all those on this Bench with the words of the Prime Minister and the right hon. Member for Derby, South (Mrs. Beckett). For all of us today, the prevailing feeling must be one of terrible loss, but also of injustice—injustice because such a bright talent, so close to the point of fulfilment, has been so cruelly lost to us all.

My abiding memory of John Smith could be a personal one. As the right hon. Lady said, all of those who had the privilege to spend some private time in his company will recall his sharp wit and the deep personal warmth that made him such excellent company on every occasion. But in fact, my most powerful memory is rather similar to that of the right hon. Lady. Last night, my wife and I were sitting together, as we all too rarely have the chance to do, watching the 10 o'clock news. We saw John emerge from his car holding Elizabeth, his wife, by the hand, and then walk into the function referred to by the right hon. Lady. I turned to my wife and said, "He looks terrific; he really does look like a potential Prime Minister." Today, that possibility and all the prodigious talent that lay behind it is lost to us.

In a period when the public are not much given to trusting politicians, John Smith's integrity, his commitment to his cause and, perhaps most of all, the fact that his extraordinary parliamentary talent was never ever tainted with rancour, won him the trust and admiration of politicians and people alike well beyond the confines of those who shared his political beliefs.

John's great abilities could have taken him almost anywhere—certainly to the top of the legal profession. Instead, he dedicated his life to the Labour party to fight for people, principles and the values that he held dear. Of course, he climbed to the top of his party. He was the youngest member of Jim Callaghan's Cabinet; he was a pioneer of Scottish devolution; he was a committed and consistent advocate of Britain's European future. He was also a courageous man, and his recovery after his first heart attack was a testament to that personal courage. In politics, he showed a dogged determination in the face of adversity and challenge.

Today, we have lost one of the foremost parliamentary talents of our time—a powerful advocate for the politics of progress in Britain and a thoroughly decent and deeply gifted man. However, whatever our loss, it is nothing to that of his wife Elizabeth and their children, to whom we all extend our deepest sympathies and condolences.

3.48 pm

Mr. James Molyneaux (Lagan Valley): I, too, wish to express our deepest condolences to Mrs. Smith and her family. I wish also to convey sincere sympathy to our parliamentary colleagues in the Labour party on the loss of a leader of great integrity and honesty. I was privileged to get to know John Smith when I worked with him, in the service of the United Kingdom, when he was a member of the Callaghan Government—with which I was reputed to have a certain working relationship.

John Smith's passing is a grievous blow to all of us on this side of the House by reason of his role as leader of Her Majesty's Opposition, in which he was ever mindful of his duty to protect the interests of all the Opposition parties, which today feel that they have lost a true friend.

3.49 pm

Mr. Neil Kinnock (Islwyn): May I first thank the Prime Minister for making the decision about today's business so that the House can signify the great sense of bereavement that I know will be felt in all quarters.

All of us know the numbness and emptiness that seize us when we hear of the death of a loved one or a dear friend. No matter what the time or circumstances of death, the feeling of shock overwhelms all other senses. This morning, I was grieving over the death of my beloved mother-in-law who died very suddenly last night when I heard the dreadful news that John was dead. I have to say that I was desolated.

Across the movement that he led with distinction for all too short a time, and in the House and in the country, John Smith will be mourned. The nation knows that his consummate abilities and his fierce sense of social justice all carried the force of integrity and talent that is precious and much needed at all times and in all nations.

I was proud to have John Smith as a loyal and generous friend, and I valued his judgment and his wisdom as a comrade and as the leader of my party. He held conviction without obsession; his principles were for application, not for decoration; and his superb intelligence was for practical use, not for adornment. But among all his attributes the one that glowed most of all was his humour. It was not only evidence of a natural wit that delighted friends privately and the House and wider audiences publicly; it was a product of his ability to put life into perspective. It showed resilience under pressure and determination in adversity.

As I list those qualities, I have to confess that my grief is mixed with anger—anger that he has gone when his vitality and his value were so clear; anger that he has been denied the opportunity to show the full scope of his great talents in the highest office; and anger that he has been taken at such a young age from the family whom he cherished so very much.

I know that the whole House and the whole Labour movement will, in the midst of the sorrow that we feel, think most of Elizabeth and their daughters whose loss of a beloved husband and father is by far the greatest loss of all. I am one of many who will remember John Smith with respect for his tenacity and his brilliance and with the deepest affection for his exuberance and his humanity. He was, in Shelley's words, one of those who

> "with resolute will
> Vanquished earth's pride and meanness, burst the chains,
> The icy chains of custom, and have shone
> The day-stars of their age".

We will long remember him; we will always be grateful for the joyful privilege of knowing John Smith.

3.53 pm

Mrs. Margaret Ewing (Moray): In associating my party with the comments that have already been made in tribute to John Smith, may I say that the Social Democratic and Labour party wants to be associated with the comments that I shall make.

John Smith and I grew up with the tough political background of Glasgow university debating and he was a man for whom I had a great deal of regard. I think that all of us will miss him not only in the context of our parliamentary life but in that of Scottish politics to which he brought a dynamism and his own drive.

People have spoken about his various qualities and I would, of course, endorse them, but, if we are looking for an epitaph for John Smith, one of the great things was that he earned the love and laughter of friends, and his friends came from the spectrum of the House, from all political parties. I ask that the love and laughter that we shared with John Smith are now given fully to support Elizabeth and their daughters on what is a very sad occasion for Scottish and United Kingdom politics.

3.54 pm

Sir Peter Emery (Honiton): Nobody, whatever his party, can deny the great service that John Smith gave to the Labour party, and all the work that he did. I shall add only one comment, because only those who are in the House can know or understand it. Because of my position, I often worked with John Smith on procedural matters, and he was always most understanding and one of the greatest supporters that one could have had of parliamentary democracy and of the structure of this Parliament. If there is a tribute that this Parliament can give to any man, it is that he was a good House of Commons man. John Smith was a great House of Commons man.

3.55 pm

Mr. Tony Benn (Chesterfield): I thank the Prime Minister and the other Members who have spoken for what they have said about John Smith. I had the privilege of knowing him and of working with him closely over 25 years in Parliament and in government, and he had two qualities that I should like to mention. Inside him burned the flame of anger against injustice, and the flame of hope that we could build a better world. That was what moved him.

Secondly, he was a man who always said the same, wherever he was. Whether one heard him in public at a meeting or in private, whether one heard him in the Cabinet or in the House of Commons, he always said the same thing. For that reason, he was trusted. He was a lovely man, and I hope that his family will gain something from the knowledge that their grief is shared by us.

3.56 pm

Mr. Gerald Kaufman (Manchester, Gorton): I hope that the House will allow me to speak, as someone who entered the House on the same day as John Smith did—and the same day, too, as my right hon. Friend the Member for Islwyn (Mr. Kinnock). John and I served alongside each other in the Labour Government for five years, and in the shadow Cabinet for 12 years. We were not simply partners in the party and on the Front Bench, but we stood shoulder to shoulder on many of the issues that confronted both the House and my party. We stood shoulder to shoulder on the issues inside the Labour party, which could have caused enormous difficulty for our party, but which we came through. John showed courage and integrity during that period.

As members of the Government, we also fought for the shipbuilding industry, not only because we had a common interest through our ministerial jobs, but because of the unique alliance that John and I had because we were the only two Members of the House of Commons who were sponsored by the Amalgamated Society of Boilermakers. We may not have been thought the most obvious people to be sponsored by that union, but it was an elite union, and, that being so, John was an appropriate person to be sponsored by it.

[Mr. Gerald Kaufman]

While seeing the ironic side of that, he was also deeply honoured by being sponsored by that trade union, and by the GMB, which followed it, because he was deeply rooted in the socialist movement and the trade union movement. I know that he would have wished his trade union roots to be recorded in the House today, and in doing so may I also join in paying my personal respects to Elizabeth, and in offering her and her family my deep sympathy.

3.58 pm

Mr. Bill Walker (Tayside, North): The House will understand that all the other Scottish Conservatives are elsewhere today, so I am speaking on behalf of my colleagues who are in Inverness. I am sure that I speak for every one of them when I say that none of us ever thought other than very highly of John Smith. My personal view is that he would have made an outstanding Prime Minister, given the opportunity, and, because he was a Scot, I was especially proud of that. We all feel sad for Elizabeth and the girls, and we hope that what is said today in Parliament will in some measure make up for the dreadful loss that they are experiencing.

3.59 pm

Mr. Doug Hoyle (Warrington, North): Just before John was elected, I was elected as chair of the parliamentary Labour party; the chief shop steward representing the Back Benchers. As such, I was thrown constantly into John's company. I must say, as others have said before, that, at a time when family values are being questioned, the big thing about John Smith was his family. So I join with all the others who have said that our sympathies must go out to Elizabeth, and the daughters at a time when life is extremely difficult for them, having lost a beloved father.

Not only that, they have lost someone who had the touch of ordinary people and who understood people. That was one of his great strengths. One of the things that he did was to strike a chord with people. I agree with those who say that he was a very dependable person. He came over as a moderate, but there was a radical streak in John as well. He had a wonderful sense of humour, which often relieved the tedium of meetings, which, sometimes, all of us have to attend. People not only felt better for knowing him, but felt inspired by being with him and in his presence.

He struck a chord in the country, particularly when he talked about employment and the need to return to full employment. Not only have we lost a great friend and a great leader of the parliamentary Labour party, but the country has lost a Prime Minister in waiting.

4 pm

Mr. Ieuan Wyn Jones (Ynys Môn): It was with a deep sense of shock and sorrow that I heard the news this morning of the passing of John Smith. I and my colleagues in Plaid Cymru wish to send our deepest sympathy to his family, to his wife and to his daughters. We also want to share with his colleagues in the Labour party and those elsewhere in the House the deep sense of loss of a fine and committed parliamentarian and someone who had a complete mastery of the skills of debate in the House.

I and my colleagues shared with him a positive vision of Europe and his belief in a decentralist form of government. We all mourn the loss of a man of great ability, tremendous courage, strong convictions and immense dignity, who was honourable in debate. He will be greatly missed.

4.1 pm

Mr. Dennis Canavan (Falkirk, West): John Smith was "a lad of many parts", but perhaps his greatest gift was his ability to unite people. I suppose most of the political experts would put John slightly to the right of me on the political spectrum of the Labour party, but John's greatest ability was to unite people, whatever their views, in the struggle against injustice and the struggle for a better life for the people whom we represent. It is a tragedy that our party and our country have been robbed of such a great asset.

I particularly remember his efforts many years ago, when he was in government, to get the Scottish home rule Bill on to the statute book. Again, it is a tragedy that the architect of that legislation is no longer with us, but I trust that, soon, the fruits of his labours will be there to be seen.

John Smith may go down in history as the greatest Prime Minister that we never had. I join the rest of the House in expressing our condolences to Elizabeth and their daughters on their sad loss. We shall never see his like again.

4.3 pm

Sir Marcus Fox (Shipley): On behalf of parliamentary Back Benchers, may I say that we wish to be associated with all that has been said in sympathy for John Smith's wife and family. The burdens that we place on our leaders are sometimes misunderstood and not recognised, but we all know that, with the loss of John Smith, we have lost a great parliamentarian. His courtesy at all times will long be remembered.

4.4 pm

Mr. Colin Shepherd (Hereford): I rise on behalf of the Commonwealth Parliamentary Association. John Smith was one of our vice-presidents; you are our president, Madam Speaker. John joined the Commonwealth Parliamentary Association at almost the first opportunity after he had been elected to the House and he was ever after a keen and enthusiastic supporter of our aims and activities. The proceedings and fortunes of the House are observed on a basis far wider than just this country. I know how much the Commonwealth parliamentarians will be feeling this shock today. The Commonwealth will mourn the loss of a great parliamentarian.

4.5 pm

Mr. Menzies Campbell (Fife, North-East): My reflections today are necessarily personal rather than political because, throughout my adult life, I have had the privilege of calling John Smith my friend. We were students together at Glasgow university, we were struggling advocates at the Scottish Bar and we even climbed a few Scottish mountains together.

It seemed to John Smith's friends that he never failed at anything to which he set his hand. He could easily have reached the top of the legal profession. He led his party and he might well have led the nation. He was a devoted father and husband, and he derived great strength from the warm and loving embrace of his family.

In his recreation, he was a fierce, if not particularly elegant, tennis player, but it was in the Scottish mountains that he found a great deal of satisfaction. He used them to restore him after the trials and tribulations of his life. It is typical of John Smith that he was well on the way to climbing all the Munros in Scotland.

That success came about because he was a man of talent, but it also came about because he had an almost Calvinist application. He had an overwhelming sense of duty which was the product of his upbringing. His political beliefs were based on an unyielding Christian belief which was the firm foundation for all that he said and did. However, it was typical of the man that that Christian belief was never paraded. It can fairly be said of John Smith that he had all the virtues of a Scottish presbyterian, but none of the vices.

For those of us who had the privilege to be his friends, some of the light has gone out of our lives. For his family, the sense of loss is incalculable.

4.7 pm

Mr. Dennis Skinner (Bolsover): Twenty-four years is a long time in politics. John Smith came into the House of Commons in 1970 along with a lot of others, some of whom have spoken today. I always had an idea that he would finish up on the Front Bench and that I would probably—almost certainly—still be on this one. I speak today because I come from a different wing of the party, yet we never had words in anger. It is incredible that throughout the whole of that period, we were able to remain friends.

Only a fortnight or three weeks ago, he gave me a message to read out at my mate Bob Cryer's funeral. It was a wonderful, glowing tribute and it would be wrong of me not to repay the tribute to Bob Cryer that John Smith gave me to read out.

Why are people so full of praise today for John Smith? My guess is that it is because he was a person who could operate in this place—some can and some cannot. He understood it and he knew its moods. Sometimes it is like a church and on other occasions it is like a zoo. To get topsides of it, one must be able to change tack. On Tuesday, he did it again. When I spoke to him afterwards, I said, "You changed your question, didn't you John, because of what the Prime Minister had said?" Smartly and deftly, he had moved ground.

He had the ability to speak extemporaneously. He used to come to me on occasions and say, "Have you got any good jokes for my speech tomorrow?" The sort of umbilical cord that stretched out from him to others was important in our movement. I laid bets on his opening the door at No. 10, and I have no doubt that he would have done so, without any question whatever.

In my opinion, he dragged the Labour party from the depths of despair to the pinnacles of power. No greater tribute could be paid to him today than if, instead of adjourning at this moment, we were to say, "John Smith, we are going to pass the Civil Rights (Disabled Persons) Bill unanimously today." That is what we should do in his memory.

4.10 pm

Madam Speaker: I do not need to stress that this is a sad day for the House of Commons. It is not just a sad day for John Smith's party, which he served with such distinction; it is a sad day for all of us here at Westminster. He was a dedicated politician. He played a hard game when it was necessary, but, as the Prime Minister said, there was never any malice in his attacks. Looking across from this Chair, I was able to take an objective view of him. I sensed a good man. I knew he was a good man—I had known him a long time. His qualities were apparent to all parts of the Chamber.

I recall, as of course we all do, that it is some five years since his first serious illness. He fought back from that with all the courage which marked the whole of his life. His opponents as well as his colleagues hoped—indeed, they believed—that he had won through, and that must make it even harder for his wife and daughters. All that we in this House can do now is tell them that our hearts go out to them and their grief is shared by us all.

Question put and agreed to.

Adjourned accordingly at eleven minutes past Four o'clock.

House of Commons

Friday 13 May 1994

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Points of Order

9.34 am

Mr. Barry Sheerman (Huddersfield): On a point of order, Madam Speaker. There have been enormous and tragic developments since last Friday's debate on the Civil Rights (Disabled Persons) Bill. Have you had any indication from the Government that, given the events of the past week, they plan to come to the House to make a statement about allowing extra time for that Bill to be given a proper Report stage? I understand that such an indication could have been made, and I should be grateful if you could say whether that is correct.

Madam Speaker: I have had no indication from the Government of any statement that they are likely to make on that matter at this stage.

Sir Peter Emery (Honiton): On a point of order, Madam Speaker. I am sorry not to have given you notice of my point of order, which involves a correction to the *Official Report* for 11 May that is of some importance. In line 22 of column 386 it is reported:

"Because a Committee of 60"—

the Deregulation Committee—

"cannot cover every interest".—[*Official Report*, 11 May 1994; Vol. 243, c. 386.]

It is a typographical error—the figure should be 16—but it makes a great deal of difference. Could it be noted?

Madam Speaker: It does make a great difference, and I am sure that it will be noted in the correct quarters.

Mr. Alan Howarth (Stratford-on-Avon): On a point of order, Madam Speaker. Last week, on the Report stage of a private Member's Bill—the Civil Rights (Disabled Persons) Bill—the Order Paper was deluged with 80 new clauses and amendments. Today, on the Report stage of another private Member's Bill—the Tobacco Advertising Bill—there are, I believe, more than 100 new clauses and amendments. Although we are all familiar with the fact that opponents of a Bill take advantage of the procedural opportunities available to them, and although they are entitled, formally at least, to use those procedural opportunities, I submit that that is not a responsible or respectable way for the House to do its business.

I therefore invite you, Madam Speaker, as the custodian of good order, to invite the Procedure Committee, whose Chairman, my right hon. Friend the Member for Honiton (Sir P. Emery), is in the House today, to consider whether in future the debate of a private Member's Bill on Second Reading should be timetabled. That would ensure that the House had an opportunity to debate the proposals fully and to reach a conclusion. If we fail to do that, we bring Parliament into disrepute and fail in our duties as legislators.

Mr. Alfred Morris (Manchester, Wythenshawe): Further to that point of order, Madam Speaker. I have set down on today's Order Paper a question in the following terms:

"To ask the Lord President of the Council how many amendments for consideration at the Report stage of the Tobacco Advertising Bill have been drafted by the Office of Parliamentary Counsel; and on whose instructions such amendments were drafted."

That question need not be answered until noon today or afterwards, by which time amendments will have been debated without our knowing whether any of the amendments on the Order Paper are, in truth, Government amendments to the Bill. Clearly it would be helpful to the House to have that information this morning. I hope that the Leader of the House can be persuaded to help us, especially in view of the odious treatment last Friday of the Civil Rights (Disabled Persons) Bill and all that has followed since.

Mr. A. J. Beith (Berwick-upon-Tweed): Further to that point of order, Madam Speaker. You will recall that the Energy Conservation Bill faced 216 amendments and new clauses, all of which—this was not denied by the Government at the time—were drafted by the Office of Parliamentary Counsel and tabled on identical sheets of paper produced by that office.

I have written to the Chairman of the Procedure Committee asking whether that Committee will look at the development of what I regard as a new Government tactic in relation to private Members' Bills. The Government table no—or hardly any—amendments in Committee, thereby depriving hon. Members of the opportunity to use the Committee stage for detailed consideration of Bills. They save all the amendments and deluge the House with them on Report, with no object other than to delay the Bill.

Is it possible for you, Madam Speaker, to state that you would find it helpful if the Procedure Committee considered the matter that I put to it?

Several hon. Members *rose*—

Madam Speaker: Order. We shall not make much progress today.

Mr. John Carlisle (Luton, North): Further to the point of order raised by the right hon. Member for Berwick-upon-Tweed (Mr. Beith), Madam Speaker, which related to who had tabled the amendments and the new clauses, and whether they were Government-inspired or drafted by the Parliamentary Counsel. It would perhaps be helpful to you to know that myself and my hon. Friends tabled those amendments without any help from—indeed, I might say, with the hindrance of—the Department of Health. The Department gave me no assistance whatsoever.

If it is helpful, I can give you, Madam Speaker, a categorical assurance that all of the amendments and new clauses in my name—and, I believe, those of my hon. Friends, although they may speak for themselves—are totally of my own volition. Of course, they were drafted with the assistance of others from outside this place. [HON. MEMBERS: "Oh."] That is quite usual. The hon. Member for Rother Valley (Mr. Barron), whose Bill it is, admitted in Committee that he had received considerable help from Action on Smoking and Health and others. At no time did

[Mr. John Carlisle]

the Government give myself or any of my hon. Friends any assistance whatsoever in drafting the amendments and new clauses.

Mr. Paul Flynn (Newport, West): Further to that point of order, Madam Speaker. Would not it help in the consideration of the good reputation of this House, and to absolve the House and hon. Members of any accusations that they might have acted in any way improperly, if all hon. Members who speak in the debate make absolutely clear—beyond the House's normal declaration of interest—any consideration which they may have outside, and declare whether they have made financial gain in the past, or are likely to do so in the future, for themselves or their party from the tobacco industry?

Madam Speaker: The Tobacco Advertising Bill is an important Bill. Hon. Members who raise points of order which are really matters for debate are holding up the proceedings on the Bill.

Several hon. Members *rose—*

Mr. Carlisle: On a point of order, Madam Speaker.

Madam Speaker: I have heard a point of order from the hon. Gentleman, and quite a long one at that, and other hon. Members are on their feet.

I caution hon. Members that I am not asking for explanations or statements. If hon. Members wish to raise points of order with which I can deal, I am ready to respond and the House will be happy to hear what I have to say. However, hon. Members are delaying the proceedings on the Bill with points of order.

Hon. Members: On a point of order, Madam Speaker.

Madam Speaker: The House is insisting on continuing with points of order. There are six hon. Members on their feet.

Mr. Roger Berry (Kingswood): On a point of order, Madam Speaker. My right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris) asked whether any amendments had been drafted by the Parliamentary Counsel. He also asked whether the information could be provided before the conclusion of the debate this morning.

Last Friday, it was denied that there had been any involvement by Parliamentary Counsel—until ten minutes after the debate ended, when we received a written communication pointing out that all 80 amendments had been drafted by Parliamentary Counsel. It is in the interests of the House that we should be told this morning who drafted the amendments.

Madam Speaker: The hon. Gentleman is repeating the point made by the right hon. Member for Wythenshawe.

Mr. Harry Greenway (Ealing, North): On a point of order, Madam Speaker. I support the Civil Rights (Disabled Persons) Bill, and I voted for it last week. However, is not there a dangerous illiberality in the House? Hon. Members may be inhibited from speaking today—

Madam Speaker: Order. The hon. Gentleman is drifting into debate, and I am seeking from him a point of order for me. If the hon. Gentleman has a point of order, I must listen to it. I do not want to get into debate at this stage.

Mr. Greenway: I ask you, Madam Speaker, not to condone—I am sure you would not—any illiberality in the House. Hon. Members have the right to speak, as they have done previously. I have been here when important Bills were scuppered by hon. Members sitting where the hon. Member for Bolsover (Mr. Skinner) sits. Then, a small number of people scuppered Bills about which the House was passionate.

Madam Speaker: That was very robust, but the Speaker cannot control what hon. Members have to say—they can say what they want.

Ms Liz Lynne (Rochdale): Further to the points of order raised by the hon. Members for Kingswood (Mr. Berry) and for Luton, North (Mr. Carlisle), Madam Speaker. May we know before the close of business how many amendments were drafted by Parliamentary Counsel? I know that the matter has been raised before, but I think that it is important.

Mr. William Cash (Stafford): On a point of order, Madam Speaker. I am sure that your office would be able to identify at least one precedent, and perhaps many others, when the Labour party was in government—for example, the Protection of Children Bill in 1977, which I took some part in preparing—and went to considerable lengths to table sheets of amendments to destroy the Bill. I think that the matter ought to be put into perspective, because the Labour party acted in a similar manner when it was in government.

Madam Speaker: That was barely a point of order for me, and it was a total waste of the House's time.

Mr. Dennis Skinner (Bolsover): On a point of order, Madam Speaker. Had there been a business statement yesterday, I would have asked the Leader of the House what intention he and the Government had regarding the Civil Rights (Disabled Persons) Bill, in view of the motion that was passed two Fridays ago which gave instructions to the Government to provide additional time for the Bill.

In answer to the hon. Member for Ealing, North (Mr. Greenway), who talked about scuppering Bills, let me make it plain that I never used Parliamentary Counsel—Government or otherwise—to help me. What I did I did up front; and, what is more, I never tabled one amendment. My actions were straightforward; anyone could see where I was coming from. On the Civil Rights (Disabled Persons) Bill, the Tories were hiding behind—

Madam Speaker: Order. This is not a time for an explanation of votes and amendments. We have business before us which we need to get on with.

Sir Jerry Wiggin (Weston-super-Mare): On a point of order, Madam Speaker. It may not be to your knowledge, but I understand that the tobacco industry and the Department of Health have been engaged in their normal negotiations on the subject of tobacco advertising. They have, to a large extent, reached an agreement, but it was reached only in the late hours of yesterday evening. In the circumstances, it would be hypocritical of the Department

of Health to support the Bill. On the one hand, they are reaching a voluntary agreement with the industry, while, on the other—

Madam Speaker: Order. That has nothing to do with the Chair.

Sir Jerry Wiggin: It has.

Madam Speaker: Order. It has nothing whatsoever to do with the Chair. The hon. Gentleman must raise those matters in debate, and I refuse to allow him to go on with his point of order.

Sir Jerry Wiggin *rose—*

Madam Speaker: The hon. Gentleman must resume his seat: I am on my feet.

Sir Jerry Wiggin: On a point of order, Madam Speaker.

Madam Speaker: Order. I say seriously to the hon. Gentleman that he is raising interesting points which the House will want to hear at the appropriate time. However, they are not points of order. I ask the hon. Gentleman to contain himself and to use the information in the debate. He is not raising a point of order.

Sir Jerry Wiggin: I had not finished.

Madam Speaker: Order. If there is a point of order for me, I must listen to it, but I do not want an argument.

Sir Jerry Wiggin: It is a substantive matter, and I had not reached my point of order. I was simply painting the scene.

In circumstances in which the Department of Health feels obliged to seek to amend the Bill, will you, Madam Speaker, accept amendments today on this important matter in the light of what took place last night? I apologise if I did not get to the point earlier.

Madam Speaker: I am not aware of what took place last night.

Mrs. Margaret Ewing (Moray): On a point of order, Madam Speaker. The Civil Rights (Disabled Persons) Bill is likely to return to the Floor of the House next Friday, but it is only third on the list. Is there any way in which you, knowing the feelings of hon. Members and of the public, could speak with the Chairman of the Procedure Committee and the Department of Social Security to ensure that adequate time is given and that we do not have any false amendments tabled this time?

Madam Speaker: Those on the Treasury Bench will have heard the point raised by the hon. Lady, as will the whole House. I can make no further comment at this stage.

As for the questions about amendments which may or may not have been drafted by Parliamentary Counsel, under our procedure answers to questions on any issue are not available until 12 o'clock today. If we are allowed to proceed with the debate, that could be perhaps one of the first questions which could be put to the Minister.

The hon. Member for Kingswood and the right hon. Member for Berwick-upon-Tweed raised the important issue of the Procedure Committee. The right hon. Gentleman has taken the initiative of writing to the Chairman of the Procedure Committee, who happens to be in the House at present. He undoubtedly heard what the hon. Member for Kingswood had to say, and will also be aware of the feeling of the House.

Sir Peter Emery *rose—*

Madam Speaker: There need not be any response from the Chairman of the Procedure Committee. He is well aware of the feelings of the House this morning on the subject.

Mr. Peter Griffiths (Portsmouth, North): On a point of order, Madam Speaker. It is different, but I am sure that it is a point of order. Can you confirm for the benefit of the House, especially hon. Members who are present this morning, that all the amendments which appear on the amendment paper are in order?

Madam Speaker: All the amendments that have been selected are certainly in order.

BILL PRESENTED

Firearms (Amdt)

Mr. Michael Shersby presented a Bill to create a new offence of possessing a firearm or imitation firearm with intent to cause fear of violence; to apply certain provisions of the Firearms Act 1968 to imitation firearms; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 20 May, and to be printed. [Bill 110.]

Orders of the Day

Tobacco Advertising Bill

As amended (in the Standing Committee), considered.

9.51 am

Mr. James Couchman (Gillingham): On a point of order, Madam Speaker. After so many points of order, I regret asking you to deal with a completely fresh point of order. We have your list of selection of amendments for this morning. When I first saw it, I thought that there had been a typographical error in so far as none of the new clauses had been selected. Of course, I understand that you have absolute discretion in what shall be discussed, but I must ask you why none of the new clauses has been selected, especially new clause 3, which stands in my name.

New clause 3 calls for a report from the Secretary of State for Health on any voluntary agreement which may be either in negotiation or signed between the Department and the industry. I understand that the matter was not discussed at any stage in Committee. It seems to be a substantial and important new clause. Indeed, this morning would perhaps allow the Parliamentary Under-Secretary of State to make a statement on the state of negotiations with the industry as reached late last night.

Mr. Edward Leigh (Gainsborough and Horncastle): Further to that point of order, Madam Speaker. New clause 3 goes to the heart of the Bill because it raises the question whether we should proceed by voluntary agreement. That is a philosophical point, and it is the reason why I oppose the Bill. I simply wonder whether there is any other group of amendments on which we might raise the subject of voluntary agreements because it is central to what we are talking about. The Government are in the midst of negotiating a voluntary agreement—apparently, they finished their negotiations last night—so it is absolutely central to the Bill.

Mr. John Carlisle (Luton, North): Further to that point of order, Madam Speaker.

Madam Speaker: Order. There is no need for a further point of order. The House should already know that the Speaker never gives reasons for the non-selection of new clauses or amendments. However, the hon. Gentlemen who have raised points of order might look at the new clause again and see whether they feel that it is consistent with the Bill as it passed through the House on Second Reading. That is the only response that I shall give.

Clause 1

PUBLICATION OF ADVERTISEMENTS FOR TOBACCO PRODUCTS

Sir Trevor Skeet (Bedfordshire, North): I beg to move amendment No. 39, in page 1, line 7, at end insert

'and for the purposes of this section, an advertisement shall not be deemed to have been published if it is comprised in or enclosed with a card, letter or other document sent by a person to one or more persons'.

Madam Speaker: With this it will be convenient to take the following amendments: No. 78, in page 2, line 6, leave out 'specific tobacco product', and insert

'tobacco product manufactured or supplied by a person so engaged'.

No. 79, in page 2, line 7, leave out from first 'the' to end of line 7.

No. 18, in page 2, line 9, after 'engaged', insert 'or to persons or bodies representing those so engaged'.

No. 95, in page 2, line 12, after 'name', insert '(in a format different from the format of their name as used in any advertisement for a tobacco product prior to the coming into force of this Act)'.

No. 2, in page 2, line 13, at end insert—'or

(iii) was displayed in or on items of stationery and office or manufacturing equipment for the primary purpose of indicating the source or ownership of such items'.

No. 17, in page 2, line 13, at end insert—'or

(iii) was contained in a directory of business information published by a person not so engaged'.

No. 28, in page 2, line 13, at end, insert—'or

(iii) was comprised in a sign upon or indicating the location of the registered office or other premises of a person so engaged'.

No. 23, in page 2, line 19, leave out '(i)'.

No. 22, in page 2, leave out lines 21 to 25.

No. 98, in page 2, line 24, leave out 'had been' and insert 'could reasonably be expected to have been'.

No. 99, in page 2, line 26, leave out from 'production' to second 'of' in line 27.

No. 16, in page 3, line 26, after 'communication', insert 'to the public'.

No. 107, in page 3, line 26, leave out from 'which' to 'the' in line 27 and insert 'promotes'.

No. 30, in page 3, line 27, leave out from 'product' to 'whether' in line 28.

No. 29, in page 3, line 29, after first 'of', insert 'or contained within'.

No. 42, in page 3, line 30, leave out 'retail'.

No. 57, in page 3, line 34, leave out from 'product' to end of line 34.

No. 85, in page 3, line 44, leave out from 'advertisement' to 'is' in line 45.

No. 43, in page 3, line 45, leave out 'or similar to'.

No. 86, in page 3, line 46, leave out from 'feature' to 'which' in line 47.

No. 60, in page 3, line 47, leave out 'is associated with' and insert 'prior to the coming into force of this Act, has been used for the advertisement of'.

No. 11, in page 4, line 7, at end add—

'(10) For the avoidance of doubt, the communication of words delivered orally only in a context in which no advertisement for a tobacco product is intended including words so delivered in a radio or television programme, shall not be treated as such an advertisement.'.

Sir Trevor Skeet: I am a little perturbed by the Government's attitude. I would have thought that it was crucial to understanding the Bill, and certainly to many of the penalties involved and some of the offences involved, that the Government gave certain backing to hon. Members who will be making arguments. However, I am afraid that we have had none of it.

The Government's standing is unique. The revenue to the Government is £8.5 billion per year. The employment provided is more than 11,000, but overall it is about 150,000.

Mr. Paul Flynn (Newport, West): It is 10,000.

Sir Trevor Skeet: If we take those people engaged directly and indirectly in the industry, it comes out at about 150,000. Retail sales come to the enormous figure of £10 billion per annum.

I thought that the Government would have moved to do something to protect their involvement, particularly because a voluntary agreement has been negotiated. I do not know whether the agreement has been accepted but I assume that it has. If so, what will be the Government's understanding of it? Why does not the Minister spring to his feet and tell the House the exact position before we commence debate on these technical amendments?

Mr. John Carlisle: I am grateful to my hon. Friend for giving way, because he has immediately put his finger on the pulse of what the Bill is all about. He is right to express some disappointment that Her Majesty's Government—we understand that they have concluded a voluntary agreement—did not announce it before the Bill. Of course, that might have made some of the amendments that we tabled a little superfluous. My hon. Friend is absolutely right. Will he bear in mind that the voluntary agreement should have been announced before today's proceedings so we might have been better informed?

Sir Trevor Skeet: I am patient, but I ask the Minister once again to come to the Dispatch Box and say whether an agreement with the industry has been reached. It will be the 11th agreement since 1971. If so—

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. We are discussing the amendment. I do not think that the Government's policy and any agreement reached last night or at any other time have anything whatever to do with it.

Sir Trevor Skeet: I appreciate that, but we have had several points of order on the issue. It is difficult to argue even technical points on the Bill if we do not know the state of arrangements on which the whole matter is being debated today.

Mr. John Carlisle: On a point of order, Mr. Deputy Speaker—

Mr. Deputy Speaker: Order. Is the hon. Member for Bedfordshire, North (Sir T. Skeet) suggesting that he does not want to move his amendment?

Sir Trevor Skeet: I intend to move the amendment. I was simply saying to you, Mr. Deputy Speaker, that the matter had been raised earlier and I thought that it was an opportunity that I should take—

Mr. Deputy Speaker: Order. The hon. Gentleman has a long experience in the House. I am sure that he does not need the Chair to tell him any more that we are now discussing the amendment, and he should relate his remarks to it.

Sir Trevor Skeet: I am obliged. I shall introduce amendment No. 39 in this way. Clause 1 of the Bill says:

"Subject to the following provisions of this section, if any person publishes or causes to be published through advertisement for a tobacco product, he shall be guilty of an offence."

The Bill is replete with offences and I shall consider some of the penalties involved in it. However, we should add at the end of the clause the words:

"and for the purposes of this section, an advertisement shall not be deemed to have been published if it is comprised in or enclosed with a card, letter or other document sent by a person to one or other persons".

It was fairly obvious from the start that that is one of the omissions from the Bill.

Before we consider the matter in a little detail, I refer hon. Members to clause 7, which says:

"In this section, 'advertisement for a tobacco product' includes any form of communication".

If it is any form of communication, it may be not merely an advertisement but a letter or a video.

Mr. Kevin Barron (Rother Valley): As the promoter of the Bill, I shall explain briefly to the hon. Gentleman that the reason why the clause would never have been accepted is that it is one of those areas that is trying to get to young children in terms of encouraging them to use tobacco products. I have a press cutting from the *Express and Echo*, which is an Exeter paper, which says that a worried father has been left fuming after his 11-year-old daughter was specially selected in a tobacco company promotion which came through the door in an envelope.

The Bill is about stopping tobacco companies from getting to young people and encouraging them to use tobacco products. There is no way that I, or anyone with any sense who is concerned about public health, would accept an amendment to the Bill which would allow that type of promotion to continue and to get to our young children in the way that it did in Exeter.

Sir Trevor Skeet: I respect the hon. Gentleman's views, but he assumes that everyone is evil and that the industry is not responsible. Since 1971, the industry has negotiated at least 11 revisions of a voluntary arrangement. In the United Kingdom, despite the absence of a ban, tobacco consumption has fallen almost year by year by 30 per cent. That is not evidence of irresponsibility. Perhaps the hon. Gentleman overlooks the fact that there is much legislation on the subject. There is the Protection of Children (Tobacco) Act 1986 and, to my knowledge and concern, we have the Children and Young Persons (Protection from Tobacco) Act 1991.

10 am

Children concern us all. I have children, and the hon. Gentleman and you, Mr. Deputy Speaker, may have children, and all are involved in this issue. There is a voluntary arrangement, the content of which I do not know, and the Bill seeks to place further stress by insisting that there may not be communications inviting children to smoke.

Ms Angela Eagle (Wallasey): Is the hon. Gentleman in favour of advertising material aimed at children which goes through the letterbox personally addressed to them? Is that the implication of his amendments? If not, what practical steps does he suggest to prevent that from happening? The hon. Gentleman is seeking to weaken the Bill by allowing such communications to continue.

Sir Trevor Skeet: The amendment does not do that. There are two ways to deal with the subject. One is by legislation, and that is the route that the hon. Member for Rother Valley (Mr. Barron) has chosen, but his Bill deals excessively with the subject. The other way is by voluntary agreement, and that agreement covers the point in great detail.

Mr. Nigel Forman (Carshalton and Wallington): My hon. Friend has the makings of an important point if he can establish that the tobacco industry, the cigarette industry, is

[Mr. Nigel Forman]

prepared to conclude a binding voluntary agreement to prevent that sort of direct communication. Does my hon. Friend have such evidence?

Sir Trevor Skeet: I have a document entitled "Voluntary Agreement on Tobacco Products, Advertising and Promotions and Health Warnings". It is dated September 1991 and was revised on 1 January 1992. The first part of the document covers advertising and promotion and the document deals with cinemas, expenditure on posters and places where posters may not be raised, such as in school playgrounds. If it is suggested that there has been abuse, that is for the judiciary to deal with: it is not a matter that requires the Bill.

Mrs. Elizabeth Peacock (Batley and Spen): My hon. Friend refers to a document which I do not have. He said that it was dated 1991 and was revised in 1992. If that is effective, why do we see the sort of advertising to which the hon. Member for Rother Valley (Mr. Barron) has alluded? Many of us are concerned that voluntary agreements do not seem to be working and that tobacco companies are encouraging our children and grandchildren to smoke. They have been advertising particularly outside schools, and that is outrageous.

Sir Trevor Skeet: Legislation is one thing and its abuse is another. If the legislation is not enforced, it should be. Many of these points will be taken into account by the Minister who has produced a new agreement. It will contain even more strict regulations to ensure that children are not caught by such advertising.

Mr. John Carlisle: The hon. Member for Rother Valley (Mr. Barron) has virtually accused the tobacco industry of offering direct mailshots to children. The hon. Gentleman knows that that is patent nonsense because such advertising is totally banned by the voluntary agreement. Does my hon. Friend accept that mistakes occasionally occur in direct mailings? The hon. Member for Rother Valley may have been exhorted by his local Conservative party to subscribe because he is in the A or B socio-economic group in his area and should therefore be voting Conservative. Errors will obviously occur, and the hon. Member for Rother Valley mentioned one and highlighted—

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. This is a long intervention. I will not allow long interventions.

Sir Trevor Skeet: We are all involved and we all make mistakes—that is one of the characteristics of our society.

I spoke about the 1992 agreement. I regret that I do not have the modern agreement before me. The rules say that the companies must not advertise to persuade people to start smoking; they must not use advertisements that will persuade people to smoke to excess; and they must not exploit those who are specially vulnerable, and that includes young people or those who are immature or who have a physical, social or mental handicap. They must not imply that smoking is healthy, that it is a great recreation, proof of manliness or enhances feminine charm— *[Interruption.]* It might improve feminine charm.

The document is one of the most comprehensive that we have, and if people appreciated its content they would come to an entirely different conclusion. It would persuade the Bill's promoter to recognise that legislation is unnecessary and that the aim can be achieved by voluntary agreement.

Rev. Martin Smyth (Belfast, South): Will the hon. Gentleman give way on that point?

Sir Trevor Skeet: I should like to proceed because I want to be economic with my time. I do not want to speak at great length, but I shall give way to the hon. Gentleman.

Rev. Martin Smyth: Does not the hon. Gentleman accept that it is because the voluntary agreement has not been complied with regularly and consistently that legislation is required? There is no redress through the voluntary agreement.

Sir Trevor Skeet: The voluntary agreement is monitored by an independent body which will make recommendations to the Secretary of State. That is why there were 11 different agreements, each of which brought in certain changes. The idea is that, when a weakness is found, a modification, which may be an improvement, is introduced. The hon. Member for Belfast, South (Rev. M. Smyth) has got it wrong when he tries to blame the tobacco industry and the people involved for not enforcing the agreement. That is the job of the judiciary and of the people who have the job of enforcing the agreement.

Mr. Forman: I am grateful to my hon. Friend for giving way to me for a second time. He says that this is a comprehensive voluntary agreement. Does he not agree that, on the evidence of our own eyes and our experience, and on the contents of the factual briefing that has been provided to us, this comprehensive voluntary agreement has been comprehensively ignored?

Sir Trevor Skeet: I certainly do not accept that. It is quite wrong to suggest that the agreement has been comprehensively ignored. There are two big companies in the industry. Gallaher has—

Mr. Deputy Speaker: Order. The hon. Gentleman appears to be attempting to discuss new clause 3, which has not been selected.

Sir Trevor Skeet: Of course I shall abide by your ruling, Mr. Deputy Speaker.

Mr. William Cash (Stafford): Will my hon. Friend give way?

Sir Trevor Skeet: No; I should like to proceed. I have shown that my amendment is important.

Mr. Cash: Will my hon. Friend give way?

Sir Trevor Skeet: My hon. Friend should not be too enthusiastic.

One of the clauses states that any form of communication will be an advertisement. That provision is so wide that it will exclude everything except packaging for retail sale. The communication by way of direct mail between manufacturers and any smoker falls under the definition of an advertisement. That is the only reasonable way in which a tobacco company, manufacturer or person engaged in the business can communicate with people who already smoke.

I am quite certain that, when the hon. Member for Rother Valley examines more carefully the Bill and what

I have to say, he will come to the conclusion that that is one of the mistakes that he is making. His Bill is full of provisions about fines and so forth. One has only to refer to another clause in the Bill to see that.

I think that it should be stressed that we are dealing with amendments to make it possible for people to say that they are complying with the law. But when one finds a level of penalties on summary conviction on scale 5, and on indictment for two years, let me tell the House—

Mr. Deputy Speaker: Order. I hesitate to keep intervening, but the points that the hon. Gentleman is making can be discussed on later groups of amendments. The hon. Gentleman should stick to the amendments that are being discussed.

Mr. Couchman: On a point of order, Mr. Deputy Speaker. There are 23 amendments in this group, and they range very widely. I am surprised that the Chair should be—

Mr. Deputy Speaker: Order. If the hon. Gentleman will check the amendments, he will find that they are not about penalties.

Sir Trevor Skeet: It is a small technical point and I commend it to the hon. Member for Rother Valley. I hope that he will be prudent enough to accept it, because it is one that should be avoided.

Mr. Cash: Does my hon. Friend accept that the restriction, which would be accompanied by an offence, on sending, in the terms of the amendment,

"a card, letter or other document"

which would help people to be better informed about what is going on between the manufacturers and the receiver of that communication, may well include, for example, something that would tell them about what they should avoid as well as what they should do? Furthermore, does he accept that any attempt to restrict that would involve necessarily by way of enforcement the opening of letters to prove that that offence had occurred, which, in the absence of my hon. Friend's provision, effectively would be a very dangerous interference with the liberty of the subject?

Sir Trevor Skeet: I am obliged to my hon. Friend, as that reinforces and completes the point that I was making.

My amendment No. 42, in page 3, line 30, proposes to leave out "retail". I do not know whether the hon. Member for Rother Valley recognises that he perpetrated a fault by the use of certain quantities. They must be of a certain size. Clause 1(7) refers to

"packing of such a product in a quantity normally available for retail sale".

If we were to remove "retail", I think that it would make a little more sense.

There are other quantities, including wholesale cartons for cash-and-carry sale, discount at discount clubs and warehouses, not simply those in the normal quantities that are available for resale. I should have thought that he would have considered that and allowed the amendment to be included. It would be an improvement to his Bill.

10.15 am

I now move to amendment No. 85, in page 3, line 44, because I am moving at some speed to accommodate the wishes of the House. It sets out a series of considerations that must be taken into account such as symbols and colour. The purple that one associates with a certain company's advertising is well known, but it may have many products for sale. Simply because a symbol or colour is used in a particular context does not mean that it is promoting tobacco products. I think that that should be altered.

Mr. Flynn: Is the hon. Gentleman familiar with the conduct of tobacco companies in Hungary, where tobacco advertising is banned but where companies, particularly Marlboro and Camel, get around the prohibition by using precisely the same colours and logos to advertise other products? That is a way round a much-needed ban on tobacco advertising, yet we do not feel upset by the prospect of interfering with the sacred right of tobacco companies to kill 110,000 people a year.

Sir Trevor Skeet: I am not aware of the law of Hungary on the matter—[HON. MEMBERS: "Why not?"] Many logos are not recommending the sale of tobacco or tobacco products. They might have different colours, but that does not make them unsaleable.

The important thing is that it is legal to sell tobacco. It is a legal product. My hon. Friend is saying that it should not be sold and in fact it should be banned. The limitation on the ban could be inexhaustible.

Mr. Leigh: I wonder whether my hon. Friend will deal more with the point about Hungary. I do not believe what I heard. It really is a case of "Big Brother is watching you". We are not going to ban advertising. We are going to say, "Well, Big Brother says that they are the same colours or the same language." The point made by the hon. Member for Newport, West (Mr. Flynn) is an appalling one to make in a free society. It makes our view stronger than any other.

Mr. Barron: Will the hon. Gentleman give way?

Sir Trevor Skeet: No.

Mr. Barron: Why not?

Sir Trevor Skeet: I have given way to so many hon. Members today. *[Interruption.]*

Mr. Deputy Speaker: Order. It is time that the House settled down.

Sir Trevor Skeet: How right you are, Mr. Deputy Speaker. It is high time that it settled down and high time that I had an opportunity to conclude my—

Mrs. Peacock: Will my hon. Friend give way on that point?

Sir Trevor Skeet: In a moment.

People do not seem to realise that in countries where there have been bans, as with certain European countries, the experience has been disastrous, because the consumption of tobacco has not fallen. On the other hand, in the United Kingdom, where there has been no ban, there has been a drastic fall of some 30 per cent. since 1971 to the current date. I think that that deals with the point about other countries.

Mr. Alan Howarth (Stratford-on-Avon): Will my hon. Friend give way?

Sir Trevor Skeet: I shall give way to my hon. Friend the Member for Batley and Spen.

Mrs. Peacock: I wish to make my point before my hon. Friend leaves the question of associated advertising. He is

[Mrs. Peacock]

saying that the fact that some companies might use a particular colour does not have any effect. If that is correct, why has there been such an unholy row on the Deregulation and Contracting Out Bill about companies having own-branded products that are very similar to those with registered trade marks? If there is no association in colour, text and packaging, why are the supermarkets complaining?

Sir Trevor Skeet: My hon. Friend is perfectly right about that, but having an unholy row in this place is to be expected. It does not mean that there is much rationality behind it.

I now deal with amendment No. 17—

Mr. Barron: Will the hon. Gentleman give way?

Sir Trevor Skeet: All right; I will make an exception.

Mr. Barron: In relation to the last mention of me that the hon. Gentleman made, he is wrong on two counts: first, I am not his hon. Friend; and, secondly, the Bill is not intended to ban the sale of tobacco.

Sir Trevor Skeet: It is a strange fact about Members of Parliament that they like to link themselves with many others—not merely on their own side of the House. However, if the hon. Gentleman does not want to be a friend of mine, I will exclude him for good—but I would hesitate to do that.

Amendment No. 17 seeks to add in page 2, line 13, "(iii) was contained in the directory of business information". It was never intended to exclude that. That is only a technical point, and I ask the hon. Member for Rother Valley to consider it.

Amendment No. 22 seeks to leave out lines 21 to 25 in clause 1. Those words are extraordinary. They give as one of the defences in clause 1(4)(d)(ii) that

"at any time of the publication constituting the alleged offence not more than 25 per cent. or 5,000 (whichever is the fewer) copies of which had been imported into the United Kingdom for publication there".

Who is to judge that? Who thought that one up? The Bill's originators simply plucked a figure out of the air. That is totally irrational. I plead with the hon. Gentleman—he is no longer my hon. Friend—to withdraw that part of the Bill, which does not make any sense. If he likes to spring to his feet and tell me what one is to construe from that, I shall be glad.

Mr. Barron: The hon. Gentleman refers to an amendment tabled by the hon. Member for Luton, North (Mr. Carlisle), who tried to withdraw a group of amendments when I started accepting them in Committee.

Mr. John Carlisle: On a point of order, Mr. Deputy Speaker. I believe that we ought to have the opinion of the Chair. Even when an hon. Member has put his name to amendments, it is possible for him to change his mind during the course of the argument. Am I right in thinking that no rule or steadfast custom prevents hon. Members who have tabled amendments from subsequently disagreeing with them, even in a Division?

Mr. Deputy Speaker: It is not unknown for hon. Members to change their minds.

Sir Trevor Skeet: I apologise for speaking so long. I was attempting to improve the Bill by dealing with some of its technicalities, suggesting that a broad view be taken of them and arguing that certain of the Bill's faults be rectified. Apparently, the Bill's supporters want to bulldoze it through the House, which would be iniquitous. The Bill should be fully and properly considered.

Mr. Alan Howarth: I share my hon. Friend's impatience with quibbles over technicalities. We should be considering points of essential principle. Is not at the heart of our consideration the fact that tobacco kills 300 people each day and that the industry advertises to replenish the ranks of its victims? Since the majority of people who take up smoking are young, whatever may be the industry's protestations, its advertising must be pitched at young people.

My hon. Friend responded approvingly to my hon. Friends the Members for Stafford (Mr. Cash) and for Gainsborough and Horncastle (Mr. Leigh), who put forward the case for freedom of expression. However, does my hon. Friend regard it as being within the bounds of freedom—in a decent, liberal society—to allow an institution to spend £100 million a year—

Mr. Deputy Speaker: Order. Following a previous long intervention, I informed the House that I would not tolerate another. Many hon. Members want to catch my eye, and some of them are making long interventions. I may bear that in mind.

Sir Trevor Skeet: I should say something on this point, although it is not strictly relevant—

Mr. Deputy Speaker: Order. I am sorry that I must repeatedly rise to my feet to remind the experienced hon. Gentleman that he is meant to be speaking to a group of amendments. He must stick to them.

Sir Trevor Skeet: I am much obliged. I feel that I have done justice to the amendments. I much regret that I cannot answer my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth), but perhaps I shall be able to deal with his point on another occasion, with full force.

I make a final plea to the hon. Member for Rother Valley. If he is wise, he will take into account the fact that another side must be considered—that most of his arguments are wrong. It is for my hon. Friend the Minister to declare the nature of the voluntary arrangement so that the House may be informed—

Mr. Deputy Speaker: Order. I have already intervened in the remarks of the hon. Gentleman on that very point. The House is discussing not what happened last night or what the Government may or may not decide, but a particular group of amendments.

Sir Trevor Skeet: I am much obliged. I have had my say.

Mr. D. N. Campbell-Savours (Workington): What is happening in this Chamber today is a constitutional outrage. [HON. MEMBERS: "Oh."] We know, and I will prove, that Conservative Back Benchers tabled nearly 100 amendments paid for by the tobacco industry. I will show that the amendments that we are now debating—moved almost entirely by one hon. Member and supported by

three other hon. Members—have been arranged through a public relations company and parliamentary agents in central London.

The Tobacco Manufacturers Association is responsible for many of the amendments that we are discussing today and, in particular, that just moved by the hon. Member for Bedfordshire, North (Sir T. Skeet). Philip Morris is a member of the Tobacco Manufacturers Association and it is a client of Ian Greer Associates. Ian Greer is employed as an adviser to Philip Morris. The account principal at Ian Greer Associates is Simon Milton. Ian Greer introduced Philip Morris to Sharpe Pritchard, solicitors and parliamentary agents—

Mr. John Carlisle: On a point of order, Mr. Deputy Speaker. The House seeks your guidance as to whether the aspersions cast against hon. Members are in order. That is obviously for you to judge. It is also for you to judge—having mildly chastised my hon. Friend the Member for Bedfordshire, North (Sir T. Skeet) for moving off the amendments—whether the hon. Gentleman's remarks are in order.

Mr. Deputy Speaker: The hon. Gentleman may rest assured that I am listening carefully to the hon. Member for Workington (Mr. Campbell-Savours). If he does not remain in order, he will be ruled out of order.

Mr. Campbell-Savours: I shall endeavour to prove the motive of the hon. Member for Bedfordshire, North in tabling amendment No. 39, because that has some bearing on whether the House should be prepared to accept it.

Mr. H.M.V. Pritchard of Sharpe Pritchard was the solicitor responsible for organising the drafting of what were described to me as wrecking amendments in the trade. It is interesting that they all stand—

Mr. Leigh: On a point of order, Mr. Deputy Speaker. Is it to be a new principle of the House that an hon. Member can speak in any way that he likes about another hon. Member's motives in tabling an amendment? I might speak on this and talk about a voluntary agreement. It is absurd. The hon. Member for Workington (Mr. Campbell-Savours) is ranging way beyond the ambit of the amendments.

Mr. Deputy Speaker: So far, the hon. Member for Workington has been speaking to the amendments.

Mr. Campbell-Savours: Upstairs in the Public Bill Office, hon. Members can find a box containing all the amendments submitted by hon. Members, having been briefed by their own Whips and by parliamentary agents as to the merits of the amendments that they drafted.

What is interesting about the amendments—

Mr. John Carlisle: On a point of order, Mr. Deputy Speaker. The hon. Gentleman is now casting further aspersions on the Government's Whips Office by suggesting that it colluded in the drafting of the amendments. Is the hon. Gentleman in order when he casts such aspersions?

Mr. Deputy Speaker: So far, the hon. Member for Workington (Mr. Campbell-Savours) has not been out of order, and I can assure the hon. Member for Luton, North (Mr. Carlisle) that I am listening closely.

Mr. Campbell-Savours: What is interesting about the amendments is that they are all characterised by a comment on the top left-hand corner of the amendment paper, which says

"In Parliament in the Session 93-94."

Those of us who understand such matters—hon. Members should be doing their homework—know that that means that they were all drafted by parliamentary agents, although they may have been tabled by certain hon. Members. They were all drafted by the parliamentary agents to whom I referred.

10.30 am

The reality is that the amendments were the product of two meetings that were held at the Department of Health at the end of February and at the beginning of March. My hon. Friend the Member for Rother Valley (Mr. Barron) managed to establish that fact and, some months ago, he tabled a parliamentary question about them, because representatives of the Tobacco Manufacturers Association were present at those meetings when the tabling of amendments, if not their nature, was discussed. The purpose of that discussion was to ensure that parliamentary agents could properly understand the nature of the amendments that they were required to draft.

Mr. John Carlisle: I have been worried about the hon. Gentleman for a long time and obviously my concern is fully justified. Can he enlighten the House as to whether he knows of any consultations that his hon. Friend the Member for Rother Valley had with the Department of Health about the Bill, and the clauses and amendments that his hon. Friend may have drafted, once he was successful in the ballot? Does the hon. Member for Workington (Mr. Campbell-Savours) know whether his hon. Friend discussed the Bill with the Department of Health?

Mr. Campbell-Savours: That is not relevant to my contribution. If that is the case, however, I am sure that my hon. Friend the Member for Rother Valley will intervene to confirm that. There is nothing wrong, in principle, with such meetings. If my hon. Friend had them, he would have been doing his job, because he was obviously seeking the widest possible consultation.

Mr. Deputy Speaker: Order. The hon. Member has gone far enough with his preliminary comments and he should now consider the amendments.

Mr. Quentin Davies (Stamford and Spalding): On a point of order, Mr. Deputy Speaker. The basis of the allegations made seems to be that certain hon. Members have sought professional assistance from solicitors, parliamentary agents and other people outside the House to draft amendments. This important matter affects us all across the range of our parliamentary work. Would you confirm, for the purpose of removing any ambiguity, that, when trying to amend legislation, there is absolutely nothing wrong in obtaining professional advice, including that from lawyers, to ensure that any amendments that one tables are properly drafted and technically effective?

Mr. Deputy Speaker: All hon. Members are aware of the procedures and customs of the House. Before the hon. Member for Workington rises, let me repeat that the preliminaries are over and he must speak to the amendments.

Mr. Barron: Further to that point of order, Mr. Deputy Speaker. I was not aware of what my hon. Friend the Member for Workington intended to say, but I can tell the House that I received a letter from the Parliamentary Under-Secretary of State for Health earlier this week, in which he stated:

"Neither I nor any of my Ministerial colleagues nor any officials in the Department of Health have been involved in the preparation of any of the 108 amendments or 5 new clauses".

Will the Minister confirm that those amendments were discussed at the meetings in February and March with representatives of the Tobacco Manufacturers Association? If that is true, I should like a ruling from you, Mr. Deputy Speaker, about whether that is—

Mr. Deputy Speaker: Order. That is not a matter for the Chair. Hon. Members know full well who drafted the amendments and it is a matter for them, not for me.

Mr. John Marshall (Hendon, South): On a point of order, Mr. Deputy Speaker. Is it not a fact that those who are complaining about today's amendments are the self-same people who put down hundreds of amendments to the Abortion (Amendment) Bill?

Mr. Deputy Speaker: What is a fact is that we are now going to get on with the debate.

Mr. Campbell-Savours: It is difficult for me to respond to a point of order with a point of order, but, for the benefit of the hon. Member for Stamford and Spalding (Mr. Davies), suffice it to say, yes, it is perfectly correct that hon. Members may ask outside draftsmen to draft amendments; but the question is who pays the bill. According to a Speaker-approved list of charges, which was published for 1993, the standing charge, rate per hour, for parliamentary agents or solicitors' partners is—

Mr. Deputy Speaker: Order. I have already told the hon. Gentleman that he must now speak to the amendments before the House.

Mr. Campbell-Savours: I will discuss those amendments, but let me say that that bill was paid by a member of the Tobacco Manufacturers Association—at a rate of £146 an hour. The amendments that Tory Members have tabled—

Mr. Couchman: On a point of order, Mr. Deputy Speaker. The hon. Member is casting aspersions on those people who wish to improve the Bill. *[Interruption.]* Would he care to tell the House who paid for the Bill to be drafted in its first dreadful Stalinist form?

Mr. Deputy Speaker: Order. The House will now settle down. This is the last time that I will tell the hon. Member for Workington that he must now refer his remarks to the amendments before us.

Mr. Campbell-Savours: Amendments Nos. 39, 78, 79, 80, 95, 2, 17, 28, 23, 22, 98, 99, 107, 30, 29, 42 and 57 have all been paid for by the tobacco industry. Tory Members are being used to destroy a Bill that everyone wants because we all know that smoking damages people's health. The behaviour of the Conservative Party today is a disgrace.

Mr. John Carlisle: You would not expect me, Mr. Deputy Speaker, to follow that appalling speech from the hon. Member for Workington (Mr. Campbell-Savours), who cast aspersions on me, my hon. Friends and the industry.

I will confine my remarks to the amendments and give notice that I wish to move the following amendments: Nos. 78, 79, 18, 95, 2, 17, 28, 23—

Mr. Deputy Speaker: Order. I must point out to the hon. Member that he cannot move those amendments formally at this stage. They may just be discussed.

Mr. Carlisle The amendments will obviously be debated, but since all the amendments are different, I will ask the House to divide on each one.

Mr. Harry Greenway (Ealing, North): When my hon. Friend or any other hon. Member refers to the "industry", I should like to point out that they are talking about 500 of my constituents who work most honourably for Gallaher in Northolt. They are fine people and as honourable as anyone in the House or outside it. They cannot be condemned wholesale, as they have been by certain hon. Members. I will not have it.

Mr. Carlisle: The Bill will affect the employment of several thousand of our citizens, many of whom are honourable citizens employed by tobacco companies. One would have thought that Opposition Members would be somewhat more sympathetic not only to those employed in the manufacture of tobacco, but to those in the retailing of it whose livelihood is threatened by the Bill.

My hon. Friend the Member for Bedfordshire, North (Sir T. Skeet) dealt ably and comprehensively with amendment No. 39 and I should like to discuss amendment No. 38.

Mr. Quentin Davies: My hon. Friend has referred to the Bill's inherent dangers to employment. Does he have in mind the dangers to employment in the advertising industry or in the tobacco industry? If he is arguing that the Bill would endanger employment in the tobacco industry, he is accepting the thesis that if tobacco advertising is banned, the consumption of tobacco will fall and, therefore, the turnover of, and employment in, the tobacco industry will fall. That is a central argument in this debate and it is interesting that my hon. Friend, given his views on the Bill, accepts that thesis.

Mr. Deputy Speaker: Order. That very long intervention has little to do with what we are debating.

Mr. Carlisle: I hear the words of my hon. Friend the Member for Stamford and Spalding (Mr. Davies), for whom I have the utmost affection and respect, but part of the crux of the Bill is whether the House should seek to ban the advertising of what is, like it or not, a legitimate product. The basis of the argument is whether we, for the first time in our history, should consider banning a product that is legitimately used by some 16 million people.

Mr. Deputy Speaker: Order. The hon. Gentleman is straying wide of the amendments. I should be grateful if he would get back to them.

Mr. Carlisle: I apologise, Mr. Deputy Speaker. I was taken down a road that I did not intend to go down. I felt duty-bound to satisfy my hon. Friend—obviously to your anger, Mr. Deputy Speaker.

Mr. Flynn: The hon. Gentleman, almost certainly inadvertently, said that the Bill sought to ban the sale of a product, but it does not. That is the second time that that has been said. It seeks to ban the advertising of a product, which is different. Will he correct what he said?

Mr. Carlisle: The hon. Gentleman is sitting a long way from me; perhaps he did not hear exactly what I said. He should check *Hansard*. The Bill will ban the advertising of a legitimate product. I agree that some Opposition Members would like to ban the use of that product, but we are not debating that.

Mr. Leigh: Is not the answer to my hon. Friend the Member for Stamford and Spalding (Mr. Davies) that it is a proven fact that, each year, about 7 per cent. of smokers change their brands? If one were to ban advertising, therefore, there would be much less brand switching, which would affect employment in tobacco companies and the ability of foreign tobacco companies to export to this country.

Mr. Carlisle: My hon. Friend is right. He is perhaps being modest in his assumption, because I understood that 26 per cent. of smokers change brand each year. That is what the advertisers are after. As my hon. Friends will know, to many of us non-smokers, cigarette advertisements are virtually gobbledegook—we do not understand them. I do not see, therefore, how they can attract people into smoking.

Mr. John Austin-Walker (Woolwich): Does the hon. Gentleman accept that a number of non-smokers are children and that they do not find advertisements gobbledegook? Those advertisements have a substantial impact on young people and their take-up of smoking.

Mr. Carlisle: Obviously, the hon. Gentleman has not seen the evidence and the proof. We all deplore children smoking, including the tobacco industry. Children begin to smoke because of the influence of parents, brothers and sisters and because it is fashionable. According to the latest report from the Office of Population Censuses and Surveys, advertising was not even in the first 10 reasons given by children as to why they take up smoking.

I share the hon. Gentleman's view that we should do all we can to discourage smoking among children. To a certain extent, that is what the voluntary agreement is all about. If he wishes me to, I shall read the relevant passages of the agreement.

Mrs. Ann Clwyd (Cynon Valley): The hon. Gentleman made great play of the aspersions that he said were cast against him at the beginning of the debate. Will he clarify whether he drafted the amendments or whether they were paid for by the tobacco industry? Were Ian Greer Associates involved with their drafting?

Mr. Carlisle: I do not know whether you would find it in order, Mr. Deputy Speaker, if I went down that line, but I am happy—you seem to be shaking your head, so I shall apologise to the hon. Lady because, although I should have liked to give her a full and honest answer to her question, I cannot do so.

Mr. Walter Sweeney (Vale of Glamorgan): My hon. Friend said that young people probably take up smoking for a variety of reasons other than advertising. I accept that peer group pressure must be a far greater cause. Does he accept, however, that cigarette advertising is bound to have some influence on young people and that that is justification for the Bill?

Mr. Carlisle *rose—*

Mr. Flynn: On a point of order, Mr. Deputy Speaker, which I raised earlier, but which has not been respected. I suggested that it would help the reputation of the House if hon. Members made it clear, to absolve us from any suggestion of partial influence, whether they or their party have had any financial inducements or favours from the tobacco industry.

Mr. Deputy Speaker: All hon. Members know the procedure for declaring interests. All hon. Members are responsible for their speeches.

Mr. Carlisle: I am anxious to help the House and keep to subject of the Bill, but I should like, if I may, to answer my hon. Friend the Member for Vale of Glamorgan (Mr. Sweeney) on the issue of children smoking. Any form of advertising is bound to wash off on children to a certain extent. The available evidence, which has been produced by non-biased lobby groups, shows that advertising is not —let me be kind to my hon. Friend—a prime reason why children take up smoking. They take it up because of the other reasons that he mentioned.

In many cases, advertising is bound to have some influence on children, whatever the product. The voluntary agreement specifically states that there shall not be any advertising directed at young people. That is in the agreement, and who knows what the new agreement will say if my hon. Friend has a chance to speak, which he may not have if Opposition Members keep interrupting me?

10.45 am

Mr. Derek Enright (Hemsworth) *rose—*

Mr. Deputy Speaker: After the hon. Gentleman has intervened, we will return to the amendments.

Mr. Enright: To get rid of all these aspersions, will the hon. Gentleman affirm that Barry Simmons PR Ltd. has nothing—

Mr. Deputy Speaker: Order.

Mr. Campbell-Savours: On a point of order, Mr. Deputy Speaker. I do not want to query your ruling, but there is a precedent, approved by Madam Speaker, for hon. Members asking other hon. Members whether they have a direct or indirect pecuniary interest in an issue. Will you consider your ruling that my hon. Friend the Member for Hemsworth (Mr. Enright) must keep specifically to the amendment? As I understand it, he can keep to it yet still ask whether the hon. Gentleman's company has a relationship or is expecting to have a relationship with any company or firm involved in the tobacco industry.

Mr. Deputy Speaker: I repeat the advice that I have already given: all right hon. and hon. Members know the procedures and are aware of the Register of Members' Interests. The hon. Member for Luton, North (Mr. Carlisle) is responsible for his speech, to whom he gives way and the answers that he gives.

Mr. Carlisle: It may be of help to you, Mr. Deputy Speaker, and the House if I say that the Register of Members' Interests is accurate on my interests: there is no mention of tobacco companies.

I would plead guilty to attending various sporting functions at the invitation of tobacco companies, but some Opposition Members have enjoyed the hospitality of tobacco companies, such as the Benson and Hedges final, some years ago. Those hon. Members are not here, so it would not be fair to name them or say whether they were an Opposition spokesman on sport—

Mr. Deputy Speaker: Order. It would be fair to the House and the Chair if we got back to the amendments.

Mr. Carlisle: You are right, Mr. Deputy Speaker.

Mr. Campbell-Savours: On a point of order, Mr. Deputy Speaker. Do you accept that there is a distinction between an hon. Member receiving a ticket for a visit to a sporting function, which I have never done and would never do, and his or her moving an amendment that relates to an industry from which he or she has received such benefits? That distinction is the reason why the hon. Member for Luton, North (Mr. Carlisle) cannot relate his position to that of my hon. Friends or any other hon. Member.

Mr. Carlisle: Enormous aspersions are being cast on my integrity in relation to the Register of Members' Interests. I appeal to you, Mr. Deputy Speaker, because I have registered my interests, as I want to do, and there is no indication that they involve a tobacco company. I repeat, I have received their hospitality, as have Opposition Members, several times. I have attended functions—

Mr. Deputy Speaker: Order. I suppose that all those involved have enjoyed such hospitality, too. Let us get back to the amendments.

Mr. Carlisle: We have all enjoyed the hospitality and the games. I know that the hon. Member for Makerfield (Mr. McCartney) enjoys games sponsored by tobacco companies and I do not criticise him for that. He especially enjoys rugby league and has attended several games sponsored by tobacco companies. May I return—

Mr. Ian McCartney (Makerfield): On a point of order, Mr. Deputy Speaker. The hon. Gentleman has raised this matter for the sake of a filibuster, but I place it on record that I attend sporting matches at the behest of no one, especially not at that of the tobacco industry which I abhor because of its attempts to sponsor sports, including my own, and to use that sponsorship as a way of disguising its disgusting products. The hon. Gentleman has been informed on numerous occasions by the Rugby Football League that his accusations are completely false and erroneous.

Mr. Deputy Speaker: Order. The hon. Gentleman has made his point. I shall not tolerate any further straying from the amendments. If any hon. Member does stray, I shall ask him to resume his seat.

Mr. Alan Howarth: On a point of order, Mr. Deputy Speaker. For reasons that we all accept, there was no opportunity yesterday to question the Leader of the House on the business statement in the usual way. It is a convention of the House that, if the Government are to make a statement on a Friday, they do so at 11 am. We are now approaching that time. Have you, Mr. Deputy Speaker, received notification from the Leader of the House that he intends to make an announcement about the Government's plans to make further time available for consideration of the Civil Rights (Disabled Persons) Bill?

This is an urgent and important matter. It is a week since the fiasco of the Bill's Report stage and a fortnight since the House passed a resolution requiring the Government to provide time to enable us to complete consideration of the Bill. Will you convey to the Lord President on our behalf the fact that it would be wholly unacceptable for the Government to ignore the will of the House—

Mr. Deputy Speaker: Order. Madam Speaker has already dealt with that matter and, as far as I know, there has been no notification from the Government.

Mr. Carlisle: I am disappointed that it has taken us so long to get this far.

Amendment No. 78 would delete the words "specific tobacco product". We must ask what exactly is a "specific tobacco product"? The term is extremely ambiguous. A cigarette is clearly a tobacco product, as is a cigar, but I fear that the hon. Member for Rother Valley (Mr. Barron) has in mind a specific type of tobacco product.

Most of the amendments that I have tabled are modest, but they are important in their own way. Amendment No. 78 is such an amendment and seeks to provide a better definition of what the hon. Gentleman means by the word "specific". I believe that that is helpful, although some of my colleagues may not think so and may vote against the amendment if given the opportunity to do so. If the hon. Gentleman wishes to explain the word "specific", I shall be happy to give way to him; but he clearly does not wish to do so.

Amendment No. 79 also goes to the heart of the Bill. It is a probing amendment and deals with the word "communication" which appears frequently in the Bill. We have every right to ask what exactly the sponsor means by the word "communication". Does it mean communication by word of mouth or by mail shots, as mentioned by my hon. Friend the Member for Bedfordshire, North? Does it mean advertisements? When is something an advertisement and when is it not an advertisement?

Mr. Cash: On my hon. Friend's earlier point about what is or is not a tobacco product, is he aware that ubiquinone, otherwise known as vitamin Q, is found naturally in our bodies, but can be synthesised from tobacco leaves? It boosts the immune system, helps combat high blood pressure, aids the regeneration of cells and acts as an anti-oxidant. Therefore, the prevention of certain advertisements could be deleterious to health.

Mr. Carlisle: I agree with my hon. Friend. That is why we need a clearer definition. He is probably aware that tobacco can be used medically to calm people down and should perhaps be distributed a little more frequently to the hon. Member for Workington. My hon. Friend is absolutely right to say that, without a proper definition as sought by amendment No. 78, we could be banning the advertising of substances that are beneficial to the health of the nation.

Mr. John Marshall: My hon. Friend referred to mail shots. Would the Bill, if amended as he wishes, be able to

ban mail shots from the continent in view of the fact continental manufacturers have increased their stake in the United Kingdom market?

Mr. Carlisle: My hon. Friend is right to raise an important point which is dealt with in a later part of the Bill. I am sure that we shall reach the relevant amendments.

Mrs. Peacock: I have listened carefully to what my hon. Friend said about the possible effects on health and how good tobacco could be in that respect. Will he explain why tobacco-related diseases in my constituency cost the health service £600,000 last year?

Mr. Carlisle: I am no great expert on medical matters, as one can see from the shape of me. Having said that, however, it is a fact that in some cases the modified use of nicotine can be of enormous help, especially to those with nervous diseases, which some Opposition Members clearly have. My hon. Friend cannot, with hand on heart, say that there is not one person who would not possibly benefit from the odd cigarette from time to time.

Mr. Alan Howarth: I note with some interest and surprise that my hon. Friend is basing his argument in favour of tobacco advertising on health grounds. Will he comment on the fact that 62 per cent. of doctors believe that all forms of tobacco advertising should be banned?

Mr. Carlisle: Personally, I would ban 62 per cent. of doctors. *[Interruption.]*

Mr. Deputy Speaker: Order. There is a lot of noise from the Conservative Benches. I am trying to listen to what the hon. Gentleman has to say, but many of his colleagues are intent on ensuring that I cannot.

Mr. Carlisle: My hon. Friend the Member for Stratford-on-Avon (Mr. Howarth) makes an important point. Of course we are not saying that in general the use of tobacco products is beneficial to the nation's health, but, as my hon. Friend the Member for Stafford (Mr. Cash) pointed out, certain substances related to tobacco can be helpful, which is the reasoning behind amendment No. 78. Some people might even contact my hon. Friend the Member for Stratford-on-Avon after the debate to tell him that they have almost been prescribed a form of tobacco. If the Bill were passed without amendment No. 78, those people would be denied the advertising and possibly even the knowledge of such products.

Mr. Cash: My hon. Friend has touched on a very important point. There is a balance to be struck. Is he aware that Dutch researchers have found that nicotine can protect against Alzheimer's disease and that, furthermore, it can cut the risk by up to 50 per cent? Some Alzheimer patients are currently wearing the nicotine patches usually used by smokers who are trying to kick the habit in order to test the theory. That is an important step forward. The blanket approach of trying to stop everyone knowing anything about tobacco could be detrimental to the health of the nation.

Mr. Carlisle: As usual, my hon. Friend the Member for Stafford makes an extremely helpful point. He has given a medical fact and I am grateful to him. Similarly, a couple of glasses of wine are now reckoned to help in preventing heart disease. I fear that some Opposition Members wish to ban the advertising of alcohol; some of them have already hinted that. On that basis, amendment No. 78 should be approved by the House.

11 am

Mr. Barron: I am, once again, intrigued by the hon. Gentleman's claim that smoking cigarettes is in the interests of public health. He also said that in Committee. More important, if he truly believes what he is saying about the amendments he has tabled, why did he not table amendments in Committee? We could have sat not only for hours, but for days or weeks to consider the detail of the Bill. Why did he not do that? At the first sitting, I invited him and his hon. Friend the Member for High Peak (Mr. Hendry), who has also tabled amendments, to table amendments in Committee. Everyone knows the answer to that question. The hon. Gentleman should tell the House why he has some of his hon. Friends here to discuss issues that we could have discussed in detail in Committee.

Mr. Carlisle: I shall answer a question with a question. Why did the hon. Member for Kirkcaldy (Dr. Moonie) table several amendments in Committee? Except for once or twice when he had the assistance of my hon. Friend the Member for High Peak (Mr. Hendry) and myself, he was the only person voting for them. This is part of parliamentary procedure. Since the Bill came to our attention, was debated on Second Reading and then went into Committee, several other matters, as is right, have come up and should be discussed fully. The hon. Member for Rother Valley is saying that we should not discuss his Bill because he believes that it is in perfect form. Conservative and Opposition Members have an absolute right to question the Bill and to table amendments as they see fit.

Mr. Barron: I gave the hon. Gentleman the right to table amendments by putting him on the Committee, as I had the right to do as promoter of the Bill, although I knew that he and his hon. Friend the Member for High Peak opposed the Bill—*[Interruption.]* That is the procedure of this House. If hon. Members do not know the rules, they should check them. I put the hon. Member for Luton, North (Mr. Carlisle) on the Committee on the basis that he opposed the Bill. The honourable thing to do would have been for him to table the amendments in Committee, when we could have discussed them, instead of taking part in this procedural mugging.

In the first sitting on 23 February, the hon. Member for Luton, North said:

"We were tempted to table numerous amendments—we thought of as many as 200".—[*Official Report, Standing Committee C,* 23 February 1994; c. 5.]

Instead, the hon. Gentleman has waited to table amendments until today when, as he knows, time is limited and the Bill will be procedurally mugged. All his hon. Friends who accept that one can do this to a Bill that is a major issue of public health should be ashamed of themselves.

Mr. Carlisle: Oh dear, we have ruffled the hon. Gentleman's feathers. As I gave him notice in Committee that several amendments might be tabled, I am surprised that he did not make his point in Committee rather than allowing his hon. Friend the Member for Kirkcaldy to table some stupid and spurious amendments. We know that they

[Mr. Carlisle]

were designed specifically to try to prevent discussion on the Floor of the House, when the whole House could take part, because they would be voted on only in Committee.

Sir Jerry Wiggin *(Weston-super-Mare): On a point of* order, Mr. Deputy Speaker. The hon. Member for Rother Valley (Mr. Barron) has just stated that he placed hon. Members on the Committee. I am sure that the Committee of Selection observed the normal courtesy of seeking advice from the hon. Gentleman. He has said, not only on the Floor of the House, but outside the House, that he placed hon. Members on the Committee. It would be a great mistake if such a perversion of the reality was allowed to become current belief.

Mr. Deputy Speaker: It is a matter for the Committee of Selection. [HON. MEMBERS: "Withdraw."] Order. The House must settle down.

Mr. Barron: On a point of order, Mr. Deputy Speaker. I came third in the ballot and decided to promote this Bill. When I left the Chamber after the Bill's unopposed Second Reading, the Clerk to the Public Bill Office gave me a letter that said that I could nominate hon. Members to the Committee, with the exception of the Under-Secretary of State for Health, the hon. Member for Bolton, West (Mr. Sackville).

Mr. Deputy Speaker: It is quite simple. As the House knows, the hon. Member for Rother Valley (Mr. Barron) will have had some input in terms of suggesting names. It is then a matter for the Committee of Selection. Full stop.

Mr. Leigh: On a point of order, Mr. Deputy Speaker. A disgraceful slur has been made against the hon. Member for Rother Valley. Would you, Mr. Deputy Speaker, ask him to explain himself so that his good character can be vindicated? Namely that he—

Mr. Deputy Speaker: Order. Hon. Members are responsible for their own speeches. That is it.

Mr. Leigh *rose—*

Mr. Deputy Speaker: Order. I have made a ruling.

Mr. Carlisle: I shall give way to my hon. Friend the Member for High Peak.

Mr. Charles Hendry (High Peak): Does my hon. Friend agree that the memory of the hon. Member for Rother Valley is rather selective? When we moved the first amendment in Committee, shortly after my hon. Friend had started to speak the hon. Member—

Mr. Deputy Speaker: Order. Let us talk about today's amendments and not about amendments moved in Committee.

Mr. Carlisle: I take it that we have talked enough about amendments Nos. 78 and 79, although other hon. Members may come back to them. I know turn to amendment No. 18, which is important and helpful to the Bill.

Mr. Sweeney: My hon. Friend seems to have been advancing the argument that a little bit of tobacco is good for people, just as the odd glass of wine is good for people. Is he not aware that the overwhelming medical evidence is that even a small number of cigarettes are harmful? If a heavy smoker cuts down his smoking, he improves his chances of a long life. The more he cuts down, the more he improves those chances. The best thing for a heavy smoker to do is to give up smoking entirely. The best thing for a non-smoker to do is never to take it up.

Mr. Carlisle: I thought that we had dispatched amendment No. 78, but I shall go back to it as my hon. Friend the Member for Vale of Glamorgan seems to want me to do so. If my hon. Friend looks carefully at the Bill, he will see that without the excellent and helpful amendment No. 78, tabled by me and by my hon. Friends, he will be denying access to advertisements and information to those who find that the odd intake of nicotine through tobacco products or, as my hon. Friend the Member for Stafford said, through patches on part of the human tissue—which may count as a tobacco product —is helpful. We need the amendment to assist those people. My hon. Friends may disagree with that and may vote against the amendment.

Mr. Richard Alexander (Newark): Does my hon. Friend agree that if the Bill goes through as drafted, the opportunity for health warnings through advertising on notice boards will go? We shall lose a great opportunity for advising people about the health hazards of smoking.

Mr. Carlisle: My hon. Friend is absolutely right. There is no doubt that since the health warning appeared on poster sites and on cigarette packets, there has been a continuing drop in the number of people who smoke. The background to our debate should be along those lines. As a result of the Government's policy, the voluntary agreement and the decisions made by many individuals, who have not been nannied by hon. Members, the consumption of tobacco has been reduced. That is why amendment No. 78 should find favour with the House.

Mrs. Anne Campbell (Cambridge): I draw the hon. Gentleman's attention to a letter I received from the East Anglian health authority, which is situated in my constituency. The letter says that overall, people in East Anglia are healthier than people in the rest of England, but that they do particularly badly in terms of smoking-related diseases. The letter writer quotes the number of deaths of people from coronary heart disease and the incidence of lung cancer among women, which is increasing in the region. She says:

"all groups of health professionals are convinced that our local efforts would be much more effective if they were supported by a ban on the advertising and promotion of tobacco."

That negates what the hon. Member is saying about the possible beneficial effects of tobacco.

Mr. Carlisle: The hon. Member for Cambridge (Mrs. Campbell) is making the bland assertion that because the incidence of smoking in her region, which I know well, is higher than that in other regions, it means a higher rate of heart disease and stress. I suggest to the hon. Lady that if I lived in Cambridge, with a Labour Member of Parliament and a Labour council, I would feel extremely stressed. I am not surprised by the figures that she quotes.

Mr. Robert Banks (Harrogate): My hon. Friend referred earlier to the influence of advertisements on children and smoking. Does he not agree that it is extraordinary that the brand of cigarettes which is most widely sold in this country—Silk Cut—has nothing in its advertisements at all which relates to smoking other than

the warning? Is it not the warning that is important? Without those advertisements, we would not have the warning.

Mr. Carlisle: I agree with my hon. Friend.

Mr. Alan Howarth *rose—*

Mr. Carlisle: May I answer the point and then come back to my hon. Friends the Members for High Peak and for Stratford-on-Avon? I am anxious to get on, but my hon. Friend the Member for Harrogate (Mr. Banks) has raised an important point.

Obviously, to many of us, such advertisements are totally ambiguous. We do not understand what they are and they are specifically aimed by the industry at those 26 per cent.—my hon. Friend the Member for Stafford said 7 per cent.—who change brands year in year out. However, they are changing brands on a falling market. Those advertisements are purely for existing smokers. I do not believe that some of the advertisements encourage non-smokers.

Mr. Howarth: I am grateful to my hon. Friend for giving way a second time. In response to comments made by my hon. Friends the Members for Newark (Mr. Alexander) and for Harrogate (Mr. Banks), my hon. Friend the Member for Luton, North seems to be going so far as to suggest that it was the very existence and continuation of advertising, carrying health warnings, that had caused the diminution of tobacco consumption. Is that really what he is saying, because the debate is becoming quite surreal?

Mr. Carlisle: Many of the arguments that we heard in Committee from Opposition Members were surreal, but I hate to cast aspersions on my hon. Friends. One should consider the evidence that has been put forward by many bodies and organisations that are nothing to do with the tobacco industry, such as, for example, the social affairs unit, which does not exactly sound like a right-wing Conservative organisation, but is headed by Dr. Digby Anderson who had the privilege of going to school with me. What he says in his evidence and what others say demonstrates that tobacco advertising is a factor, but that it is a very minimal factor. The biggest effect of advertising is switching of brands.

Mr. Hendry: Will my hon. Friend confirm that one of the Government's objectives is to encourage people to switch to low-tar cigarettes and that the best way in which people can get information about the tar levels of a cigarette is through advertising messages? If we get rid of the advertising of tobacco, the competition will concentrate on price wars and we shall end up with people being encouraged to smoke more because cigarette prices will come down.

Mr. Carlisle: My hon. Friend is absolutely right and we have seen that happen in a price war over the importation of cigarettes through the ports because of duty-free goods. The consumption of one particular brand has risen quite dramatically because of its price. To the Government's credit, they have tried hard on the basis of "The Health of the Nation" White Paper, their whole thrust being to discourage smoking. That is reflected in the taxation policies of my right hon. and learned Friend the Chancellor of the Exchequer and his predecessor. There is no doubt that the higher the price goes, the more people tend to give up smoking. However, it is not for the House to dictate to those 16 million adults who wish to smoke and to tell them that a legitimate product should not be advertised.

Mr. Quentin Davies: May I make a point in response to our hon. Friend the Member for High Peak (Mr. *Hendry*), *who appeared to be arguing that one of the* disadvantages to the nation's health of banning advertising would be that it would no longer be possible to tell people about the supposed medically and clinically beneficial effects of tobacco consumption in the circumstances outlined by my hon. Friend the Member for Stafford Mr. Cash)?

Surely my hon. Friend the Member for Luton, North would agree that the voluntary agreement precludes the industry from using the medium of advertising to draw to the attention of the public any such beneficial effects of tobacco, if such effects exist. Therefore, any damage would be done not by the Bill being passed, but, in the light of the analysis of my hon. Friend the Member for High Peak, by the voluntary agreement, which would impede the communication of medically useful information. Is that really what really my hon. Friend the Member for Luton, North is arguing? If so, he is arguing not against the Bill, but against the voluntary agreement.

11.15 am

Mr. Carlisle: Aside from the comments of my hon. Friend the Member for Stamford and Spalding, we do not know what the revised form of the voluntary agreement will be. The voluntary agreement has been extremely successful in reducing the consumption of tobacco products—far more successful than in those countries where there has been an absolute ban. That is the merit of the agreement, which my hon. Friend the Member for Stamford and Spalding will certainly outline to the House if he has a chance later and catches your eye, Mr. Deputy Speaker.

Sir Peter Emery (Honiton): I have not interrupted my hon. Friend before, but may I ask him to refer to the request from Professor Dame Margaret Turner-Warwick, as he is talking on the medical side? She is the first lady ever to have been a president of one of the royal societies of medicine. She was president of the Royal Society of Physicians and wrote:

"The increase in lung cancer incidents is almost entirely due to cigarette smoking. Please help to reduce the unacceptable level of preventable deaths and disease caused by tobacco by supporting the private Member's Bill to ban tobacco advertising."

Does he dismiss that absolutely?

Mr. Carlisle: I believe that my right hon. Friend brought up a similar point on Second Reading, not Committee. Opinions vary on this very touchy subject. I do not think that my right hon. Friend would say that one opinion expressed by one person supported by others would necessarily be taken as gospel in the House. She is entitled to her opinion, as are other medical professors, who would take a contrary view, not only on that, but on passive smoking and other subjects.

Mr. Cash: Would my hon. Friend also be interested to know that the eminent Central Council of Physical Recreation has sent me a letter today, which says that it takes a long-term view and very much hopes that the Bill

[Mr. Cash]

will not go through? Those people are responsible for so much of the physical recreation and health of the nation. It knows perfectly well, as it says:

"to single out one legal product as the object of special Government restriction within the market place is not only odd but does present a future threat to other products and services which may from time to time become unpopular or out of favour."

There is a real balance in the argument about the merits and demerits of the Bill, not only on medical grounds, but on physical recreation and health.

Mr. Carlisle: My hon. Friend is absolutely right. He will know, as chairman of the Conservative Back-Bench committee, that sporting matters are of direct interest to me. The CCPR has consistently said that banning tobacco advertising would be very detrimental to sport.

Several hon. Members *indicated dissent.*

Mr. Carlisle: In particular, it says in the existing voluntary agreement—I see hon. Members on the Opposition Front Bench shaking their heads and making gestures at me. It says in the voluntary agreement that sport should not be influenced by tobacco companies and, indeed, should not be promoted. That has been agreed, not only in the voluntary agreement, but in the separate code for sport. There is overwhelming evidence that just to ban the advertising of a legitimate product, which is all we are talking about here, would affect a lot of people in the sporting world and elsewhere. Many would be denied the sports they currently enjoy if it were not for the sponsorship of certain tobacco companies.

Mr. Nigel Evans (Ribble Valley): As my hon. Friend will know, I have a retail interest in selling tobacco products and also have experience of selling tobacco products to many customers in the Swansea area. I should be delighted if all my customers gave up smoking because I know of the damage that it does to their health. However, we have diversified over the years.

Is my hon. Friend aware that, when I first started selling tobacco products, the popular brands were Woodbine, Capstan Full Strength and Senior Service—high in nicotine and tar yield? Now, our highest selling brand is Silk Cut, which is a low-tar cigarette. If one talks about safer cigarettes, there is one. It is the advertising of the benefits of switching from high-tar to low-tar cigarettes which the Bill would ban.

Mr. Carlisle: My hon. Friend is an expert in his field and has practical knowledge—

Mr. McCartney: He is an expert in selling cigarettes.

Mr. Carlisle: If I may say to the hon. Member, I am not sure whether it is for Makerfield or Mafeking, my hon. Friend the Member for Ribble Valley (Mr. Evans) is legitimately selling a product, which is lawful, to those who are legitimately allowed to buy it. Thank heavens, assuming that the Bill does not find favour with the House, he will still be able to advertise that product.

My hon. Friend is entirely right that, in terms of the tar content, the advertising of cigarettes has improved with the health warning and with the ability of tobacco companies to say to their customers that they have a lower-tar cigarette and, therefore, encourage them to switch to that brand rather than to others. That must be beneficial to the running of the industry and the way in which things are going.

Mr. Leigh: I take up the point that was made by my hon. Friend the Member for Ribble Valley (Mr. Evans). Since 1986, the number of people smoking middle-tar cigarettes has fallen from 40 per cent. to 4 per cent. The central feature of the arguments that are being advanced by some of my hon. Friends is that if we ban advertising there will be no inducement to switch to low-tar cigarettes.

Mr. Carlisle: My hon. Friend is right. The evidence is irrefutable.

There are many amendments before us and I know that the House is anxious to make progress. Having discussed amendments Nos. 78 and 79 reasonably comprehensively —I accept that there may be some divisions, as it were, between my hon. Friends, some of whom may not like the amendments—I shall move on to amendment No. 18. If the hon. Member for Rother Valley has studied it, I think that he will agree that it would be an extremely helpful amendment to his Bill.

The amendment turns on communications with those in the industry and with those working for the industry. When the hon. Gentleman tabled his Bill, I do not think that he intended it to introduce such swingeing restrictions. For example, if his Bill were enacted as it stands, it could prevent tobacco companies from engaging in communications, if I may use the term, with their employees, with their trade unions or with their works councils. I do not think that that was the hon. Gentleman's intention. I see that he is nodding.

It is not for me to comment on whether the hon. Gentleman took advice on the drafting of the Bill. Equally, it would not be for me to comment on where his advice, if he received any, came from. Obviously it did not come from the trade unions. I am sure that they would have been rather upset by such a swingeing restriction being imposed on them. If the hon. Gentleman has received trade union advice, perhaps he will tell us—obviously he did not; otherwise, he would have told us.

As I have said, amendment No. 18 would be extremely helpful. Of course, it may not appeal to every hon. Member. The House may wish to say, if there is a Division, that it does not like it. I believe, however, that it is very helpful. Under the Bill as it stands, a communication from a tobacco company to its employees informing them, perhaps, of a meeting—there might have to be a meeting to discuss the possibility of a pay rise or it may be necessary to discuss the future of the company, including the introduction of improved social benefits—could be prevented from taking place.

Mr. Robert Banks: What would be the position of shareholders and annual reports, for example, in terms of the tobacco companies informing their shareholders of what they are doing and the results that have been achieved? Surely they should be able to communicate that information to their shareholders and, for that matter, to the public at large, who need to be in possession of such information. I have in mind people in the City—bankers and the rest.

Mr. Carlisle: My hon. Friend has raised an important point. Shareholders will need to receive annual reports.

They will need to be notified of dividends, for example, and it will be necessary for them to receive notices of meetings.

As I have said, amendment No.18 reflects a wish to be helpful. We are saying, in effect, that the Bill should be more specific. Tobacco companies should be able to have communications with who they wish. It may be—God forbid—that the Opposition will form a Government. They may wish to relate to the public the ills or possibly even the merits of the social chapter. If it comes before the House or it is introduced into our legislation, a tobacco company, if the Bill is not amended, would not be able to tell its employees of the merits or otherwise, or the conditions imposed, by the social chapter. I ask the House to examine the amendment carefully. It is designed to be helpful and it is unique.

I move on to amendment No. 95, which relates to advertisements on the side of vehicles. In this instance, the hon. Member for Rother Valley has tried to be helpful for he has said that advertisements on the side of moving vehicles might be prohibited. He was not, however, specific. There is a feeling among some of my hon. Friends that the hon. Gentleman should go to his advisers, paid or otherwise—it would not be proper for me to [illegible] that argument, but the drafting should have been done rather more carefully—for further advice.

As things stand, the intention behind the Bill is very much to focus on the name of a company and not necessarily the brand name. In some instances, companies are known not by their name but by their product. For example, there is the Hoover vacuum cleaner. To many people, a vacuum cleaner is a Hoover. They do not use the name of the maker or manufacturer of the instrument. They refer, as it were, to the machinery. Equally, many people talk about Rothmans, John Player or whatever. They do not necessarily refer to the tobacco company itself.

The purpose of amendment No. 95—it is intended, as I have said, to be helpful—is to ensure that advertisements that use a name that is rather different from the name of the product should be allowed on the side of vehicles and on mobile poster sites.

It is an old trick in the motor industry to park vehicles bearing advertisements in places chosen by the company. My own company, the Bletchley Motor Group—I hesitated before mentioning it, excellent company though it is—has painted BMG on the side of a lorry and parked it by the side of a road or in a hotel car park, for example. It is a legitimate method of advertising. As the Bill stands, it would be extremely difficult for my company or a tobacco company to use it.

Mr. Cash: Is my hon. Friend aware that the Bill as it stands would be anti-competitive? Wearing my legal hat, I have from time to time been called upon to give advice on matters of this sort. Will my hon. Friend accept that the Bill could infringe European requirements, laws and regulations? As a result, if the Bill were enacted it could be overridden by the European Court of Justice. That would render the Bill useless and obsolete.

Mr. Carlisle: Many of us regard it as useless. I hope that it will be obsolete after today. However, my hon. Friend is right. With his deep and detailed knowledge of European matters, I think that the House will accept that he has raised an important matter. It is the anti-competitive section of the Bill that we are trying to amend. It is so important to allow proper competition.

Mr. Alexander: Does my hon. Friend agree that, if the amendment were not carried, the Bill, when enacted, would favour a company whose name was the same as its product? By favouring that company, it would discriminate against companies lawfully manufacturing a product but not being able to advertise in the same way.

Mr. Carlisle: My hon. Friend is always sharp in his intellect and understanding in these matters. If I may say so, I could not have put it better myself.

Mr. Robert Banks: I am grateful to my hon. Friend for giving way to me again. Before he leaves the amendment, will he reflect on the fact that it draws attention to how draconian and ridiculous the Bill is? For instance, some tobacco companies may acquire vintage vehicles or replicas of such vehicles, and merely paint the name of the company on the side. Surely that is allowable. Surely that should be permissible in the brand wars that will take place.

Mr. Barron: It is.

Mr. Banks: Are we to expect bevies of inspectors visiting vintage car rallies to ensure that the names of tobacco companies that are painted on the side of vintage vehicles are removed?

Mr. Carlisle: My hon. Friend is right in his worries. As the hon. Member for Rother Valley has said, however—I pay credit to him because he is an honourable man who has done a minimal amount of research into the Bill—he has tried in this instance to ensure that the Bill is not as draconian as it might be. There is, however, still a worry. There is a later amendment—we are galloping through the amendment paper so I am sure that we shall reach it—that would be helpful to the hon. Gentleman on this important point.

I move on to amendment No.2, which deals with stationery. It is extremely important. The Bill, as drafted, will ban stationery and other identifying items that could be deemed to be communications constituting or containing an advertisement. That is extraordinary—it means that, if a tobacco company has a logo and wishes to communicate with anyone—possibly hon. Members—it will have to be careful that it does not fall foul of the legislation and be deemed to be advertising its product.

11.30 am

It will be extraordinary if a company cannot even write to its customers in the fear that it may be advertising its wares. It could not write to the Department of Health to say that the next cigarette that it was to manufacture was lower in tar. It could only do so on blank paper that gave no sign of the sender of the letter. That begs the question as to what is a letter and what an advertisement. The House must consider that issue, which is why the amendment is helpful. Some hon. Members may not think so, but those of us who have put our names to it believe so.

Are we to legislate so that a tobacco company cannot put its name at the top of the letterhead for fear that it will contradict the law by advertising its wares and itself?

Mr. Nigel Evans: The greatest number of communications that—[HON. MEMBERS: "You should declare your

[Mr. Nigel Evans]

interest."] I have already declared my retail interest; the hon. Member for Makerfield (Mr. McCartney) was not listening.

The greatest number of communications that we in the retail trade receive from the tobacco industry normally arrive after a Budget when the price of tobacco products has increased. Such price increases have contributed more than anything else to the decrease in tobacco consumption in this country.

Mr. Carlisle: My hon. Friend is absolutely right. The legislation would have an extraordinary effect on a company's communications by letter. Tobacco companies may wish to ask, as they have in the past, Opposition Members to attend sporting functions that they have sponsored. They would receive short shrift from some of those on the Opposition Front Bench—not all of them. The Bill would make it impossible for Opposition Members to say no in response to those letters, as they would not have received the invitations in the first place.

Mr. Cash: My hon. Friend is focusing with great accuracy on the defects of the Bill's drafting, including the matter of what is or is not an advertisement for a tobacco product, which hinges on the form of communication. Let us take the point beyond the issue of stationery that my hon. Friend mentioned. Has it occurred to my hon. Friend that communication would include all the material contained in every computer in every company throughout the country—personal and otherwise—and that those forms of communication would also have to be extracted? Has the Bill's promoter given any consideration to the manner in which that would be achieved?

Mr. Carlisle: My hon. Friend is right. There is another amendment—we shall discuss it later should you consider it worthy of debate, Madam Speaker—that deals with communications that take place before the Bill, if enacted, comes into force. A situation could arise similar to that mentioned by my hon. Friend the Member for Harrogate when he referred to the vintage cars. The sending of a letter that did not originally constitute an offence could become an offence were that letter resurrected and later, after the enactment of the Bill, sent to an intended customer or client. I commend my extremely helpful amendment to my hon. Friends—although some of them may think that it should be voted down.

Amendment No. 17 deals, in a similar way, with a different and important matter—entries in business directories. It deals with the problems that might arise with, for example—I hesitate to name a commercial company —*Yellow Pages*, a business directory familiar to all hon. Members. The amendment will allow tobacco companies to advertise their tobacco products or put their names in a directory without fear of prosecution.

We could face an extraordinary situation were the Bill passed as drafted, as tobacco companies would not be able to put their names in a business directory to invite customers or opponents to contact them. They would be unable to do so as, according to the Bill, they could be liable to prosecution for doing so. Legitimate sellers of a legitimate product would be unable to put their names in a business directory, not necessarily to advertise but to make people aware of their presence. That would be true were the Bill not amended by the modest amendment No. 17.

Hon. Members will know that on many occasions companies ring up stating that they want to insert advertisements in business directories, when they do not. The Bill would prevent even the names of those companies appearing in the directories, which would, according to the Bill as drafted, be deemed to be advertising material. I am glad to see some of my hon. Friends shaking their heads in utter disbelief at that.

Mr. Harry Greenway: I have to be concerned—as would any hon. Member who wants to do his or her job —for my 400 or 500 constituents who work for Gallaher. Is my hon. Friend saying that, without the amendment, the Bill would mean that any advertisement for jobs or relating to the company would be banned? That would mean that in an area where there is already serious unemployment, it would be even more difficult for people to obtain jobs. Is that not a serious matter for the House, and for me, as the Member representing those honourable people?

Mr. Carlisle: My hon. Friend is right. That will be the fear if the Bill is implemented as drafted. The hon. Member for Rother Valley complains about our amendments, but he should have thought about the Bill properly before he brought it before the House.

The Bill contains reams of words that would be detrimental to the interests of the British people and employees in the industry or the retail sector, as my hon. Friend the Member for Ribble Valley (Mr. Evans) said. The House will now have some idea of the draconian measures promoted by the hon. Member for Rother Valley. That is why we are anxious to try to amend it to make it better if possible.

Mr. Don Dixon (Jarrow): On a point of order, Madam Speaker.

Mr. Alan Howarth: My hon. Friend the Member for Luton, North (Mr. Carlisle) described the legislation as draconian. He will be aware—

Madam Speaker: Order. I have a point of order.

Mr. Dixon *rose in his place and claimed to move,* That the Question be now put.

The House proceeded to a Division—

Mr. Peter Griffiths (Portsmouth, North) (*seated and covered*): On a point of order, Madam Speaker. Will you consult your Clerk about the assurance given one hour ago by your Deputy that those hon. Members who did not make repeated or lengthy interventions would be looked upon kindly by him when the time came for them to speak? I have sat and followed his directions exactly, only to find myself unable to speak on the amendment in my name.

Madam Speaker: I hope that all hon. Members who have the Floor will take into consideration the fact that there are many hon. Members with differing and with similar views whose voices must be heard. I hope that hon. Members will show discipline during the debate so that hon. Members—such as the hon. Member for Portsmouth, North (Mr. Griffiths)—who have tabled amendments, are allowed to speak to them. That is what I wish to see—unfortunately, some hon. Members who take the Floor tend to become a little tedious and repetitious. We have to make a little progress at some time.

Mr. Couchman (*seated and covered*): On a point of order, Madam Speaker. There is an amendment within this

group—amendment No. 43—in my name which I have not had an opportunity to debate. I hoped that I would be able to do so. I accept that my hon. Friend the Member for Luton, North (Mr. Carlisle) has a great many amendments standing in his name and that he has felt it necessary to expand at some length on them, but I am disappointed that you have not found it possible to allow me to speak to the amendment in my name. It is a very important amendment and it should be debated.

Madam Speaker: All amendments are important to me. I find it somewhat disappointing that the hon. Member for Luton, North has not allowed the hon. Gentleman to speak to his amendment.

Mr. John Carlisle (*seated and covered*): On a point of order, Madam Speaker. Could you advise me as to whether being tedious is being out of order, as both you and Mr. Deputy Speaker did not pull me up too many times—in fact, almost not at all—as I tried to keep to the subject?

Perhaps I should apologise to you, and possibly to the House, if you found it tedious, Madam Speaker. I wonder whether that word could be struck from the record, as it casts an aspersion on my ability to engage the House in conversation.

Madam Speaker: Being tedious is not being out of order; it is a matter of opinion. The hon. Gentleman will respect all our individual opinions on matters.

The House having divided: Ayes 117, Noes 9.

Division No. 238] **[11.37 am**

AYES

Abbott, Ms Diane
Allen, Graham
Alton, David
Anderson, Ms Janet *(Ros'dale)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Berry, Roger
Blunkett, David
Boateng, Paul
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Byers, Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, D. N.
Canavan, Dennis
Clapham, Michael
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Davies, Quentin *(Stamford)*
Davis, Terry *(B'ham, H'dge H'l)*
Dixon, Don
Dobson, Frank
Dover, Den
Eagle, Ms Angela
Emery, Rt Hon Sir Peter
Enright, Derek
Etherington, Bill
Fatchett, Derek
Fisher, Mark
Flynn, Paul
Forman, Nigel
Foster, Rt Hon Derek
Gapes, Mike
Gerrard, Neil
Godman, Dr Norman A.
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Harman, Ms Harriet
Hinchliffe, David
Hoey, Kate
Howarth, George *(Knowsley N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Jessel, Toby
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Kaufman, Rt Hon Gerald
Kirkwood, Archy
Lewis, Terry
Livingstone, Ken
Lynne, Ms Liz
McAllion, John
McCartney, Ian
McKelvey, William
Maclennan, Robert
McWilliam, John
Mahon, Alice
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Miller, Andrew
Moonie, Dr Lewis
Morris, Rt Hon A. *(Wy'nshawe)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
O'Brien, Michael *(N W'kshire)*
O'Hara, Edward
Oliver, William
Peacock, Mrs Elizabeth
Pike, Peter L.
Pope, Greg
Prentice, Ms Bridget *(Lew'm E)*
Primarolo, Dawn
Quin, Ms Joyce
Raynsford, Nick
Roche, Mrs. Barbara
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Shephard, Colin *(Hereford)*
Shore, Rt Hon Peter
Simpson, Alan
Sims, Roger
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Spearing, Nigel
Squire, Rachel *(Dunfermline W)*
Stanley, Rt Hon Sir John
Sweeney, Walter
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Townsend, Cyril D. *(Bexl'yh'th)*
Wallace, James
Waller, Gary
Ward, John
Wicks, Malcolm
Williams, Alan W *(Carmarthen)*
Wolfson, Mark

Tellers for the Ayes:
Mr. Andrew Bennett and
Mr. Alan Howarth.

NOES

Banks, Robert *(Harrogate)*
Evans, Nigel *(Ribble Valley)*
Gardiner, Sir George
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Hendry, Charles
Skeet, Sir Trevor
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*

Tellers for the Noes:
Mr. Richard Alexander and
Mr. Jerry Wiggin.

Question accordingly agreed to.

Question put accordingly, That the amendment be made:—

The House divided: Ayes 19, Noes 108.

Division No. 239] **[11.50 am**

AYES

Banks, Robert *(Harrogate)*
Carlisle, John *(Luton North)*
Cash, William
Couchman, James
Evans, Nigel *(Ribble Valley)*
Gardiner, Sir George
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth, N)*
Hendry, Charles
Jenkin, Bernard
Leigh, Edward
Mitchell, Sir David *(Hants NW)*
Moss, Malcolm
Shaw, Sir Giles *(Pudsey)*
Skeet, Sir Trevor
Waller, Gary
Watts, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*

Tellers for the Ayes:
Sir Jerry Wiggin and
Mr. Richard Alexander.

NOES

Abbott, Ms Diane
Allen, Graham
Alton, David
Anderson, Ms Janet *(Ros'dale)*
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beith, Rt Hon A. J.
Berry, Roger
Boateng, Paul
Bray, Dr Jeremy
Byers, Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, D. N.
Canavan, Dennis
Clapham, Michael
Clwyd, Mrs Ann
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Davies, Quentin *(Stamford)*
Davis, Terry *(B'ham, H'dge H'l)*
Dixon, Don
Dobson, Frank
Dover, Den
Eagle, Ms Angela
Emery, Rt Hon Sir Peter
Enright, Derek
Ewing, Mrs Margaret
Fatchett, Derek
Fisher, Mark
Flynn, Paul
Forman, Nigel
Foster, Rt Hon Derek
Fraser, John
Gapes, Mike
Gerrard, Neil
Godman, Dr Norman A.
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Harman, Ms Harriet
Hoey, Kate
Howarth, George *(Knowsley N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Jessel, Toby
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Kaufman, Rt Hon Gerald
Lewis, Terry
Litherland, Robert

Livingstone, Ken
Lynne, Ms Liz
McAllion, John
McCartney, Ian
McKelvey, William
Maclennan, Robert
Mahon, Alice
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Miller, Andrew
Morris, Rt Hon A. *(Wy'nshawe)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
O'Brien, Michael *(N W'kshire)*
O'Hara, Edward
Oiner, William
Peacock, Mrs Elizabeth
Pike, Peter L.
Pope, Greg
Prentice, Ms Bridget *(Lew'm E)*
Prescott, John
Primarolo, Dawn
Raynsford, Nick
Roche, Mrs. Barbara
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Shepherd, Colin *(Hereford)*
Simpson, Alan
Sims, Roger
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Spearing, Nigel
Squire, Rachel *(Dunfermline W)*
Stanley, Rt Hon Sir John
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Townsend, Cyril D. *(Bexl'yh'th)*
Wallace, James
Ward, John
Wicks, Malcolm
Williams, Alan W *(Carmarthen)*
Wolfson, Mark

Tellers for the Noes:
Mr. Andrew F. Bennett and
Mr. Alan Howarth.

Question accordingly negatived.

Mr. John Carlisle: On a point of order, Madam Speaker. You told me privately a few moments ago, but I am sure that you will not mind if I reveal our conversation to the House, that you would not accept any Divisions on the remaining amendments to the clause. With the greatest respect, may I ask for your reasons, because the amendments were deliberately tabled on different subjects, as I tried to explain, however tediously, in a brief intervention. Apart from two possible exceptions, the amendments are quite different from each other. They are important and I am utterly disappointed that, unless you are persuaded otherwise, you will not allow Divisions on them.

Mr. Leigh: Further to that point of order, Madam Speaker. I appreciate that there is precedent for not choosing subsequent amendments, but I understand that if the amendments are substantially different and have not been covered in the debate—and I understand that up to 17 have not—there is equal precedent for allowing further Divisions.

Madam Speaker: There are no precedents for allowing Divisions on any of these amendments. I did not expect the hon. Member for Luton, North (Mr. Carlisle) to reveal the contents of a private conversation, but, as he has done so, I shall reveal to the House that I told him that I would not allow Divisions on these amendments.

Mr. McCartney: On a point of order, Madam Speaker. It is on a separate matter. It has become obvious from discussions behind the Chair that the Under-Secretary of State will seek to make a statement on the Department of Health's policy on the agreement between the tobacco industry and the Department. That is an unusual way to proceed, because he has not sought to indicate through the business of the House that a departmental statement is to be made. Because of that, the official Opposition have not been given a copy of the statement. That means that the Minister will try to make a Government statement on the back of inappropriate amendments, thus not allowing a proper questioning of him about Government policy on this matter.

On Second Reading, the Minister for Health made it plain that negotiations were taking place and that at the end of them the Government would provide an opportunity for the Department to set out the Government's clear policy lines on this matter. It is totally inappropriate and a misuse of the House by the Minister to attempt to get a Government policy statement in this way, thus using the House's time to talk out the Bill. I should like some clarification about how the Minister intends to proceed in this matter.

Mr. Couchman: On a point of order, Madam Speaker.

Madam Speaker: Does it relate to this matter?

Mr. Couchman: Yes. At the beginning of the debate, I asked why you had decided not to call new clause 3. You suggested that it was because it was not in sympathy with the Bill. I did not question you because I respect your right to choose amendments, but had you selected new clause 3 for debate it would have been an admirable vehicle for my hon. Friend the Under-Secretary to make an up-to-date position statement on the voluntary agreement.

Madam Speaker: I respect the hon. Gentleman's comments, but he appears to be challenging my decisions and, of course, the Speaker does not give reasons for the non-selection of new clauses or amendments.

Mr. Cash: On a point of order, Madam Speaker.

Madam Speaker: I am on my feet and about to speak. I understand that the Minister wants to comment on the amendments. Alas, he has not been able to do so. Perhaps if we made some progress he would have an opportunity to speak and I am sure that we would all be interested in what he has to say.

Mr. Barron: Further to that point of order, Madam Speaker.

Madam Speaker: There cannot be any further points of order. I have responded as best I can and we are waiting to hear what the Minister has to say—if he gets an opportunity to speak. I should have thought that the House wanted to make some progress on the matter.

Mr. Barron *rose—*

Madam Speaker: I shall hear the hon. Gentleman.

Mr. Barron: I want to clarify the situation. The Bill stands alone and has nothing to do with the voluntary agreement, irrespective of whether that has been renegotiated. The Bill will replace it and nowhere does the Bill mention the voluntary agreement. As hon. Members have been saying for many months, the Bill stands alone.

Mr. Cash: Further to that point of order, Madam Speaker.

Madam Speaker: No, I have heard enough points of order and they are now becoming repetitious. We must now make some progress.

Mr. Hendry: I beg to move amendment No. 38, in page 1, line 10, leave out 'wholly or mainly'.

Madam Speaker: With this we shall take the following amendments: No. 37, in page 1, line 10, after 'purpose', insert

'to an extent (in comparison with the whole area of the premises used for selling purposes) prescribed in regulations made by the Secretary of State'.

No. 36, in page 1, line 11, after '(b)', insert

'as respects premises to which paragraph (a) above does not apply'.

No. 108, in page 1, line 12, leave out from 'contains' to 'a' in line 13.

No. 10, in page 1, line 12, leave out 'only'.

No. 35, in page 1, leave out lines 18 and 19.

No. 9, in page 1, line 18, after 'advertisement', leave out to the end of line 19 and insert

'is not within one metre of any external door, window or other opening, through which it is visible from outside the building'.

No. 34, in page 1, line 19, at end insert—

'(2A) For the purposes of subsection (1) a booth, kiosk or area within retail premises divided or partitioned from the remainder of the premises shall itself be treated as being premises.'.

Mr. Hendry: The amendment—*[Interruption.]* I declare no interest because I have none to declare. The only interest that I feel I should declare is that some of my constituents work for a tobacco company in Hyde and I therefore represent their interests in this matter.

One of the reasons why we found it necessary to table some of the amendments is because of the very shabby treatment that my hon. Friend the Member for Luton, North (Mr. Carlisle) and I received in Committee. I say that because, no sooner had my hon. Friend started to move the first amendment, than the hon. Member for Rother Valley (Mr. Barron), the promoter of the Bill, pushed for a closure and made it clear that he did not wish us to play a constructive part in the consideration of the Bill.

He also made it clear that he wished to conclude the Committee's consideration of the Bill in three mornings. It was made very evident to us that he was not interested in detailed discussion of matters such as the voluntary agreement, which, whatever he says, is fundamental to the Bill. We found it necessary therefore to declare in Committee that we would table amendments on Report because we did not feel that we had been given the opportunity to make those points properly.

The hon. Gentleman kindly wrote to me last week and asked me to ensure that I was here today. You, Madam Speaker, know that I am a reasonable man and that on all occasions I seek to be helpful, so I went to great lengths to rearrange my diary to be here today. It comes as a bitter and devastating blow to be told, having gone to those lengths to be here and partake in further consideration of the Bill, that we are not being serious, that we are being pushed by outside bodies and are not considering matters in which we believe.

Mr. Barron: I am interested in the hon. Gentleman's comments, especially about his constituents, as I have a letter here from a Mr. John Pemberton—a constituent of his—emeritus professor of social and preventive medicine at Queen's university, Belfast. The hon. Gentleman wrote to him after Second Reading and sent him a copy of the Minister's speech, but not of my Second Reading speech. Will he tell us in the even-handed manner that he talks why he did that?

Mr. Hendry: I am delighted to explain. My hon. Friend the Minister made such an outstandingly good speech that it was imperative that my constituent should be given the chance to see it. Dr. Pemberton wrote to me and, in one of his letters, made it clear that he was writing as a member of the Hope Valley Labour party—[HON. MEMBERS: "Oh!"]—and that, perhaps, explains one of the reasons why he was seeking to oppose the matters.

Mr. Alan Howarth: Just so that there is no confusion, I hope that my hon. Friend will recognise that a considerable number of his hon. Friends are strongly in support of the Bill to ban tobacco advertising.

Mr. Hendry: I fully appreciate that point and can assure my hon. Friend that I would be happy to send any of his speeches to my constituents, because they make powerful reading. He always makes a strong case, even were I to disagree with him.

We heard the most astonishing allegations earlier from the hon. Member for Workington (Mr. Campbell-Savours), who said that it was inappropriate for hon. Members to be given guidance from outside organisations. The fact that the Advertising Association believes that it will be decimated by the Bill, that tobacconists believe that they will suffer grievously, and that my constituents who work in tobacco companies feel that they would be directly affected, is a matter on which they have a duty to inform us so that we can take their views into account. I find it reprehensible in the extreme that the hon. Member for Workington should suggest that, because we have listened to the pressures that have been put on us, we have in any way been operating improperly.

It is astonishing that those who introduced the Bill have not told yet told us who paid for its drafting. We have seen the hon. Member for Rother Valley scuttling off now and again to talk to representatives of Action on Smoking and Health. Perhaps he will inform us whether it gave legal advice in the drafting of the Bill, because if it is all right for him in that way, surely it is all right for us to get proper legal advice to ensure that our amendments are effectively tabled.

Ms Liz Lynne (Rochdale): The hon. Gentleman should remember that the hon. Member for Workington (Mr.Campbell-Savours) said that the cost of drafting the amendments had been paid for by the tobacco industry, not just drafted by it.

Mr. Hendry: I have no idea where the money comes from to pay for them. Indeed, I do not know who paid ASH to draft the original Bill. It might may not have been ASH, because looking at the Bill, it appears that it was drafted by the central committee of the Stalinist party of Great Britain. Perhaps we should be told if it was involved.

Mr. John Carlisle: My hon. Friend will realise that, since the hon. Member for Rother Valley (Mr. Barron) has not sprung to his feet to say that he did not receive help from ASH, perhaps the hon. Gentleman should remind us that ASH receives money from the public purse—tobacco companies do not. So when the hon. Gentleman castigates the Government about the assistance that they give to hon. Members in other ways, he should castigate ASH, which is taking taxpayers' money to help him to introduce a Bill that will not only cost jobs, of course, but restrict the activities of so many people in the country who legitimately enjoy smoking.

12.15 pm

Mr. Hendry: My hon. Friend makes his point extremely well. But what we should also add, perhaps, is that a significant amount of taxpayers' money comes from

[Mr. Hendry]

the revenue from cigarettes and that the tobacco companies, through their taxes, are helping to fund ASH to draft the Bill, which is against the industry.

I wish to concentrate on the amendments that are on the Order Paper, because they deal with two vital aspects: the first on the definition and nature of retail premises; and the second on communication and how adverts communicate. The first section of amendments specifically seek to allow tobacco advertisements to be displayed in any premises where tobacco products are sold, and removing the definition in the Bill that they should be "wholly or mainly" involved in selling tobacco. Nearly 250,000 outlets in this country sell cigarettes, but only a small proportion of those could conceivably be considered as specialist tobacco retailers. But what is worse is that the Bill gives no indication whatever of the criteria in defining what would be considered mainly or wholly involved in those matters. I will happily give way to my hon. Friend, given his direct knowledge.

Mr. Nigel Evans: As the House knows, I have a retail convenience store and so am one of the 250,000 retail outlets in this country selling tobacco products. I wonder what "wholly or mainly" means. For a store selling tobacco products, is it floor space? Does it relate to turnover of tobacco products, or does it relate to the percentage profit that retail outlets make from tobacco products? Who would enforce it? Who would decide it? Does it mean that the hard-pressed retailers and people who work in such outlets will then be faced with some clipboard bureaucrat from a town hall or Whitehall who will enforce the rules or regulations?

Mr. Hendry: With the greatest respect, my hon. Friend has asked the wrong person. I cannot tell him the answer, because it is not covered by the Bill. The Bill is sloppily drafted and inadequate. It makes no definition whatever of how those terms should be defined.

Mr. John Marshall (Hendon, South): Does my hon. Friend agree that, because of the changing level of tobacco consumption and the fact that many more outlets, such as supermarkets, sell cigarettes than did, say, 30 years ago, only a very small number of shops could say that the majority of their turnover comes from cigarettes. If one used the criterion of turnover, profits or whatever, it would relate to very few shops indeed, and it would be a draconian change in the law.

Mr. Hendry: I strongly agree. We could also take it a little further and look at the fact that, within a supermarket, where, proportionally, a small proportion of its floor space is given over to the retailing of tobacco, its sales and profits from that would be infinitely higher than that of a newsagent in a small retail outlet, where the amount of space given over to the sale of tobacco would be significantly higher as a proportion.

Mr. Barron: I feel that I should help the hon. Gentleman. Given that he sat on the Committee, I am surprised that he has not read the Bill in its entirety, which is a great shame given that it is such a small Bill in terms of its clauses. The Bill makes it an offence to advertise or promote tobacco products. Usually, if anybody in this country breaks the law, it is the police, not any bureaucrat from a local authority or anywhere else who takes action against law breakers. I shall be grateful if the hon. Gentleman reads his own Bill. He would then know that advertising can be displayed on premises that sell only tobacco products, provided that it cannot be seen outside. We are seeking to extend that principle.

Mr. Hendry: *rose—*

Mr. Alan Howarth: My hon. Friend agreed with my hon. Friend the Member for Hendon, South (Mr. Marshall), who characterised the Bill as draconian. My hon. Friend the Member for High Peak (Mr. Hendry) was educated at a school that excelled in classical studies, so he will know that Draco was an Athenian law maker under whose rule many trivial activities were punishable by death. Would it not be fairer to say that the existing legislative regime relating to tobacco products is draconian? Is not that borne out by the comments of, for example, Sir Richard Doll, who said that the Bill's introduction would save 70,000 premature deaths a year?

Mr. Hendry: I am grateful to my hon. Friend for mentioning the outstanding classical education that he and I received. I believe that I might even have been taught by my hon. Friend's father, in the course of getting a grade 1 pass in O-level Latin. Unfortunately, my Greek was less powerful, so I am grateful for my hon. Friend's assistance.

The principle in the Bill is that advertising encourages smokers to switch brands. We have covered that point in great detail already. Some £3 billion of sales are accounted for by switching by customers who are not committed to a particular brand. They are a legitimate target for tobacco companies in persuading their customers to choose one brand rather than another.

Mr. McCartney: Speaking of customers, since this debate started—with a somewhat cavalier attitude being taken by some Conservative Members—56 customers of tobacco products have already died, 10 children have been admitted to hospital and one child under the age of one has died prematurely because of the effect of tobacco products. Will the hon. Gentleman comment on that?

Mr. Hendry: The hon. Gentleman will be aware that, because of Madam Speaker's strictures, I cannot do so. If the hon. Gentleman will refer to the proceedings in Committee, he will learn that I addressed those precise points. I and the overwhelming majority of my hon. Friends, if not all of them, have a deep commitment to seeing the Government's targets in "The Health of the Nation" achieved.

The amendments would remove the necessity to take "wholly or mainly" into account and would allow a more generous application of the principle. They would also give the Secretary of State the power, if that provision is not removed, to decide how those terms should be determined.

The Bill also states that advertising inside premises should not be visible outside. That returns us to the whole issue of communication. Reference was made to the obscure nature of much tobacco advertising. I think that the most obscure of all that I have seen showed a red traffic light with a sign underneath saying "Smoking kills." I cannot understand any person saying, "Good heavens. Smoking kills, so I must go out and buy something to smoke." Another advertisement shows cut silk. What 16-year-old would say, "I have just seen an obscure poster with a piece of silk slashed in half, so I must start smoking —which otherwise I would not have done"?

Yesterday's *Evening Standard* published another advertisement that depicted a particularly vicious, man-eating plant, with the remains of the groin of a pair of purple jeans stuck in its mouth. That would put me off smoking for ever. It would make me wince with pain rather than make me think that smoking was an enjoyable activity. Much tobacco advertising is obscure, and on many adverts the only wording that appears is "Smoking kills you", "Smoking damages your health" or "Do not smoke in front of children." Such advertising is so unlikely to make people start smoking that it is almost irrelevant.

Mr. Forman: Hundreds of millions of pounds are spent every year on tobacco advertising. That advertising has become more and more subtle and subliminal—and as my hon. Friend said, it is principally about market share. Nevertheless, the fact remains that tobacco companies perceive it as worth while to undertake such advertising. Will my hon. Friend explain how that can be? Otherwise, the only possible explanation is that the tobacco companies are wasting their money.

Mr. Hendry: I tried to cover that point, but I will repeat my argument for my hon. Friend's benefit. Some £3,000 million a year is spent by smokers on one tobacco brand or another. Tobacco manufacturers do not spend hundreds of millions of pounds but about £50 million a year. If one can influence a £3,000 million market by spending £50 million, that—as I am sure my hon. Friend, who is immensely knowledgeable in economic and business matters, would agree—is a sensible business proposition.

The provisions in the Bill relating to advertisements visible outside premises are wholly unworkable. They would require premises to be boarded up like some unpleasant sex shop. I apologise for introducing unpleasant terminology but to abide with the law, it would have to be arranged that nobody could look through the window of any premises and see any tobacco advertising or other indication of the product. If some interfering little individual standing on a soap box with a periscope, looking over the signs in the window, could see such advertising, then, under the Bill, those premises would be breaking the law. That is nonsense.

Mr. Couchman: I am involved in a small company that runs a number of public houses that sell cigarettes in vending machines. Would my hon. Friend venture to suggest that under the Bill, if such vending machines could be seen from the window of those public houses, they would represent an offence—because they carry a row of advertisements above each column of the machine, indicating which brand is available? Would the bureaucrat concerned consider that an offence?

Mr. Hendry: Undoubtedly. It goes further. One sees in almost every newsagents a clock behind the counter that bears on its fascia the name of a tobacco product. Such an item would also be considered illegal. I do not believe that such clocks have ever made someone start smoking, yet under the Bill they would be made illegal.

Mr. Robert Banks: Is it not also the case that behind the counter at which one pays, near the entrance of many small shops, a rack of cigarettes is displayed? I could take my hon. Friend to a dozen or more shops in the vicinity of the Palace of Westminster to illustrate that point. Anyone looking through the door of such a shop could see the cigarettes behind the counter.

Mr. Hendry: My hon. Friend is right. Had my hon. Friend the Member for Hendon, South and I been given a greater opportunity to speak in Committee, we would have sought—

Mr. Barron: Will the hon. Gentleman give way?

Mr. Hendry: Of course.

Mr. Barron: In Committee, the hon. Gentleman missed the point that the Bill allows the advertising of tobacco products at the point of sale. A vending machine and a shop counter are both at the point of sale. However, hon. Members in all parts of the House know that the windows of school tuck shops are covered with advertisements for tobacco products, and that shop sun awnings, static advertising boards and illuminated signs promote tobacco products. They are not necessary to promote a product that is on sale inside a shop, properly placed. The hon. Gentleman should know that—it was debated at length in Committee.

Mr. Hendry: The hon. Gentleman fails to grasp the point that the Bill specifically states that people outside a shop should be unable to see point-of-sale adverts. It is possible that some little person from ASH may crawl on his hands and knees, look through a letter-box and see such an advert inside a shop. Such a possibility should be outside the terms of the Bill. The hon. Member for Rother Valley appears to argue that every shop window should be covered with placards and posters advertising something else to ensure that no one, however hard he tries, can see an advert of any description for a tobacco product.

Mr. Nigel Evans: The fascia in my retail establishment advertising Peter Stuyvesant has been replaced by Coca-Cola. We have only rather dull cigarette advertisements on the shop window giving the price of the product. I find it difficult to understand why certain people will not come into my retail establishment, but some people just pass the window, although they do look in. The majority of people do not smoke. If we ban advertising, however, we would deny people the opportunity to read that 17.5 per cent. of an advert that carries the words "smoking kills". Who will pay for such advertisements, which have a useful role in warning youngsters and all sorts of other people that smoking damages health, to appear in my shop window?

Mr. Hendry: My hon. Friend is right.

In trying to educate the public about smoking with a view to achieving the "Health of the Nation" targets, we are trying to make the public and the consumer better informed. We want the public to know when a new low-tar cigarette is available. We want them to know that they should be encouraged to switch from a high-tar brand to a low-tar brand. That information is relevant to people.

Mr. Barron: That information could be given at the point of sale.

12.30 pm

Mr. Hendry: It should not just be offered at the point of sale. Why not tell people who are currently smoking a high-tar cigarette that a low-tar equivalent of a similar taste is available, which would do less damage to their health? Such key facts are vital.

If we ban the advertising of tobacco, competition will be based on price. The winners will be those cheap, imported

[Mr. Hendry]

high-tar cigarettes, which will cause more damage to the health of our people and set us back in our battle to try to discourage people from smoking.

Mr. Forman: I can see why my hon. Friend and many hon. Members would want information to be conveyed particularly to young potential smokers about the dangers of smoking and the fact that it causes death. Why should the tobacco industry want to spend money deliberately to reduce its own market? That is entirely counter-intuitive and that is why I doubt the good faith of the tobacco industry.

Mr. Hendry: I will endeavour to answer that. If a market is switching, producers will target advertising towards it. When my hon. Friend or his wife go out to buy Persil or Daz, they will be aware of the advertising campaign that endeavours to persuade them to buy one brand rather than the other. The producers do not tell my hon. Friend to wash his clothes more often just so my hon. Friend will buy more washing powder. Petrol producers do not tell him to drive another 100 miles, which he had no intention of doing, just so he will buy more petrol. Producers will simply argue that there is a legitimate market which is capable of being switched and that they are trying to influence it through legitimate methods. That is the purpose of advertising tobacco.

I have never smoked and no tobacco advert will persuade me to start. No tobacco advert is so powerful, however hard producers may try, that it will make me smoke a single cigarette during the rest of my life. I accept, however, that tobacco advertising may encourage people to switch from one brand to another.

Mr. Forman: I am grateful to my hon. Friend for giving way, because he is entering into legitimate debate. Why is it then that there has been a marked tendency in recent tobacco advertising, which anyone would notice with his own eyes, to concentrate advertising upon young women—females between the age of 12 up to 25? Is not there more than just an unusual correlation between that focus in advertising and the fact that that particular group of potential or actual smokers has expanded faster than any other group?

Mr. Hendry: I understand that point, but we come back to the crux of the debate. The tobacco advertising that I have seen is obscure and is as unlikely to appeal to a young woman as it is to an old man. I have no evidence to suggest that producers are deliberately targeting the group to which my hon. Friend the Member for Carshalton and Wallington (Mr. Forman) referred, but if it is felt that they are targeting people improperly, a voluntary agreement, which has already been strengthened 10 times since it was introduced, can be brought into play.

That agreement could be strengthened even further and I hope that we may learn today that that has been agreed. There is scope within existing legislation and the agreement for the exact concern to which my hon. Friend referred to be taken into account. Given the way in which the voluntary agreement has been working so far, to start imposing punitive fines and making illegal the advertising of a legally available product, the makers of which which employ thousands of people in our constituencies, would be extremely dangerous and could not be justified.

Sir Peter Emery: I had hoped to make this short point in a speech, but I shall make it even shorter in an intervention on my hon. Friend, who I know is interested in these matters. I draw his attention to the study by Pierce Lee and Gilpin, which ran from 1943 to 1989. It conducted surveys in 1970, 1978, 1979, 1980, 1987 and 1988 about smoking by adolescents. The study's conclusion, which considers the findings year by year, states:

"In this study, we have demonstrated that tobacco advertising has a temporal and specific relationship to smoking uptake in girls younger than the legal age to purchase cigarettes. Our findings add to the evidence that tobacco advertising plays an important role in encouraging young people to begin this lifelong addiction before they are old enough to fully appreciate its long-term health risks. The prudent public health approach to prevent an other increase in initiation among young people is urgent action to extend the ban on tobacco advertising to cover all forms of advertising and promotion."

Mr. John Carlisle: This is a speech.

Sir Peter Emery: That was a direct quotation; it was not my speech.

Mr. Deputy Speaker: It sounded like a mini-speech to me.

Mr. Hendry: I am grateful for your guidance on what I would traditionally call an Adjournment debate speech.

My right hon. Friend the Member for Honiton (Sir P. Emery) and I have discussed the matter on many occasions. I refer him to the clear view of the Chief Medical Officer, the foremost medical authority for the Government, who, when asked whether tobacco advertising encouraged children to smoke, answered:

"No. I think it's partly a cultural thing and it's also about the family and the school and their colleagues and people they talk to. All of that kind of peer pressure sometimes increases smoking."

He did not say that cigarette advertising was a factor.

The Office of Population Censuses and Surveys study into the factors that encouraged young children to smoke identified six or seven other factors, including peer group pressure, friends at school, parents at home and older brothers and sisters. Those are much more important; tobacco advertising did not feature.

Mr. Barron: The hon. Gentleman will remember the debate in Committee on the OPCS report and on what makes people start to smoke. Many arguments against banning tobacco advertising were published to stop my Bill. The procedures of the House may stop it, but those arguments will not. Our debates in Committee have clearly slipped the hon. Gentleman's mind. One of the arguments published suggested that young people have

"relatively less negative views about smoking."

That was accepted by the majority of members in Committee. The Health Education Authority has expressed negative views about smoking; less negative views are achieved by advertising and promoting smoking.

Mr. Hendry: I understand why the hon. Gentleman has a hazy recollection of the Committee. The hon. Member for Kirkcaldy (Dr. Moonie) continually tabled amendments with which he said he did not agree but on which he then forced Divisions, leaving all hon. Members in Committee confused about his aims. The hon. Member for Rother Valley (Mr. Barron) will recall our debates in Committee, where it was clearly said that many factors encourage children to smoke. The "Health of The Nation"

targets for young children smoking have already been met in households where the parents do not smoke. They have not been met in households where parents do smoke.

Children from both households go past the same adverts every day, they read the same adverts in magazines and they are under the same pressure from advertising. The fundamental difference is that in one household they are conditioned to smoking by the family environment and in the other they are not. I see that you, Mr. Deputy Speaker, are looking at me as if to say that this is not wholly relevant to the amendments, so I shall make progress after I have given way.

Mr. Barry Porter (Wirral, South): I have listened to the debate from the beginning, except when I left the Chamber to have a smoke. The figures with which I have been provided show that in 1980 the number of 16-year-olds and over who smoked was 20.2 million whereas about 16 million do so today. If that is correct, it appears that the present voluntary arrangement, regularly updated and strengthened, is working, so what is all the fuss about?

Mr. Hendry: My hon. Friend clearly derived tremendous strength from his momentary absence from the Chamber, which perhaps endorses the point made by my hon. Friend the Member for Luton, North (Mr. Carlisle) to the effect that a little tobacco can occasionally do one a bit of good. I understand the point made by my hon. Friend the Member for Wirral, South (Mr. Porter). Our concern is to prove that the voluntary agreement can be tightened and be used to tackle abuses where they exist.

Mr. Robert Banks: Is it not better to have a voluntary agreement than legislation that ties everyone up, creates complexity and leads to mistaken interpretation and all the other rubbish that stems from legislation that has not been properly considered?

Mr. Hendry: My hon. Friend is absolutely right. Those of us who have listened to and participated in the debate and who have analysed the facts recognise that the case against the Bill is overwhelming. Many Labour Members who are not present today will nevertheless vote in favour. They will not listen to the arguments—

Mr. Deputy Speaker: Order. I have listened to the arguments and I am wondering whether they relate to premises used for the sale of tobacco products.

Mr. Barron *rose—*

Mr. Hendry: I shall give way to the hon. Member for Rother Valley if what he has to say relates to that point.

Mr. Barron: What I have to say relates to the hon. Gentleman's comments about the effectiveness of the voluntary agreement. In February this year the Under-Secretary of State for Health, the hon. Member for Bolton, West (Mr. Sackville), answered a question about the voluntary agreement and the findings of the Smee report, with which all hon. Members will be familiar.

Mr. Deputy Speaker: Order. We are straying from the amendment. We should be discussing premises.

Mr. Hendry: I know that the House is anxious to make progress so I shall not detain it much longer.

We have two concerns. First, the definition of premises in the Bill is inadequate. Secondly, I hope that I have been able to prove that it is ludicrously full of loopholes, especially in relation to the notion that an advertisement should not be visible from outside certain premises. The Bill is fundamentally flawed. The fact that we have discussed these amendments at tremendous length proves our serious and genuine concern, and I hope that the House will support us.

Mr. McCartney *rose—*

The Parliamentary Under-Secretary of State for Health (Mr. Tom Sackville) *rose—*

Mr. McCartney: On a point of order, Mr. Deputy Speaker. Is it not the normal practice that, if an hon. Member on one side of the House rises to his feet after a Member from the other side has spoken, he is given the opportunity to speak? I, like several of my colleagues, have been waiting for a considerable time to make a contribution. I had already made it clear behind the Speaker's Chair that I wished to speak briefly, as had the hon. Member for Rochdale (Ms Lynne).

Conservative Members have been controlling the debate, thus excluding the alternative viewpoints of those of us who served on the Committee and who have done a considerable amount of work. It now appears that the Minister is going to make a statement before we have been able to contribute.

Mr. Deputy Speaker: I have no doubt that the hon. Gentleman will have the opportunity to participate. I am not aware that the Minister is going to make a statement. I understand that he is going to speak to the amendments, and the House will be interested in what he has to say.

Mr. McCartney: Further to that point of order, Mr. Deputy Speaker. The Minister is to make a statement to the House, as I said on my previous point of order. The Minister and I have spoken about the matter. This is a total manipulation of the time of Opposition Members. We are entitled to make a contribution in turn; it is the turn of an Opposition Member to make a contribution.

Mr. Deputy Speaker: The Chair will call hon. Members as they catch his eye. I am sure that the hon. Member for Makerfield (Mr. McCartney) may be fortunate in catching my eye during the debate.

12.45 pm

Mr. Campbell-Savours: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it the same point of order?

Mr. Campbell-Savours: It is on exactly the same point.

Mr. Deputy Speaker: If it is the same, I have dealt with it.

Mr. Campbell-Savours: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it the same point of order?

Mr. Campbell-Savours: Well, it is—

Mr. Deputy Speaker: If it is the same point of order, I have dealt with it. The hon. Gentleman must take his seat.

Sir Peter Emery: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it the same point of order?

Sir Peter Emery: No. You ruled quite rightly, Mr. Deputy Speaker, during the previous debate that discussion of the voluntary agreement did not arise under the amendment that was then being discussed. Will that ruling apply to Ministers, as it applied to Back-Bench Members?

Mr. Deputy Speaker: I repeat that I am not aware that any statement—I repeat the word "statement"—is to be made by the Minister. I shall be interested, as will the House, in listening to what the Minister says as it relates to the amendments.

Mr. McCartney: On a point of order, Mr. Deputy Speaker. To clarify the position on a statement, perhaps the Minister could, for a second, come to the Dispatch Box —*[Interruption.]*

Mr. Deputy Speaker: Order. I want to listen to the hon. Gentleman.

Mr. McCartney: This is an important and serious matter of debate and procedure. Perhaps the Minister can clarify the matter and advise us whether there will be placed in the Vote Office, either at the beginning or the end of his contribution, a statement for hon. Members. It is my clear understanding that that is precisely what will happen. I asked for a copy of the statement and the Minister informed me that I could get it from the Vote Office when he concluded his speech on the amendments.

Mr. Deputy Speaker: I repeat that the Chair has no knowledge of any statement. The present occupant of the Chair is not aware of what has been going on behind it. *[Interruption.]* Order. I call the Minister to speak on the amendments.

Mr. Sackville: I am glad to catch your eye, Mr. Deputy Speaker. I would have done so earlier, but my hon. Friend the Member for Luton, North (Mr. Carlisle) was in good form and we had a short procedural interruption. I am glad to—

Mr. Campbell-Savours: On a point of order, Mr. Deputy Speaker. Let us establish the precedent. May we have an assurance that you will deprecate the act of any Minister who today places a statement in the Vote Office after he has spoken. In your own words, Mr. Deputy Speaker, this is not a statement. The Minister is speaking to the amendments. Could you give us warning of the fact—

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman does not need that assurance from the Chair. If the Minister or anyone else strays outside the amendments, the Chair will bring that person to order.

Mr. Sackville: I shall address the amendments and in doing so, I shall update the House on the progress in negotiations between my—

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. Hon. Members must be clairvoyant; the Chair is not. I have not yet heard anything that enables me to pull up the Minister. If hon. Members will momentarily put their crystal balls away and listen to what the Minister says, they can safety leave the matter with the Chair.

Mr. Andrew F. Bennett (Denton and Reddish): On a point of order, Mr. Deputy Speaker. I distinctly heard the Minister start to say that he would update the House on the negotiations. Would you confirm that, normally, ministerial statements on a Friday are made at 11 o'clock, with notice, but that if the Minister wishes to make a statement, he could still do so at 2.30 pm, ensuring that the usual channels have a copy beforehand, and so that Opposition Members have the opportunity to ask questions? That would avoid creating the appearance that the Minister is using his statement to avoid questions from this side of the House and is part of a filibuster.

Mr. Deputy Speaker: I confirm, if I need to, that statements are normally made at 11 o'clock on a Friday. I repeat that I have not been informed that there is any statement to be made. If there is any attempt to talk outside the amendments before the House, the Minister or anybody else will be pulled up.

Mr. Sackville: During my remarks, Mr. Deputy Speaker, I hope to update the House on negotiations that have taken place between my right hon. Friend the Minister for Health and the industry on matters pertaining directly to advertising at point of sale, which are highly relevant to the amendments and, which, indeed, in my view, make the Bill and its amendments obsolete and redundant.

Mr. McCartney: On a point of order, Mr. Deputy Speaker. The amendments are clearly structured on the specific subject of retail matters, which is in no way covered in the scope of the negotiations about the voluntary agreement. I put it again to you, Mr. Deputy Speaker, that we are being manipulated in the House in respect of the matter. The rights of hon. Members on both sides of the House are being abused and it is about time—

Mr. Deputy Speaker: Order. The Chair will not allow hon. Members on either side to be abused. The Minister will have to watch what he says very carefully. I will not tolerate any debate whatever outside the amendments, which address retailing on premises. If there is anything said outside that subject, which can be considered at Third Reading, that is a matter for consideration at that time. At present, I must insist that, if the Minister—I am not suggesting that he is—is intending to introduce any subject that may be outside the amendments, covering matters which could resemble a statement, the Chair will not allow him to do so.

Sir Jerry Wiggin: On a point of order, Mr. Deputy Speaker. You were not in the Chair when I raised a point of order at the commencement of today's proceedings, pointing out that the voluntary agreement between the tobacco companies and the Department of Health had being going through a state of renegotiation, which had, effectively, been concluded last night. The Bill, if passed in its entirety, will have the effect of precluding that voluntary agreement and therefore it is extremely important that we hear today what the state of those negotiations is—

Mr. Deputy Speaker: Order. It is not important to this batch of amendments.

Mr. Couchman: Further to that point of order, Mr. Deputy Speaker. On two occasions I asked Madam

Speaker this morning why she did not allow new clause 3 to be debated this morning. That would have allowed the Minister to give us a wide-ranging update of the position—

Mr. Deputy Speaker: Order. Madam Speaker replied to the hon. Gentleman this morning. I heard and I have heard her rulings since I have been out of the Chair. Hon. Members do not need the Chair to rule that, when we are discussing a batch of amendments, that is what we are debating. The subject of the amendments before us, as I have already said, is retail sales on premises. The Chair cannot allow anybody—the Minister or any other hon. Member—to stray outside that area. The Chair will not allow that. It is no good for hon. Members to keep getting up on points of order on that aspect. I have ruled that we are discussing the amendments to which the debate will be addressed.

Mr. McCartney *rose—*

Mr. Deputy Speaker: Order. I hope that the point of order will not try to question the ruling that I have just given or be on that subject. I have ruled on it and that is final.

Mr. McCartney: On a point of order, Mr. Deputy Speaker. I assure you that I do not wish to challenge your ruling or previous rulings. It is not an attempt to undermine your ruling in principle.

There is a major matter of principle involved because the voluntary agreement specifically excludes advertising within premises. That being so, the amendment cannot be used for the purpose that the Minister seems to have in mind. As I have said, the voluntary agreement specifically excludes—

Mr. Deputy Speaker: Order. The hon. Member is only repeating what the Chair has already said.

Mr. Alan Howarth: On a point of order, Mr. Deputy Speaker. It seems that it would be sensible if we were to have the opportunity to hear what my hon. Friend the Minister has to report on the state of negotiations between the Government and the industry. The difficulty, as you have explained to us, Mr. Deputy Speaker, is to allow that to happen while remaining within our rules of order.

Will you confirm, Mr. Deputy Speaker, that it would be in order if hon. Members who have tabled amendments were to withdraw them? We would then be able to proceed immediately to Third Reading. Would you then be so tolerant, following such a departure from the normal conventions of the House, to say that whereas it is normally not in order for us to debate on Third Reading—

Mr. Deputy Speaker: Order. I know that the hon. Member wishes to be helpful. He knows full well that if hon. Members want to withdraw their amendments, they are free to do so. It is a matter for them to decide.

Mr. Bennett: On a point of order, Mr. Deputy Speaker. I appreciate that you have a difficult job to keep order within the House. Would you agree that one of the principal functions of a Government Whip is to ensure that you are assisted in that task? Would it not be helpful for the Government Whip to send for the Leader of the House, and for the Leader of the House to arrange for us to hear a statement at 2.30 pm so that information can be given to the House and questioned? On that basis, the Minister should ensure that he does not refer again to any voluntary agreement when he speaks to the group of amendments before us.

Mr. Cash: On a point of order, Mr. Deputy Speaker. A Minister is a Member of the House. Surely it is perfectly within his rights to comment on any aspect of a group of amendments that is before the House? It is—

Mr. Deputy Speaker: Order. With great respect, the hon. Member is trying to tell his granny how to suck eggs. We are discussing a batch of amendments. Every hon. Member knows what they are about—certainly the Chair does—and that is what the debate is to be about. I hope that the Minister will bear that in mind. I do not want to rule him out of order. If he directs his remarks to the amendments, I shall not have to do so.

Mr. Sackville: I shall be brief because of the time that we have lost over the past few minutes with points of order and interruptions. I shall merely say what I began to say. My right hon. Friend the Minister of State and the tobacco industry have reached heads of agreement on matters relating to point-of-sale advertising. In particular, all shop-front advertising will be withdrawn by 1996. That relates directly to the amendments. There are other important and significant changes that were made to the voluntary agreement.

Mr. Nigel Evans: To take up what my hon. Friend has said about shop-front advertising, will the agreement also prohibit advertisements in shop windows drawing attention only to the price of cigarettes and other tobacco products, or particular brands of cigarettes or other tobacco products?

Mr. Sackville: The full details of the agreement—on this and other parts of it—will be published within a few weeks. We shall release today the heads of agreement, which include the point that all shop-front advertising will be withdrawn by 1996. Copies of a statement that involve all these matters are in the Vote Office for all the House to see.

Ms Lynne: On a point of order, Mr. Deputy Speaker. The Minister has just said that a statement will be available in the Vote Office. He previously said that no statement was being made. When is the statement due to be made —now, or perhaps at 2.30pm? It certainly was not made at 11 o'clock this morning.

Mr. Deputy Speaker: The Deputy Speaker is not aware of when any statement is to be made.

1 pm

Mr. Campbell-Savours *rose—*

Mr. Deputy Speaker: Order. I am on my feet. At the risk of continually repeating myself—I hope that the Minister will help me on this—we are discussing the amendments. There is no statement in front of the House. I repeat that we are discussing the amendments and that the Minister must stick to them.

Mr. Campbell-Savours: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it a separate point of order?

Mr. Campbell-Savours: It is—it is about the Vote Office. Will you instruct the Vote Office that it is not to hand out statements to anyone relating to the debate that has taken place today, because it would be an abuse of our procedure? The Minister has just announced that statements are to be made available subsequent to the statement that he has made at the Dispatch Box.

Mr. Deputy Speaker: The Minister is addressing the House. He knows which amendments are before the House. If the Minister strays from them, he will be ruled out of order.

Mr. Bennett: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it a completely different point of order?

Mr. Bennett: Yes. I understand that at least one copy of the statement was released by the Vote Office. At present, other hon. Members are having difficulty obtaining copies. Surely, once one copy has been released, all copies should be released and all hon. Members should have an opportunity to obtain a copy. Surely it is an abuse of the House for a Minister to release a statement in this way and for us not to be able to ask questions on it.

Mr. Deputy Speaker: The Minister can place whatever statements he likes in the Vote Office—but that is separate from the debate. I hope that I do not have to repeat that again.

Mr. McCartney: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. I am on my feet.

Mr. Campbell-Savours: This place is becoming a farce—it is being abused by the Government all the time.

Mr. Deputy Speaker: Order. I request the Minister to contain his remarks to the amendments in front of the House.

Mr. McCartney: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it a separate point of order?

Mr. McCartney: Yes. I apologise for the fact that you, Mr. Deputy Speaker, have been place in an impossible position by the Government's business managers today. You are respected in all parts of the House. I want to make it clear that the Opposition regard what is happening as an important matter of principle. The press release that has been issued on the statement quotes what the Minister is purported to have said at the Dispatch Box during the Report stage of the Bill. It gives direct quotes from what the Minister has said.

That is a serious abuse of the House and the Chair, and a complete misuse of the procedures of the House. It places you, Mr. Deputy Speaker, in an impossible position and —which is as important—it places hon. Members in a position whereby they can be manipulated and used by the Government business managers and officials in the Department of Health, acting on behalf of the Parliamentary Under-Secretary. He knew that the statement was to be issued, but, during the past two hours when questioned about it, he chose, cynically, to say nothing.

Mr. Deputy Speaker: The Minister must take full responsibility for whatever he includes in any statements. If they are wrong, he has to carry the responsibility.

Several hon. Members *rose—*

Mr. Deputy Speaker: If the points of order that hon. Members wish to put to me are on the same subject, I shall not take them. I have ruled on the matter and shall now call the Minister. The Chair is responsible for debate in the House, not what the Minister has put in the Vote Office. If there are points of order which are completely different to those on which I have ruled, I will hear them.[SEVERAL HON. MEMBERS: "On a point of order, Mr. Deputy Speaker."] I hope that they are different points of order and that hon. Members are not attempting to take advantage of the Chair or the House.

Mr. Barron: On a point of order, Mr. Deputy Speaker. May I ask for your advice? I do not want to go too far back, but I came third in the private Member's ballot last year and consequently I have tried to bring a Bill through the House with the guidance of the Chair, both on the Floor of the House and in Committee. I must say that I have received good guidance in both situations.

On Second Reading, a statement was made at 11 o'clock in a proper manner by the Department of Health in relation to a matter which concerned my regional health authority. Clearly, that statement took up time which I thought had been allotted to me by the House for my private Member's Bill.

I seek your guidance, Mr. Deputy Speaker. A press release has been passed to me which quotes a statement allegedly made during the debate on Report by the Minister which does not relate to issues contained in my Bill. Is that a right and proper way for the private Members' Bill procedure to be used by Ministers?

Ms Lynne: Further to that point of order, Mr. Deputy Speaker. I seek clarification. As a relatively new hon. Member, I have never experienced a press release being put out when the Minister has not made the statement in the House. The release says:

"Mr. Sackville made the announcement during Report Stage of Kevin Barron MP's Private Members Bill on tobacco advertising."

Is that in order?

Mr. Deputy Speaker: With great respect to the hon. Lady and the hon. Gentleman, I already dealt with the matters raised in those points of order. There can be no further points of order on that issue.

Mr. Cash: On a point of order, Mr. Deputy Speaker. Do you think that when the hon. Member who has promoted the Bill named the day, he ought to have recalled that it is in fact Friday the 13th?

Mr. Deputy Speaker: The Chair is beginning to wonder.

Mr. Campbell-Savours: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: It must be a different point of order, as I have already ruled on the others.

Mr. Campbell-Savours: The arrogance of the Government and their supporters is such that they are prepared to make remarks such as the one made by the hon.

Member for Stafford (Mr. Cash). Fourteen years of Conservative rule in this country is destroying the country's institutions.

Mr. Deputy Speaker: Order. What is the hon. Gentleman's point of order?

Mr. Campbell-Savours: From memory, I think that "Erskine May" states that to misrepresent the proceedings of Parliament is a contempt. The Minister has quoted in the press release a statement which he has not made. He is therefore technically in contempt.

Mr. Deputy Speaker: Order. Complaints on contempt should be made to the Speaker in writing. There can be no further points of order.

Mr. Campbell-Savours *rose—*

Mr. Deputy Speaker: Order. We must get back to the debate and the amendments before the House.

Mr. Sackville: The main heads of the agreement which we have reached have been placed in the press office. I shall seek to catch your eye later today about the other parts of the agreement which do not relate to premises and to point of sale advertising.

Mr. Bennett: Will the Minister give way?

Mr. Sackville: For the moment, I shall rest my remarks by commending the agreement to the House. It is a major step forward in the voluntary agreement which exists between the industry and the Department.

Mr. Bennett: Is the Minister giving way?

Mr. Sackville *indicated dissent.*

Mr. Deputy Speaker: The Minister is not giving way.

Mr. McCartney: Today, like last week, has descended into a shambolic attempt by the Government to manipulate the private Members' Bill procedure of the House. It is quite scandalous. The House has before it a measure which was approved without dissent at Second Reading and which has all-party support—

Mr. Couchman: On a point of order, Mr. Deputy Speaker. Is the hon. Gentleman speaking to the amendments, or is he making the statement which he would have done had we—

Mr. Deputy Speaker: Order. The hon. Gentleman may safely leave that to the Chair.

Mr. McCartney: The hon. Gentleman likes to niggle me. He has never won an argument, and he will not win one either. In Committee, hon. Members from both sides of the House debated the aspect of premises in great detail. These amendments are wrecking amendments. The reason why they are wrecking amendments on behalf of the tobacco industry—

Mr. Peter Griffiths: On a point of order, Mr. Deputy Speaker. I am sure you will agree that I am not one for wasting the time of the House. Earlier today, I asked whether all the amendments on the amendment paper were in order, and the Speaker ruled that they were. Wrecking amendments would not be in order.

Mr. Deputy Speaker: All the amendments on the amendment paper today are in order; otherwise, they would not be on it.

Mr. McCartney: The hon. Member for Portsmouth, North (Mr. Griffiths) is being silly—I never challenged the validity of the amendments. I am saying that in my opinion they are wrecking amendments.

The reason why the amendments have been placed on the amendment paper and why they are being so vociferously supported by a small group of Conservative Members is to protect a market. The Government have already indicated that that is the case. Let us look at what the amendments attempt to do with regard to the market. It is 50 million packets of cigarettes sold each year to children between 11 and 15 years of age in premises owned by companies and individuals who support the amendments before the House.

In Committee, where excellent work was done, the Under-Secretary said virtually nothing about the matters contained in the amendments, and hon. Members on both sides of the Committee rejected them. The amendments were rejected on the simple premise that the Bill is about child protection. It is about protecting the children identified in the Government's document "The Health of the Nation", in the independent review of tobacco advertising by Dr. Smee and by the Government's independent advisers. The figures set out in "The Health of the Nation" showed that tobacco advertising was a significant factor in attracting young people to smoking and sustaining their involvement in the smoking habit.

Mr. Forman: The hon. Gentleman will know that I am on his side on the broad principle of the argument. Is he aware that the press release, of which mention has already been made, says that there will be a ban on advertising for tobacco products on computer games and on other computer software? It is interesting that all my hon. Friends who have made a case against the Bill are saying that there should be no ban; yet in the press release the Government are advocating and agreeing a ban with the industry. Is there not some rather interesting contradiction there?

Mr. McCartney: The hon. Gentleman is absolutely right. If he has an opportunity to read the press release —it is out of order to discuss the press release at present —he will see that there is a whole series of ambiguities. With regard to some matters, there is a less than forceful response from the industry, as promised by the Minister of State at Second Reading. Therefore, the statement is totally inadequate.

Mr. Nigel Evans *rose—*

Mr. Leigh *rose—*

Mr. McCartney: I promise to give way to both hon. Gentlemen in a moment, especially to the hon. Member for Ribble Valley (Mr. Evans), as someone who is involved in the industry. When he gets up, I hope that he will accept at least some responsibility for the 50 million packets of cigarettes a year that are sold through the premises of his hon. Friends and others who are involved in selling cigarettes.

On the Government Benches, there are two groups involved in terms of the amendment. There are the Conservatives Against Tobacco, and there is a tobacco

[Mr. McCartney]

industry party—I should call them TIP. By God—do they tip the industry. In the past two years, they have paid £200,000 to the Tory party coffers. One of the biggest contributors made it plain that the sole reason for the contribution was to maintain opposition to the introduction of a tobacco advertising ban. There was a rejection of that philosophy by an overwhelming majority of hon. Members including Conservative Members and members of the Cabinet who support the Bill's concept in principle. Despite that, a few Conservative Members will destroy an opportunity to protect millions of potential victims of tobacco advertising.

1.15 pm

Mr. Robert Banks: On a point of order, Mr. Deputy Speaker. I have listened carefully to the difficulties with which you have had to contend. You made the correct judgment that the debate should centre on the amendments. What I have heard in the past two or three minutes was clearly way off beam.

Mr. Deputy Speaker: The hon. Gentleman just beat me to my feet. The hon. Member for Makerfield (Mr. McCartney) must stick to the amendments.

Mr. McCartney: I am more than trying to do that, because I am dealing with premises and the resources to promote products inside and outside those premises. We are also debating the use and influence of those resources to maintain the status quo. That is what the debate is about. The House must decide whether we as a society are prepared to pass the amendments or allow them to wreck the concept of the Bill and be prepared to accept the fact that 110,000 of our fellow citizens die each year as a direct consequence of the activities of the tobacco industry.

Mr. Nigel Evans: I note the hon. Gentleman's comments about deaths, but we are discussing advertising and its banning and not the harm that tobacco products could do. I accept all that he says about that. The amendments relate to retail premises, and I welcome the fact that in my retail premises sales are decreasing. Will the hon. Gentleman welcome the fact that the warning on advertising in premises which will be allowed when the voluntary agreement is in place will take up 20 per cent. of the advertisement and not just 17.5 per cent. as before?

Mr. McCartney: That means that 80 per cent. of the advertisement will still persuade people to kill themselves for the profits of the tobacco companies. If the hon. Gentleman was really serious, and as he has acknowledged the damage that his company is doing by selling the product, I shall give way to him if he is prepared to say that his company will forthwith withdraw tobacco products from sale, because, as he has said, they seriously damages the health of his customers.

Mr. Nigel Evans: There are 225,000 outlets in this country and 1 million people are employed in the manufacture or sale of those products. In that context, for my company to give up would be useless. Why cannot the hon. Gentleman be honest and say that he would favour a total ban on the sale of tobacco products?

Mr. McCartney: It is significant that, when placed in the position of protecting his product base and profit, the hon. Gentleman chose that stance and did not choose the Government's position on the medical harm, death and injury to many of his customers and potential constituents.

Mr. Nigel Evans *rose—*

Mr. McCartney: The hon. Member should settle down. I shall give way to him in a moment.

Mr. Alan Howarth: The hon. Gentleman is right to stress the lethal effects of tobacco consumption. In particular, I applaud him for drawing attention to the damage done to children. My intervention gives me an opportunity to correct something that I said earlier. Sir Richard Doll said that a ban on advertising would prevent the premature deaths of 70,000 children who are now living. As the hon. Member for Makerfield (Mr. McCartney) says, the Government are on record as saying that smoking is by far the biggest single preventable cause of death. I remind the hon. Gentleman that, according to newspaper reports just before Christmas, the view of my right hon. Friend the Secretary of State for Health, which was given in a submission to the Cabinet, was:

"My Department's review of the effect of tobacco advertising suggests that further restrictions up to and including a ban could be expected to reduce smoking."

Does that not demonstrate that the Government's analysis makes it quite clear that we should move well beyond the voluntary agreement and have a firm and definitive ban?

Mr. McCartney: The hon. Gentleman is absolutely correct, both in his analysis and in the fact that it is based on propaganda not from Opposition Members or from opponents of the tobacco industry, but from within Government and their medical advisers. It is incredible that the Government, despite the overwhelming evidence from their internal inquiries, choose to turn their face away, and, in so doing, be inexplicably involved in the potentially premature deaths of a potential 70,000 children in the United Kingdom. Only the Minister can say why a Minister at the Department of Heath would take such foolish action and is driven to the point, which I was making earlier—

Mr. John Carlisle: On a point of order, Mr. Deputy Speaker. I seek your guidance. Having read the Bill and studied it carefully, and having heard every minute of the proceedings this morning—I did not miss much in Committee—I thought that it dealt with the advertising of tobacco products, not the banning of that legitimate substance. Perhaps I have been misled over the past hours, days and weeks, possibly not on the intent of the hon. Member for Rother Valley, which is pretty obvious, but on the fact that the Bill is, perhaps, precluding something that might be coming. Are we keeping to the subject or not?

Mr. Deputy Speaker: I can assure the hon. Gentleman that his interpretation is quite correct. There has been quite a bit of straying from the amendments, on both sides of the House. The Chair has attempted to stick religiously to the debate in question. That is what the Chair intends doing for the rest of the debate. I draw that to the attention of the hon. Member for Makerfield.

Mr. McCartney: The hon. Member for Luton, North (Mr. Carlisle), who raised a point of order, is well noted in the House as an expert in misleading in terms of debate. *[Interruption.]* The position in relation to—

Mr. Deputy Speaker: Order. If the hon. Gentleman reflects, I think that he would wish to withdraw that remark.

Mr. McCartney: I was—

Mr. Campbell-Savours: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. I have suggested to the hon. Member for Makerfield that, on reflection, he may wish to withdraw that remark. I should be grateful if he would.

Mr. McCartney: No, Mr. Deputy Speaker, because I firmly believe that that is the case. Having sat for many hours with the hon. Member for Luton, North on the Bill —Second Reading and today—I am well convinced that that is the position. I am thoroughly disgusted by the tactics deployed by some hon. Members when we are here to try to save the lives of so many young people. If it meant my being put out of this place—

Mr. John Carlisle: On a point of order, Mr. Deputy Speaker. Will you clarify the situation on whether accusing another hon. Member, in parliamentary language, of "misleading the House" is legitimate and, therefore, whether the accusation should be withdrawn.

Mr. Deputy Speaker: I request the hon. Member for Makerfield to reconsider and withdraw the remark that he made.

Hon. Members: Withdraw.

Mr. McCartney: I did not say that the hon. Gentleman does it deliberately, and, to be honest with you, Mr. Deputy Speaker, what is good for the Prime Minister is good for right hon. and hon. Members. The position is clear. I will not allow the hon. Gentleman to use the tactics that he has when so many children's lives are at risk. I am passionately committed to that issue. I am disgusted with the tactics that he has deployed and the misuse of this place by hon. Members when so much is at stake. I believe firmly in what I said. I am not withdrawing it. It was a fair remark in relation to the hon. Gentleman.

Mr. John Carlisle *rose—*

Mr. McCartney: I have not finished my speech.

Mr. Deputy Speaker: Order. The House is getting itself in a bit of a mess. I give to the hon. Member for Makerfield (Mr. McCartney) the same advice that I gave the Minister. He must address his remarks to the amendments.

Mr. McCartney: I am addressing the amendments, which concern preventing the sale of cigarettes, mainly to children aged between 11 and 15.

Mr. Carlisle: On a point of order, Mr. Deputy Speaker. I may have misheard, but I thought that you requested the hon. Member for Makerfield (Mr. McCartney) to withdraw his remarks and the aspersions that he cast against me. I am not sure that he did.

Mr. Deputy Speaker: The hon. Member for Makerfield rephrased his remarks, which satisfied the Chair.

Mr. McCartney: Thank you, Mr. Deputy Speaker. I confirm that was the case.

Mr. Leigh: Will the hon. Gentleman give way?

Mr. McCartney: Not for the moment.

Ninety per cent. of smokers pick up the habit as children or teenagers, and 60 per cent. before the age of 13. Much of that is a consequence of advertising that encourages them to smoke, some of it on retail premises. [HON. MEMBERS: "Rubbish."] Evidence for that comes not just from this side of the House but from the Government's own report by Professor Smee, which is a damning indictment of the Government's failure to act appropriately. Indicating that, Professor Smee also estimated the number of lives that would be saved if his recommendations were introduced. Conservative Members may be damning of me, but more important than their snide remarks from a sedentary position is the fact that the Government damned themselves by ignoring that independent advice.

Mr. Leigh: Does the hon. Gentleman at least agree—because he is a fair-minded man—that the removal of all shop-front advertising of tobacco products is a considerable step forward? Does not that illustrate what can be achieved by voluntary agreement?

Mr. McCartney: It is a pity that the hon. Gentleman did not take an interest in the subject earlier. We could have advised him that since the introduction of the voluntary agreement, 1.1 million of our fellow citizens have died as a direct result of medical complaints arising from tobacco industry products. The voluntary agreement has been a disaster. It has failed to stem the flow of deaths and injury, which is why the Government introduced targets in "The Health of the Nation". They also suggested in statement after statement that they accept that tobacco advertising contributes to such deaths. We should secure from the Government agreement on how to proceed.

Mr. Alan Howarth *rose—*

Mr. Couchman *rose—*

Mr. Deputy Speaker: Order. Before anything else, I remind the House that hon. Members are continuing to stray from the amendments. I say for the last time that if Members of either Front Bench or Back Benchers continue to go wide of the amendments—and that has been most prevalent—the Chair will instruct them to resume their seats.

Mr. Howarth: As to advertising at the point of sale, when the hon. Gentleman suggested that advertising has a damaging effect on children, several of my hon. Friends shouted "Rubbish" from a sedentary position. Will the hon. Gentleman comment on an observation from a senior and respected figure of the advertising industry, Mr. Adrian Vickers? He said:

"Advertising is only one of the factors that can influence children to take up smoking—but it is the only one that can be eliminated simply and quickly."

Mr. McCartney: I agree with the hon. Gentleman, who has made yet another perceptive remark.

Evidence collected not just in the United Kingdom but throughout the world reveals how the pernicious use of advertising attracts young people to smoking and sustains their habit. That is why the amendments are so damaging to the principle of the Bill.

1.30 pm

The amendments are designed to protect the sale of tobacco products, but during today 50 young children will be admitted to accident and emergency units and detained in hospital because of the effects of those products. Despite that, Conservative Members are prepared to support amendments that will mortally damage the Bill. I cannot accept that there are any conceivable circumstances in which right-minded right hon. and hon. Members could support a policy that is so overwhelmingly damaging to the health of the young people of our nation.

Mr. Couchman: The hon. Gentleman has quoted at some length from the report written by Dr. Smee. Will he concede that paragraph 68(ii) and (iii) of the summary and conclusions of that report state that the evidence that advertising increases consumption is not reliable? It states:

"Other factors such as the smoking behaviour of parents and siblings are more important."

Dr. Smee also concludes that those children who react most positively to advertising are already disposed to smoke.

Mr. Deputy Speaker: Order. I would suggest that the hon. Member for Gillingham (Mr. Couchman) has strayed very wide of the amendment, which concerns advertising on retail premises. It is fairly obvious that my pleas, if that is the right word, for hon. Members to try to speak to the amendments have fallen on deaf ears. I will no longer be tolerant; hon. Members must address their remarks to the amendments before the House. If hon. Members fail to do so, the Chair will have to take action.

Mr.McCartney *rose—*

Mr. Campbell-Savours: Will my hon. Friend give way?

Mr. McCartney: Before I give way, I will try to ensure that I do not thrown out. In the past, I have managed to avoid that and I do not intend that to happen today.

The hon. Member for Gillingham (Mr. Couchman) repeated a quotation that was frequently cited on Second Reading and in Committee. On each occasion, however, hon. Members have taken that quote out of the overall context of the report and have ignored its recommendation to ban tobacco advertising.

Mr. Campbell-Savours: Is not it clear that the report's recommendations were inconvenient to a Conservative Government who need hundreds of thousands of pounds a year to finance their operations? They are prepared to do anything as long as they get that money, including allowing advertising of tobacco products on retail premises as well.

Mr. McCartney: I am not sure whether my hon. Friend is a friend or a member of the opposition, because he is trying, quite cleverly, to get me thrown out of the House. I have no problem with his remarks. I am aware that Conservative Members who support the Bill find it embarrassing that such payments from the tobacco industry are made. Those payments undermine the campaign, which we all want to succeed, to reduce tobacco consumption among our general population and, in particular, among young people.

Mr. Robert Banks *rose—*

Rev. William McCrea (Mid-Ulster) *rose—*

Mr. McCartney: Hon. Members are jumping up and down, so I shall give way to the hon. Member for Mid-Ulster (Rev. William McCrea).

Rev. William McCrea: Hon. Members seem to give the impression that advertising has little effect on the minds of young people. Can the hon. Member for Makerfield (Mr. McCartney) therefore tell me why the tobacco industry will spend millions of pounds on advertising if it has no effect on the minds of those who watch television?

Mr. McCartney: The hon. Gentleman makes a telling and devastating remark. He is correct: the purpose of that advertising is to replace the 300 customers a day who are killed by smoking. Without that customer replacement, consumption would fall even further. It is as cynical as that. That is why Parliament should not allow itself to be manipulated by cynical supporters of the industry and should not allow public health strategy to be undermined by the amendments.

Hon. Members who have supported the amendments have said nothing about the consequences for current or potential cigarette purchasers. Their comments have been directed not to purchasers of tobacco products but to the vested interests of the organisations that produce them. Interestingly, those comments have been made by hon. Members who argue that the House does little to protect consumers but mainly protects big interests.

Conservative Members who have supported the amendments have not wanted to debate the consequences of smoking, but evidence from the Department of Health shows that advertising in premises stimulates interest among young people. It is irrelevant whether that is intentional.

Mr. Andrew Miller (Ellesmere Port and Neston): Does my hon. Friend agree that one of the most powerful reasons for rejecting the amendments is the advice that I have received from every GP practice in my constituency and from Professor Ashton of the north-west region, who is held in high regard by the Minister and who has advised me to support the Bill?

Mr. McCartney: No one in the United Kingdom, other than the industry, its front organisations and, it would seem, Ministers in the Department of Health, supports the amendments, which may scupper the Bill. All organisations involved in health overwhelmingly support the Bill because the consequences of maintaining the status quo inevitably will fall on GP surgeries and acute wards in the NHS.

Mr. Alan Howarth: In his consideration of the amendments, the hon. Gentleman drew attention to the importance of having regard to the interests of the consumer as well as those of the industry. I know that he is anxious to be fair, but does he agree that it is excellent that the Government are promoting health education in schools, are funding a national television advertising campaign to reinforce and develop their broader efforts of health education and are encouraging GPs to persuade their patients not to take up smoking?

Is it not remarkably contradictory, and does it not undermine the force of all the other very good efforts by the Government, that they should continue to tolerate the advertising of tobacco products, even though it may be more circumscribed by a new voluntary code?

Mr. McCartney: The hon. Gentleman is absolutely right. On Second Reading I gave fulsome credit to the Government for the targets outlined in "The Health of the Nation" and highlighted the need for an overall policy. This part of the Bill is a small but significant part of the attempt to change the attitude to smoking and the continuation of the habit.

Mr. Robert Banks *rose—*

Mr. McCartney: I shall give way to the hon. Gentleman in a moment. I am certainly not ignoring him; how could I, having recently spent three weeks in the Australian outback with him? I have very fond memories of that, but they are not relevant to the amendments.

Those who spoke in favour of the amendments deliberately failed to mention the evidence that shows that children see, remember and correctly identify tobacco products. Studies have proved the correlation between that awareness and the commencement of smoking, which is why the industry puts so much effort into advertising and why it is putting so much effort into getting these amendments accepted. The amendments are an attempt to retain the status quo.

It was interesting that when the Minister spoke to the amendments he did not challenge the status quo or say whether he was opposed to it. He did not even rebuke his colleagues who made the ludicrous suggestion that in some circumstances smoking was good for one's health. As I understand it, even the tobacco industry gave up the ghost on that argument some years ago, but perhaps it now has further evidence to prove that that suggestion is not ludicrous. If the Minister is serious about the issue, he should state clearly what the Government are going to do to alter the status quo as defined in the amendments.

If the status quo remains unchanged, not only will the Bill be scuppered but the Minister's statement outlining further changes to the voluntary code will be completely meaningless. Unless steps are taken to break the link between young people identifying tobacco products from advertisements and their beginning to smoke, another generation of young people aged between 11 and 13 will take up tobacco. Next year, another group of young people will be smoking 50 million packets of cigarettes bought on the strength of advertising which the amendments seek to protect.

Mr. Robert Banks: I am grateful to the hon. Gentleman for giving way at last. I do not know why he is being so timid because I wish to try to help concentrate his mind on the amendments we are discussing. He has already spoken for about 42 minutes. I have no difficulty with the idea of banning the advertising of tobacco products on shop fronts and in shop windows, but I disagree whole-heartedly with the idea that advertisements inside premises, but which can be seen from outside, should be banned. That would reduce the whole legislative process to a farce and would create so much complexity—for example, could one advertise in a store provided that any door within a few feet of the advertisement was not open? It would also make it difficult to define "premises". Kiosks on railway stations sell tobacco products, sweets, newspapers and magazines. Would they be breaking the law if they carried small advertisements for tobacco products?

Mr. McCartney: I was going to say that I leave the best interventions to last, but, having heard the hon. Gentleman, I have changed my mind. Can anyone tell me of someone dying from the passive reading of a magazine? One can certainly die from passive smoking or from taking up the habit oneself. It is ridiculous for hon. Members to attempt to defend the indefensible in the interests of the tobacco industry, as we see in the amendments.

1.45 pm

I repeat that the amendments would maintain the status quo, which goes against the Government's policy in the White Paper, "The Health of the Nation". The targets in the document relate to the absolute necessity—the imperative necessity—to get children out of the clutches of the tobacco industry. As the hon. Member for Stratford-on-Avon (Mr. Howarth) pointed out a few moments ago, the Bill would save the lives of 70,000 children.

Hon. Members should contemplate what they have said about the amendments when they watch Manchester United and Chelsea. They should think for a second that all the seats could be filled by children who will die early because of tobacco consumption. They should think about the attendance at Wembley. That is the extent of the catastrophe in public health which the amendments would maintain. Hon. Members should consider a stadium filled by children who will die as a result of advertising and of the role of the tobacco industry in maintaining advertising at the point of sale, where young people can see it.

Mr. Leigh: The hon. Gentleman is making a fine speech, but the trouble is that he is introducing an enormous amount of emotion. There is a complete lack of rigour in what he says. He talks about 70,000 children dying. Is he really suggesting that if we banned all cigarette advertising, there would be no smoking? That is absurd. As we all know, the evidence on whether advertising encourages any or significant numbers of people to take up smoking is terribly mixed. The hon. Gentleman must be rigorous. He must speak to the amendments and stop introducing emotional blackmail, which does not work.

Mr. McCartney: It is interesting that when it comes to life and death, the apologists for the industry say that we are being emotional. My God, why not be emotional about the House passing up this opportunity? The hon. Member for Gainsborough and Horncastle (Mr. Leigh) would not have made his point if someone close to him was involved. The amendments should not be supported and I call on hon. Members to withdraw all of them. That will give the Minister an opportunity, at some stage, to make a proper statement. We can then rigorously examine what the Government have proposed in their secret negotiations with the tobacco industry.

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): On a point of order, Mr. Deputy Speaker. I had hoped not to interrupt the speech by the hon. Member for Makerfield (Mr. McCartney), but, in view of the remarks he has just made and the remarks that I should like to make, I felt it appropriate that I should speak now.

I have, of course, become aware of the difficulties that have arisen as a result of the earlier exchanges about the Minister's proposed statement. I have arranged that the Minister should make a statement at 2.30 pm on the developments in the voluntary agreement restricting tobacco advertising.

Mr. McCartney: I thank the Minister and the House for their forbearance in letting me continue my speech until we got acceptance of the principle that we had been trying to establish from the outset. I thank you, Mr. Deputy Speaker, and I apologise if it got a bit hairy for you in the Chair on occasions. In the end, the Government may learn lessons from this and from last Friday's debacle. It is important to the concepts and principles of the House that hon. Members' rights are not abused, deliberately or not. I look forward to discussing the Minister's statement vigorously with him at an appropriate time today.

Sir David Mitchell (Hampshire, North-West): I recognise the strength of views for and against the Bill, and for and against the amendments. I also recognise the sincerity with which those views are held. I support the public purpose of reducing damage to health from excessive smoking. However, the promoter's purpose is to reduce tobacco consumption by banning advertising. I do not think that that purpose will be achieved at all.

I draw the attention of the House to the fact that, in 1975, Norway banned all advertisements for tobacco. Tobacco consumption at that time was 2,254 g per head. By 1991, after a total ban for all those years, the amount of tobacco consumption in Norway had declined by 1 per cent. The United Kingdom did not ban advertising. It did something more effective: it required every advertisement to carry a warning.

I should like to tell the House of my personal experience. I used to think that the condemnation of smoking was overdone, and I used to smoke. However, the constant day in, day out message of "smoking damages your health", "smoking causes cancer", "smoking causes heart attacks" and "smoking kills" has had its intended effect and I, like so many others, now very rarely smoke.

In the UK, the consumption per capita of tobacco products is down by 36 per cent. during the period in which we have had advertisements which have to proclaim on 17.5 per cent. of their space that smoking damages one's health.

Mr. Alan Howarth: I was interested and a little puzzled by the figures that my hon. Friend cited from Norway, as my recollection is that the Smee report to the Department told us that the ban on advertising tobacco products in Norway in 1975 was followed by a 16 per cent. drop in consumption. Of course, other factors that may have contributed to that fall, but Smee was in no doubt whatever that the ban on advertising had made a significant contribution.

Is it not right that all our efforts should be working together and that we should not allow advertising to continue to offset the other good efforts that we are making?

Sir David Mitchell: I hear what my hon. Friend says,and I make two points. The official statistics of Norway for tobacco consumption from 1975 to 1991 show that consumption per capita, in grams, was 2,254 in 1975 and that by 1991 it had fallen to 2,224—a reduction of approximately 1 per cent. I have to say to my hon. Friend, therefore, that in that instance the total ban on advertising seems to have had little effect on the level of consumption of tobacco products.

Mr. Howarth *rose—*

Sir David Mitchell: May I complete my response to my hon. Friend? In this country, we have not had a total ban on advertising, but we have imposed a ban in a form which requires some 17.5 per cent. of the advertising space to be devoted to a health warning. I was trying to tell the House that I, like so many others, have heeded that warning. The effect on the public is to create an awareness, which was never there before, of the fact that smoking damages one's health—that smoking is a major cause of cancer, heart attacks and death.

It seems totally counter-productive to the purpose of those who seek to improve the nation's health to remove all advertisements, which carry that important warning.

Mr. Howarth *rose—*

Sir David Mitchell: I shall give way to my hon. Friend in a moment. There is an inwardness about much tobacco advertising which I did not even recognise until I began to look into it. Many of the advertisements do not on the face of it seem to have anything to do with tobacco smoking. That is because the advertisements are concerned with persuading people to change from one brand of tobacco to another.

For example, there is an advertisement of a man with a huge Mexican hat and it is due only to the colour of the hat that the advertisement has any impact on smoking. That is because that colour is associated with a particular brand of cigarette. I do not even know which brand of cigarettes that advertisement concerns. It clearly has no impact at all on trying to persuade people to smoke, but only on persuading them to change from one brand to another. However, right across the bottom of those advertisements in big, clear writing is the warning that smoking endangers one's health, that it kills and that it causes heart attacks, and so on.

Mr. Howarth: If my hon. Friend is saying that if we are to have advertising it is better to have health warnings accompanying the advertisements, I agree with him that far. In his study of the statistical evidence from other countries, has he looked to countries other than Norway such as, for example, Finland, Canada and New Zealand? Each of those countries has found that a ban on advertising was followed by a significant fall in tobacco consumption and by courresponding benefits to the health of those societies.

Mr. Peter Griffiths: On a point of order, Mr. Deputy Speaker. I understood you to rule earlier that the debate would be confined to matters that turn on the amendments before us, which deal with the structures used for advertising and whether they are viewable from outside the premises concerned. The amendments do not relate to advertising campaigns in foreign countries. I am looking at the clock and wondering whether those of us who have waited patiently to talk about the amendments will have the opportunity to do so, or whether we are to have a series of general discussions. I ask for the protection of the Chair.

Mr. Deputy Speaker: The hon. Member is entitled to that, and I take his point. The debate has been going rather wide, as I have said on many occasions in the past two or three hours. I hope that the hon. Member for Hampshire, North-West (Sir D. Mitchell) will bear that in mind.

Sir David Mitchell: I, too, had been waiting since the House began to sit this morning for an opportunity to

participate in the debate. I am addressing my remarks to the amendments. We are concerned with a form of advertising which may be visible outside or inside premises, and it seems relevant to consider the part of the advertisement which has to bear a health warning. In this country, per capita consumption in grams of tobacco has fallen by 36 per cent. at a time when in Norway it has fallen by only 1 per cent. What accounts for the difference? In Norway they have banned advertisements entirely whereas we have provided that there must be a health warning. That warning —I draw attention to amendments Nos. 10 and 9—must be clearly visible. I understand from the statement made by my hon. Friend the Minister this morning—

Mr. Bennett: What statement?

Sir David Mitchell: The Minister's press release, of which I have obtained a copy.

I understand that the proportion of the advertisement devoted to a health warning is to be increased from 17.5 per cent. to 20 per cent. That is a further significant enhancement of the argument that I am advancing. We discover on inquiry that the proportion of the advertising that is devoted to health warnings throughout the country costs about £10 million a year. If the Bill is enacted, warnings about damage to health will be removed. That is entirely counter-productive to the attempt by the hon. Member for Rother Valley (Mr. Barron) to improve the nation's health.

Mr. Barron: I am interested in the hon. Gentleman's logic. I assume that he is talking about the 17.5 per cent. of the area of poster sites that is used for health warnings and not the 82.5 per cent. that is used to advertise cigarettes. Why cannot we do as so many other countries do and arrange for publicly funded organisations such as the Health Education Authority to take over poster sites? Then 100 per cent. of the site would be used to display a warning that people should not smoke cigarettes because of the damage that it does to public health.

Sir David Mitchell: I do not wish to detain the House as I know that other hon. Members wish to speak. I am merely saying that I do not think that I am particularly different from many other people in that some years ago, when I used to smoke, I took the view that other people were getting unduly worked up about health considerations in relation to smoking. However, I have been impacted on, as it were, and I am sure that that is the experience of many of my constituents, by the warnings carried on advertisements. The health warnings constantly hammer it home that smoking damages our health. That has made me decide that smoking is a bad thing and I rarely smoke now.

Mr. Austin-Walker: Does the hon. Gentleman agree with the Secretary of State for Trade and Industry, who said in a memorandum to the Prime Minister:

"Further there does seem to me to be an inconsistency in a policy which continues to defend tobacco advertising even in a restrictive form with a policy designed to reduce smoking further"?

2 pm

Sir David Mitchell: If the hon. Gentleman wants to go the whole hog he should bring in a Bill to ban tobacco smoking, manufacture and production. He can do so by all means, but that is not before the House at present. We are discussing amendments—I have drawn attention to amendments Nos. 9 and 10—which deal with the effect and availability of advertising that can be seen on shop premises and the like.

It seems entirely counter-productive to the purpose of improving the nation's health that £10 million-worth of advertising warning people against the dangers of smoking should be wiped out as a result of the Bill, were it to be passed.

Mr. Peter Griffiths: It may surprise you and, I hope, give you a little pleasure, Mr. Deputy Speaker, when I say that I wish to confine my remarks to the specific wording of the amendments in the group, which must be feeling a little lonely. I can give the House the assurance that, in selecting amendment No. 34 as the one to which I appended my name, I did so entirely by myself, without influence from a commercial or any other sort of body.

In the remarks by the hon. Member for Workington (Mr. Campbell-Savours) I resented the cutting comment that some of us might have discussed the matter with the Whips. As a matter of principle, I would not think of doing that. I felt that that comment by the hon. Gentleman was the unkindest cut of all. My comments are independent and based on the fact that I want the Bill to be defeated—I make no bones about that. It diverts attention from the real task of dealing with public health. Attacking advertising creates various problems for all sorts of people and does not tackle the basic health issue.

When discussing the amendments I want us to consider those proposals that would facilitate the Bill's operation if they were positively and practically applied. I trust that, even at this late stage, the Bill's promoter—I know that today's debate must be disappointing for him—will look at the current proposals so that if such a Bill returns to the House on some other occasion, they can be included in it so that it gains wider support.

I particularly want to consider the structures, such as kiosks or partitioned areas within stores, that might be regarded as separate premises for the purpose of the Bill. That is an important issue, particularly for supermarkets. Surely, those who wish to see the purchasing of tobacco products to be separated from the generality of purchasing within supermarkets would welcome and want to encourage the establishment of separate areas. In my experience, most supermarkets place their tobacco products in a separate area. But most of them also place those products quite near the door so that people who come in for a packet of cigarettes do not have to walk past the bread, butter, bacon and everything else.

The Bill presents a danger that the separate areas that we would tend to welcome would also be visible from outside the store and might well fall within the specified 1 m from the door. We are considering purely practical problems. Amendment No. 34 should be seized with alacrity by the hon. Member for Rother Valley (Mr. Barron) as a good idea. If a company or a business were prepared to separate its tobacco sales from the rest of the business—I would welcome that—would not that be evidence of good will, which, perhaps, has not been greatly in evidence today?

Mr. Barron: The amendment as it stands probably would have been accepted if it stood on its own and was able to be debated properly. Some of the amendments which were tabled in Committee were also acceptable.

The one thing that I cannot square with the hon. Gentleman is that he says that he wants to amend the Bill

[Mr. Barron]

in one place, but he started his speech in relation to amendment No. 34 by saying that he did not want the Bill to succeed. Clearly, that is a matter for him.

Mr. Griffiths: I thank the hon. Gentleman for clarifying the position. The grouping of the amendments, which I do not wish to discuss, was not a matter for me. The fact that amendment No. 34 was grouped with other amendments was not the choice of those of us who wished to support that amendment.

The hon. Gentleman should take seriously the point about the practicality of carrying out restrictive activities within the commercial field. I am sure he would wish tobacco-related activities to take place in a separate section of a shop and away from the main entrance.

Another difficulty with the Bill is that the hon. Gentleman does not wish the advertising to be seen from outside the shop. I am not aware of conditions in the hon. Gentleman's constituency, but most supermarkets, convenience stores and small sweetshops and newsagents which have tobacco sections in my constituency do not switch off their lights at night. They leave all their lights on inside as a safety measure. That means that anyone walking past the windows can look inside.

I find it difficult to understand how it could be possible to ensure that the advertisements for cigarettes or other tobacco products could not be seen from outside, even in a sizable store, if the lights are left on.

That point leads me to another practical issue which was also raised earlier. Would the aim of the Bill be to black out the view of people outside by covering the shop's windows with advertisements? Does not the hon. Gentleman agree that one of the worst features of modern supermarkets and convenience stores is the plastering of their windows with large paper posters which get torn and defaced and which destroy the civic amenities of the area? The idea that one could cover the windows so that one cannot look in and see cigarette advertisements seems to be utterly impractical.

If we were to take amendment 34 as a basis from which to start, and we encouraged the establishment of separate areas for the sale of tobacco goods which we would accept could be seen from outside, it would probably be useful rather than damaging.

There is one further and final point on the purely practical issue which I am to trying to raise. Many supermarkets these days use a system of automatic doors, and one has only to walk along some of the roads close to the House to see supermarkets which have automatic doors. Those can swing open as people walk past them —one does not have to go through them—and the cigarette kiosk inside can be seen.

It would not be sensible that it should be an offence because a door opens to make it possible for the items to be seen. It is unlikely that many people will walk close to the door who are not on their way in to the supermarket. As they are about to go in, the doors open and the advertisement is seen when they are still outside.

I am sure that the hon. Gentleman will say, as he said earlier, that it is unlikely that these detailed points would be matters of issue, but I suggest that they would. There are people who take great joy in saying that they can see this, they can do that or this is a danger to them. They enjoy the contention that arises and the publicity that might arise from raising such matters.

At this late stage, I appeal to the hon. Gentleman to indicate that he accepts that there are weaknesses in his Bill with regard to the carrying out of normal, ordinary commercial activities in supermarkets and other establishments where the sale of tobacco products is perhaps a relatively small part of those activities.

Mr. Barron: The hon. Gentleman makes an interesting point. Clearly, most areas of law settle on these matters. Can we have black or white in what the hon. Gentleman is describing as a grey area? I was interested to hear him say that advertisements can be seen through doors and windows. The authorities would have to be satisfied about what constitutes an advertisement. Many of the kiosks to which the hon. Gentleman referred have illuminated signs that can be seen clearly from outside. They would have to go. Alternatively, if cigarette packets are stacked on the counter, there may be advertisements which are not illuminated and which cannot be seen clearly from outside. If a few kiosks will not reposition their advertisements, I am sorry.

In the end, we must interpret the Bill as it is meant. Advertising is important when selling tobacco products —it is important to the industry in terms of brands and so on. However, it is more important in terms of public health. In the end, public health must be the dominant factor and that is why the Bill is framed in such a way—to protect public health.

Mr. Griffiths: Indeed, we do not find ourselves greatly at odds on the matter. Earlier, the hon. Gentleman said that he wished that hon. Members had addressed themselves to the consumers, rather than to the interests of those who provide the premises or who might make a profit from sales made therein.

There is a clear distinction to be drawn between informing customers and others who enter a store, and simple advertising. The role of advertising is to increase sales or to increase interest in a particular brand of product. We can have a lengthy discussion about that in a different part of the Bill. What I am saying is that we need to ensure that normal, ordinary commercial information is made available to people. The amendments in this group are worthy of careful consideration because they offer encouragement to the owners of commercial premises to come forward with changes in their premises, which would facilitate developments in public health, and recognition of the dangers that tobacco use can cause.

It is not reasonable to suggest that all the amendments tabled today were simply tabled, as the hon. Member for Makerfield (Mr. McCartney) said—I objected when he said it—as "wrecking amendments"; they were not. They were tabled by hon. Members who may dislike the Bill, but they were chosen to try to improve it. That is a legitimate exercise at each stage of a Bill. Proposals at Second Reading and in Committee—

Mr. Miller: I distinctly heard—I am open to correction if I am wrong—the hon. Member for Luton, North (Mr. Carlisle) say on radio that the amendments were tabled to wreck the Bill.

Mr. Griffiths: I was about to say that my hon. Friend the Member for Luton, North can speak for himself, but I think that we are all afraid that he might do so.

Mr. John Carlisle: Will my hon. Friend give way?

Mr. Griffiths: I shall give way to my hon. Friend in a moment.

The fact is that such terms are used loosely sometimes. The hon. Member for Makerfield used the word "wrecking" and I objected to it. It was accepted that the amendments could not be wrecking amendments because they would not be in order. Sometimes such terms are used loosely. At the start of my speech I said that I was opposed to the Bill but I tried to show that the amendments could not be categorised as wrecking amendments.

Mr. John Carlisle: The hon. Member for Ellesmere Port and Neston (Mr. Miller) has not graced us with his presence for most of our deliberations, and perhaps I can take this opportunity to put him right. If he had been here he would have known that my short interventions on four or five amendments were helpful. In terms of the proceedings of the House I was trying to help the hon. Member for Rother Valley to improve the Bill. I made no secret of my opposition to the Bill and if at the end of the day the House or I have anything to do with wrecking it, I shall make no apology whatever for that.

Mr. Griffiths: I think that my hon. Friend's comment is in accord with what I have suggested. Perhaps it is best not to examine closely remarks made outside the House. It is better to look at those made in the Chamber.

The amendments may well aim to change the Bill but the objectives of those who tabled them are just as legitimate as the aims of those who promote and support the Bill. It is just as right to seek to improve a Bill as to promote one. I think we must accept that the Bill will not reach the statute book.

Mr. Barron: It could.

Mr. Griffiths: That is a matter of opinion, but its proposals could be improved so that on another occasion a Bill with far less contentious material could be produced and would not face lengthy and inconclusive discussions such as those that we have had on this one.

2.15 pm

Mr. Bennett: On a point of order, Mr. Deputy Speaker. Would you confirm that it is normally considered discourteous for an hon. Member to introduce a group of amendments and then depart from the House and appear to take no further part in the debate? Does not that suggest that rather than tabling amendments in an attempt to improve the Bill, the hon. Member for High Peak (Mr. Hendry) appears to have acted in a spirit of trying to damage the Bill?

Mr. Deputy Speaker: In recent years I have noticed that many courtesies of the House are beginning to fall by the wayside. That is regrettable and I hope that my words will encourage hon. Members in future to abide by the courtesies of the House.

Mr. Couchman: I am pleased at this late stage in our discussions to make a short speech because it allows me to declare that, contrary to scurrilous sedentary comments from the Opposition Front Bench, I have absolutely no interest in the tobacco industry.

Mr. McCartney: On a point of order, Mr. Deputy Speaker. I am not rising to the bait but it is important to get the matter clear. I and others have somewhat jaundiced views of the hon. Member's involvement in these matters because he is a paid adviser to the pharmaceutical industry which makes hundreds of millions of pounds a year selling products—

Mr. Deputy Speaker: Order. What is the point of order for the Chair?

Mr. Couchman: That is a most disgraceful comment and I demand that the hon. Gentleman withdraw it straight away.

Hon. Members: Withdraw.

Mr. McCartney: Just look in the Register of Members' Interests. The hon. Gentleman is registered as an adviser to a pharmaceutical company—

Mr. Deputy Speaker: Order. That should be sufficient.

Mr. Couchman: The hon. Gentleman may be unaware that the pharmaceutical industry does not make cigarettes —surprise, surprise.

I propose to speak only to the amendments, as did my hon. Friend the Member for Portsmouth, North (Mr. Griffiths). In a brief intervention I said that my small family company runs seven London pubs. Cigarettes are sold from vending machines in those pubs, as they are in pubs and clubs throughout the country. It will be a matter of considerable concern to people who, like me, run public houses and sell cigarettes through such machines that the Bill mentions premises that are used wholly or mainly for the purpose of selling cigarettes and gives some exemptions in relation to them.

Public houses and clubs do not wholly or mainly sell tobacco products; they are a minor part of the product that we sell. They make little contribution to profit and are not much loved by any publican. But none the less there is a demand for those products and we sell them, usually through vending machines to avoid pilferage either by staff or customers.

My problem is whether advertisements for particular brands on those vending machines may or may not be seen outside the premises and thus contravene the Bill, were it to become an Act. That would leave us vulnerable and in jeopardy of draconian and substantial penalties. Like my hon. Friend the Member for Portsmouth, North (Mr. Griffiths), I am extremely concerned that the Bill has been sloppily drafted. The Bill relies on interpretations on which we should not rely, for I can give many instances where bureaucrats seek to interpret something in an absolute way when the spirit of the legislation may be in a different direction.

I am very much in favour of the group of amendments being passed. I hope that the House will accept them as amendments to what is a bad Bill. I have no love whatever for the tobacco industry. It is 15 years since I smoked a cigarette, and I have a wife who had a very nasty brush with cancer through smoking. So I have no time whatever for the tobacco industry. I am worried about the sort of precedent that the Bill, were it to become law, would set for the Stalinists who introduced it.

Sir Peter Emery: Having sat here for nearly five hours, it is quite interesting that I am the first Conservative Member to be able to catch your eye, Mr. Deputy Speaker, to speak in favour of the Bill. A considerable number of Conservative Members are in favour of it, illustrated, perhaps, by the 150 members of the all-party group on asthma, all of whom are in favour of the Bill.

[Sir Peter Emery]

I now refer to the basic health matters within the amendment, which are of considerable concern. Nobody other than those who were listening to the lobby of cigarette manufacturers does not accept that advertising has some effect in increasing the use of cigarettes, whether the advertising is outside or inside, as the amendment refers to, and I wish to stay in order. I suggest to the House that, where young children can see retail advertising, positive academic considerations and studies have shown that advertisers are increasingly moving to target directly young women and young people to encourage them to begin smoking. That cannot be right. It cannot be right for any hon. Member, whatever he or she believes, that any aspect of advertising should encourage young people to begin smoking.

I refer specifically to the approach of Professor Dame Margaret Turner-Warwick, ex-president of the Royal College of Physicians. She drew my attention to the report by professors Pierce, Lee and Gilpin, in which they studied the matter, not just for a short while but positively since 1944, as I suggested, with surveys in 1970, 1978, 1979, 1980, 1987 AND 1988. Those reports found that there was not necessarily a positive increase in smoking among young men aged 18 to 20. I give both sides of the report, to be absolutely fair. As to advertising, including that on retail premises, the reports made the situation absolutely clear. Dame Margaret stated:

"The study concludes that the increased marketing and promotional activities by tobacco companies were associated with a major increase in the uptake of smoking by females younger than the legal age for purchasing cigarettes."

If that is the conclusion of a study that has been under way for 20 years, surely the House should pay attention to it.

I do not claim that there are no other major factors—of course there are. But if advertising is one factor and the House can do something, it should take a positive step. That is why I support the Bill.

Mr. John Carlisle: Will my right hon. Friend give way?

Sir Peter Emery: My hon. Friend can make another speech when I sit down.

The National Asthma Campaign—and I declare an interest as its chairman—has 198 branches, and every member of them wants the Bill to progress. The House has not done itself a great service. We should consider not the interests of tobacco manufacturers but the need to reduce the incidence of lung cancer—which in many areas is becoming a greater killer than breast cancer. Smoking is the major factor, and advertising on premises and outside them must have an effect. I hope that the amendments will be defeated and that we can get on with passing the Bill.

Mr. John Carlisle: I have great respect for my right hon. Friend's views, which he expressed eloquently in Committee—he holds a distinguished post with the National Asthma Campaign. However, my right hon. Friend and other opponents of the amendments failed to address the type of advertising that influences young people to smoke.

My right hon. Friend read letters from senior members of the medical profession and quoted surveys undertaken over the past 20 or 30 years—but at no point has my right hon. Friend or the Bill's supporters indicated the sort of advertising that might attract young people to smoking —and obviously that is important.

It has been said before, and it will be said again, that many tobacco advertisements are totally misleading to non-smokers. They include hon. Members who are in some cases aged and respected members of society, having the degree of intellect that I suppose is necessary to enter the House—although I sometimes wonder when I look at some hon. Members opposite. If we cannot understand tobacco advertising, how are we—

Mr. Austin-Walker *rose—*

Mr. Barron *rose—*

Mr. Carlisle: I would love to give way, but I am anxious that the House gets through as many amendments as possible—and time is short. However, I will give way to the hon. Member for Rother Valley.

Mr. Barron: I was interested in the hon. Gentleman's remark that he was anxious to get through the amendments, because he wrote to me on 15 May that he hoped that my Bill would be consigned to the legislative dustbin. Does an hon. Member need to be particularly articulate to comment in such a way on legislation that concerns public health and the well-being of our young people?

Mr. Carlisle: Perhaps I made that remark because I know the type of person that the hon. Gentleman is, and I thought that he might understand that kind of language, whereas he would not have appreciated something more sophisticated.

This debate has been an interesting exercise. The hon. Gentleman presented his Bill with some eloquence but did not appeal to those of us whose fundamental concern is his unique attempt—and I am glad that at twenty-eight minutes past one o'clock one can say this—to stop 16 million people who take part in a legitimate pastime choosing for themselves whether they smoke one brand or another, or whether to smoke at all. The hon. Member for Rother Valley was trying to impose the nanny state upon the British nation—those who smoke and those who do not —in his attempt to ban advertising of a legitimate product.

To imply, as certain of my hon. Friends have done, that children will take up smoking because of advertisements that they see and that by banning them, children will be prevented from smoking, is absolute nonsense.

Under the voluntary agreement—we are about to hear about a new agreement—the tobacco companies, in agreement with the Department of Health, specifically state that their advertisements should not be pitched at children. That does not happen and—

It being half-past Two o'clock, the debate stood adjourned.

Remaining Private Members' Bills

ENERGY CONSERVATION BILL

Order read for further consideration (not amended in the Standing Committee).

Hon. Members: Object.

To be further considered upon Friday 15 July.

SOCIAL SECURITY REGULATIONS (CHRONIC BRONCHITIS AND EMPHYSEMA) AMENDMENT (NO. 2) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 15 July.

NURSERY EDUCATION (ASSESSMENT OF NEED) BILL

Order read for resuming adjourned debate on Second Reading [18 February].

Hon. Members: Object.

Debate to be resumed on Friday 1 July.

NATIONAL PARKS BILL [*LORDS*]

Order for Second Reading read.

Hon. Members: Object.

Mrs. Angela Browning (Tiverton): Will you please confirm, Mr. Deputy Speaker, that the objection came from the hon. Member for Luton, North (Mr. Carlisle)?

Mr. Deputy Speaker: No.

Second Reading deferred till Friday 20 May.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Monday 23rd May, notwithstanding the provisions of Standing Order No.14 (Exempted business), the Speaker shall—

(1) put the Question on the Motion in the name of Mr. Secretary Heseltine relating to the draft Coal Industry (Restructuring Grants) Order 1994 not later than one and a half hours after it has been made;

(2) put the Question on the Motion in the name of Sir John Cope relating to the Value Added Tax (Education) Order 1994 not later than one and a half hours after it has been made; and

(3) put the Question on the Motion in the name of Mr. Secretary MacGregor relating to the draft Railways Pension Scheme Order 1994 and the draft Railway Pensions (Protection and Designation of Schemes) Order 1994 not later than Ten o'clock.—[*Mr. Conway.*]

Points of Order

Mr. Kevin Barron (Rother Valley): On a point of order, Mr. Deputy Speaker. In view of what has happened to the Tobacco Advertising Bill, is there any way in which the House can protect the interests of hon. Members who come near the top of the list of those successful in the ballot to introduce private Members' Bills? It was clear from day two that the Government offered me a Bill through their Whips' Office which would get through the House. Today my Bill has been subjected to a procedural mugging by the use of contemptible tactics. Is it not a contempt of the House and disgraceful that the Minister should make a statement now instead of doing so in the proper parliamentary way?

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): The House has already considered the first part of the hon. Member's point of order. I will not respond directly to his question about contempt, but I must tell the House that I strongly deprecate what has taken place and, in particular, the fact that a press release was issued purporting to report what a Minister had said in the House before the relevant statement was made.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Mr. Deputy Speaker. May I place on record on behalf of my constituents my strong objection to the fact that the National Parks Bill was objected to by the hon. Member for Luton, North (Mr. Carlisle) and—

Mr. Deputy Speaker: Order. That is not a point of order, and the hon. Gentleman knows that full well.

Mr. A. J. Beith (Berwick-upon-Tweed): On a point of order, Mr. Deputy Speaker. I wonder whether it was clear to you whether the Government Whip knew precisely what he was doing when he objected to Government new clause 2 to the Energy Conservation Bill? I always understood that Government Whips were paid to do the Government's business, but I had hoped that we might make enough progress on the Bill to pass a Government new clause, which had already been debated for two hours, without a Division. I would have let it through on the nod just a few moments ago.

Mr. Deputy Speaker: That is not a matter for me.

Tobacco Advertising (Voluntary Code)

2.33 pm

The Parliamentary Under-Secretary of State for Health (Mr. Tom Sackville): With permission, I should like to make a statement on a new voluntary agreement controlling tobacco advertising. Before doing so, however, I should like to apologise to the House for the fact that the text of the remarks that I hoped to make in the earlier debate, but did not make, were prematurely released in the Vote Office.

I am pleased to announce that the United Kingdom health Departments and the tobacco industry have concluded negotiations on the main elements of a new voluntary agreement on tobacco advertising and promotion. A number of significant new measures to control tobacco advertising will be introduced that will have a wide-ranging impact, in particular on the exposure of young people to advertisements and on the effectiveness of health warnings. I believe that they provide reassurance as to the value of the system of voluntary controls on tobacco advertising in delivering an effective level of health protection.

The main additions to the existing agreement agreed between United Kingdom Health Ministers and the tobacco industry will be: the removal of all permanent shop-front advertising for all tobacco products by the end of 1996; a reduction in the expenditure allowed on cigarette poster advertising by 40 per cent., which will give a new limit for cigarette poster advertising spend of 30 per cent. of the 1980 expenditure level, allowing for inflation; the removal of all small poster advertising for cigarettes and hand-rolling tobacco, including bus stop advertising, although 48-sheet posters and above will still be allowed; the removal of all mobile advertising for cigarettes and hand-rolling tobacco, including advertisements on buses and taxis; the removal of all poster advertising for all tobacco products from within a 200 m radius of school entrances; a significant increase in the size and impact of health warnings on cigarette and hand-rolling tobacco advertisements, including increasing the space devoted to the health warning to 20 per cent. of the total area of the advertisement, increasing the size of the lettering of the health warning by approximately 80 per cent. in posters and 50 per cent. in press advertisements and rotating the presentation of health warnings between black lettering on a white background and white lettering on a black background to increase impact; the introduction of health warnings on cigar and pipe tobacco advertisements for the first time, covering 10 per cent. of the total area; a requirement for all point-of-sale advertising material for cigarettes, hand-rolling tobacco, cigars and pipe tobacco to carry health warnings, not just larger items of cigarettes and hand-rolling tobacco advertising; the introduction of health warnings on certain items of promotional material for cigarettes and hand-rolling tobacco, including, for example, beer mats and ash trays; controls on the content of cigarette advertisements, currently being updated by the Advertising Standards Authority, should prevent the use of humour in cigarette advertisements that would be likely to have a particular appeal to the young; the introduction of a new code of practice to help to ensure that free samples of cigarettes are not available to under-18s; a ban on advertising tobacco products on computer games and other computer software; and provision for increased expenditure by the committee for monitoring agreements on tobacco advertising and sponsorship on monitoring compliance with the new agreement.

The new agreement, which will run for five years, will be published and come into force shortly. It will need to be approved under the Restrictive Trade Practices Act 1976.

Mr. Ian McCartney (Makerfield): This statement is about four hours late. It is a Pontius Pilate statement. We now know the extent of the tobacco influence on the Department of Health.

This statement will do nothing to reduce the 300 deaths a day that are caused by the consumption of tobacco products. It is a repudiation of Professor Smee's direct advice to the Government and of the Government's "Health of the Nation" targets, which now will not be reached because of the continuation of the insidious advertising of tobacco products. The Minister did not mention how many lives would be saved or the effects of the targets on the consumption of tobacco products.

The Minister mentioned

"a reduction in the expenditure allowed on cigarette poster advertising by 40 per cent."

and

"a new limit. . . of 30 per cent. of the 1980 expenditure level, allowing for inflation."

What does that mean? How much in real terms will the tobacco industry be allowed to continue to spend, year on year, to continue the consumption of its product by children to replace the 300 people a day whom it kills?

Poster advertisements are to be removed from within 200 m of school entrances—what a joke. Does that mean that children will have to go to school with their eyes closed and not look at posters from the time they leave their houses until they get to school? If the Minister is serious about this matter, why not take into account school premises rather than school entrances alone? Will the industry still be able to advertise on sites opposite school playing fields and on other premises owned by education authorities?

The Minister's statement is confirmation of the fact that the Government are not serious about tackling the industry which is targeting children specifically but not only on their way to and from school; every time children leave their homes, they are confronted by tobacco advertisements whose specific purpose is to encourage children to start smoking and then to continue doing so.

The space devoted to health warnings is to be increased to 20 per cent. of the total area covered by an advertisement. However, a few weeks ago the Government were saying that they were would be tough on the industry and would sort it out. After great negotiations—hard hours spent by the Minister for Health at his Department—there is to be a 2.5 per cent. concession. Why is there not to be 80 per cent. warning and 20 per cent. advertising? Is it something to do with the £200,000 that the Conservatives got from this country's biggest manufacturer of tobacco products in the weeks leading up to the previous general election? Is this the pay-off for the tobacco industry?

As for the content of advertising, will the Minister give a commitment that the Advertising Standards Authority will introduce the new controls only after consultation with the medical profession and other interested parties? So far, the ASA has failed disgracefully adequately to police the agreement. The fact that it has done its job inadequately

has allowed Regal and Silk Cut to produce advertisements deliberately designed to interest children in smoking and to ensure that they maintain the habit.

The Minister also announced a ban on the advertising of tobacco products in computer games. I assume that the reason for the ban is that the Government now accept in principle the concept that the advertising of tobacco products to children is harmful and that it is also harmful to the public in general. Therefore, why not ban completely the use of any other products for tobacco advertising? The Government cannot have it both ways. If they accept in principle the notion that a ban is necessary because of the harmful nature of a product, the ban should be extended. The simplest way to proceed would be to allow the House time next week to pass the Bill introduced by my hon. Friend the Member for Rother Valley (Mr. Barron).

Mr. Sackville: Let me first deal with the contemptible allegation that the Government have been influenced by the tobacco industry. Does the hon. Gentleman think that if such influence existed we would have increased the price of tobacco products in every successive Budget to a greater extent than almost every other European country? In this country a packet of 20 cigarettes of the most popular brand costs about £2.50 whereas in some other European countries it costs between 40p and 50p. Does he think that our increases are the actions of a Government who have been influenced by the tobacco industry?

The hon. Gentleman tries to rubbish the voluntary agreement which we are strengthening. I remind him that, since the agreement has been in effect, the number of people smoking in this country has declined progressively. In many other countries where there has been a ban there have often been smaller decreases in the numbers smoking. Indeed, the hon. Member for Torfaen (Mr. Murphy) said in the debate on the Trade Marks Bill:

"In other countries, cigarette advertising is banned. In Hungary, there is no advertising of cigarettes, but there has been an enormous growth in the consumption of cigarettes."—[*Official Report*, 18 April 1994; Vol. 241, c. 671.]

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. Before I call hon. Members, I must point out that I am looking for short questions and short answers.

Sir Terence Higgins (Worthing): My hon. Friend the Minister enumerated the practices that would not be allowed in future. Will he enumerate the forms of advertising that will still be permitted? Is it not absolutely clear that the continuation of that advertising will lead to a deterioration in health?

Mr. Sackville: I have said that there will be a limited amount of poster advertising, but I have pointed out that under the new limit the spend will be only 30 per cent. of the equivalent spend in 1980. That is a considerable reduction in spending. There will continue to be certain promotional items inside shops, for example. Many of the important parts of the advertising programme of the tobacco industry will no longer happen; they will be reduced progressively. I think that my right hon. Friend will agree that that is a major step in the right direction.

Ms Liz Lynne (Rochdale): I am delighted that the Minister has at long last made a statement to the House. He was forced to do so because he tried to slip the statement in during a debate on amendments to the Tobacco Advertising Bill. How can he think that the voluntary agreement has worked? He does not appear to have commissioned any research into the matter. Will he now commission research into the voluntary agreement and then tell the House what that research is? Will he ask the tobacco industry to open the monitoring committee to the public so that they may be aware of what is happening?

Why is there nothing in the statement about inserts in comics or about advertising in magazines and newspapers? Will there be no voluntary agreement on that? Does not the Minister now see that a voluntary agreement does not work and that, therefore, the Tobacco Advertising Bill should have gone forward?

Mr. Sackville: I remind the hon. Lady that we take the view that a voluntary agreement is the way forward. There is no absolute proof of the effects of advertising, whether in terms of overall consumption or in terms of switching brands. There are no absolutes in this: we cannot be certain. All we know is that we shall continue to follow a programme of removing advertising from children as much as possible and that we shall ensure that anything that we do has that theme.

Mr. Roger Sims (Chislehurst): The Department of Health accepts that smoking is harmful per se and seeks in "The Health of the Nation" to reduce its incidence. Does it accept that advertising influences consumption? If advertising does not influence consumption, what is the point of trying to reduce advertising? If it does influence consumption, why negotiate to allow advertising to continue at all? Why not ban it altogether?

Mr. Sackville: That is the key question which surrounds the whole debate. We take the view that to seek to ban the advertising of a substance that is itself legal is wrong. We seek, therefore, to take action that is in proportion to the available evidence of the impact of advertising. That is what controls our entire policy.

Mr. Kevin Barron (Rother Valley): This is the 11th time that the voluntary agreement has been renegotiated. On each occasion, the agreement has restricted advertising. The reason, quite simply, is that advertising increases not only brand share but consumption.

The Minister says that poster sites must be outside a 200 m radius of school entrances. Under the existing voluntary agreement there has supposedly been a restriction on posters that are visible from schools for some time. Yet the Minister knows fine well that that restriction has been breached. I have here photographic evidence, compiled by a doctor in London, which shows that the restriction has been breached in the case of more than two thirds of the schools included in the survey. Will the Minister now tell us what policing and monitoring there will be of the voluntary agreement, which has been broken time and again, while our children are being induced to take up this habit, which prematurely kills many hundreds of people each day?

Mr. Sackville: I have made it clear that we are putting extra resources into the monitoring of the agreement. We are serious about the agreement. My right hon. Friend, who negotiated it, and the Department of Health will be making quite certain that the industry will stick to what it has agreed to. That cannot always be said of statutory bans. Once a statutory ban is introduced, companies go to great

[Mr. Sackville]

lengths to try to get round the letter of the law. Companies will stay within the spirit of the law and, if not, they know the consequences.

Sir Peter Emery (Honiton): I thank my hon. Friend for apologising to the House. I am certain that the House accepts his apology.

First, does my hon. Friend accept his own figures that show that lung cancer, especially among women, is on the increase? Secondly, does he accept that that has been caused mainly by smoking? If that is the case, why have we an agreement that is to last for five years? Surely, if it is to be of any use at all, it should be for a much shorter period so that we can get on with trying to stop advertising altogether.

Mr. Sackville: We have the freedom to review the agreement at any time. I agree with my right hon. Friend that it is appalling that more young women are smoking and that there seems to be a higher incidence of lung cancer among young women. We all agree that we want to reduce smoking. What we are about is deciding how to do that, and we disagree with my right hon. Friend on that point.

The Government believe strongly that the voluntary agreement has been a success and that it will continue. It is only part of a comprehensive package, which includes, as I said earlier, action on price by having almost the most expensive cigarettes in Europe and a large, extra budget for an advertising campaign to demonstrate the dangers of smoking. It is a part of a package. My right hon. Friend must not—I hope that he does not—go down the path of thinking that advertising is the only aspect that affects matters. It is a totem around which many people dance; it is not the only part of our programme.

Mr. Deputy Speaker: It is becoming obvious to me that the appeal that I made a few moments ago for short questions and short answers has fallen on deaf ears. If that continues to be the case, many hon. Members who wish to speak will not be successful.

Mr. Joseph Ashton (Bassetlaw): Is the Minister aware that, in the Select Committee on National Heritage two or three weeks ago, the tobacco companies admitted that they were spending £8 million on television sponsorship of snooker—by Benson and Hedges—of horse racing, of rugby league and of other sporting programmes on which they are advertising despite all the bans? The Minister has mentioned nothing about any restraints on that. The reason why the Government have given the Minister those few tokens to announce is to enable them to spend cash in future.

Mr. Sackville: That is a matter for my ministerial colleagues in the Department of National Heritage. The hon. Gentleman knows about the question of sports promotion. To describe what I have said today as "tokens" when one considers the enormous reductions in spending that are implied by them is very wide of the mark.

Mr. Peter Bottomley (Eltham): Does my hon. Friend accept that the incidence of smoking ranges from 6 per cent. among doctors to about 75 per cent. among mothers on income support and that children with parents who smoke are two and a half times more likely to smoke? Does he agree that, as well as the discussions about the voluntary agreement and the Bill, the most important thing is to act on what people know and on what influences them?

Mr. Sackville: I absolutely agree with the research about which my hon. Friend speaks that is related to the influence of parents. The evidence that there is a very much higher likelihood of children whose parents smoke taking up smoking themselves is overwhelming.

Mr. D. N. Campbell-Savours (Workington): Is not the real reason why the Government have not been prepared to ban tobacco advertising to be found in the letter from Imperial Tobacco Ltd. of 27 January 1992, which states clearly that the Government did a deal with Imperial Tobacco not to ban advertising during this Parliament? That is why we cannot pass the legislation and that is why we have a voluntary agreement, which we all know will not work. Is not it the snidy little deals done in smoke-filled back rooms that has led to the Government's squirming on this occasion?

Mr. Sackville: The Government have no wish to ban tobacco advertising. We mean to go on ensuring that we have a comprehensive package, including restrictions on advertising, to reduce the incidence of smoking among the population as a whole.

Sir Trevor Skeet (Bedfordshire, North): The Minister has prescribed very harsh terms in his statement. May I ask a question on one term? If there is to be a health warning on promotional material such as beer mats, how far does he intend to go down that route?

Mr. Sackville: That is a matter of the definition of promotional material. It may become a factor between the two sides. That is precisely why a voluntary ban can be much more effective than a ban that seeks to define exactly the definitions. The tobacco industry must remain within the spirit of the definition. We all know what we regard as promotional material. If the industry goes outside that common-sense definition, it will know the consequences.

Mr. Ieuan Wyn Jones (Ynys Môn): Will the Minister acknowledge that, despite the introduction of the voluntary code, the tobacco industry will be spending far more money on advertising than the money that health promotion units will have to spend on preventing smoking, especially among young children? Until the Government are prepared to accept the contents of the Tobacco Advertising Bill or a similar Bill, will the Minister ensure that health promotion units receive comparable sums?

Mr. Sackville: If we think that further resources are needed for promotional campaigns, we shall make those resources available. As was said earlier, with 20 per cent. of the space on advertising posters containing health warnings, we shall get a huge amount of free anti-smoking material, to which the public are subject. That is something that must not be overlooked.

Rev. William McCrea (Mid-Ulster): Will the Minister tell the House how many young people's lives he expects to save through the action which he has announced today? What of the other vulnerable young people? Are their lives to be consigned to the dustbin like the Bill today?

Mr. Sackville: The hon. Gentleman knows that there is no absolute research on the different motivations of people taking up smoking. We can try to continue to provide a

package of measures to persuade people not to take up smoking. If the hon. Gentleman is saying that he would ban all tobacco products, that is another matter.

Mr. Andrew F. Bennett (Denton and Reddish) : First, may I press the Minister to apologise to the House, rather than to blame the Vote Office, for dodging making a proper statement? Secondly, will he ask the question put by the hon. Member for Mid-Ulster (Rev. William McCrea): how many lives does he expect to be saved? Will he confirm that there will be a cut in the tobacco industry's donation to the Tory party as a result of the voluntary agreement?

Mr. Sackville: I apologised unreservedly. I would not blame the Vote Office, my officials or any officials of the House for anything that happened. I would be happy to repeat my apology. Perhaps the hon. Gentleman was not in the Chamber when I made it.

Does the hon. Gentleman seriously think that a Government who have progressively increased the tax on the products of a company are likely to be seeking donations from that company?

Mr. Richard Alexander (Newark): My hon. Friend has announced an increase in the amount of space on an advertisement that must be devoted to the health warning. Does it follow that the Government feel that the health warning has been effective in reducing tobacco consumption? If they do, do they agree that we should not ban all tobacco advertising?

Mr. Sackville: We agree that we should not ban all tobacco advertising. We seek to restrict it, and we seek to strengthen the effect of the warnings that it contains. The lettering has been increased to make warnings more visible, which was precisely what we were advised to do by ASH. That is what we are delivering.

Ms Janet Anderson (Rossendale and Darwen): The press release states that the Government will introduce

"a new code of practice to help ensure that free samples of cigarettes are not available to under 18s".

It is my understanding that that code of practice already exists in the current voluntary agreement. Is the fact that the Minister feels bound to introduce a new code of practice to ensure that restriction evidence that the existing one is not working? If so, is it not self-evident that the voluntary agreement does not work?

Mr. Sackville: Obviously there are parts of the current agreement that are unsatisfactory or need improvement, which is why we are announcing improvements.

Mr. Alan Howarth (Stratford-on-Avon): If we are to proceed by way of a voluntary agreement rather than by a ban on advertising, which I greatly regret, the new voluntary agreement is a significant improvement on its predecessor. To that extent, I congratulate my hon. Friend the Minister and his right hon. Friends on what they have achieved in the negotiations. But if the Department of Health is serious about its responsibility—to promote the health of the nation—it will concentrate on it singlemindedly and judge policies by their results. He can very well justify a ban on the advertising of tobacco products, which would reduce consumption, while retaining the legality of the sale of the tobacco products. We do not want to criminalise the tobacco trade as that would lead to effects comparable to those of prohibition in the United States of America. It would cause a new set of evils. My hon. Friend need have no difficulty in making that distinction.

Mr. Sackville: I thank my hon. Friend for his remarks, given his views on the subject and the Bill, which I know. I take what he says very seriously.

Mr. Michael Clapham (Barnsley, West and Penistone): In his press release the Minister refers to

"the removal of all small poster advertising for cigarettes and hand-rolling tobacco".

Does that cover cigar and pipe tobacco? Does it cover the advertising of a promotion or brand name?

Mr. Sackville: As the hon. Gentleman may know, negotiations are currently being held with the European Community about the bearing of warnings on single cigar packaging. That matter has to be negotiated, but all such matters are being progressively tightened up.

Mr. Nigel Evans (Ribble Valley): The House knows my retail experience and interest in the subject. Does my hon. Friend agree that advertising is not a factor in the consumption of tobacco products? If that were so, the consumption of a hand-rolling tobacco called Drum would not be as high as it is—it has the third largest share of the market in this country when it is not legally sold here—but would be outstripped by Amber Leaf and Rolled Gold. Those tobaccos are made in this country by tobacco companies in this country; they can advertise and have special offers in this country.

Mr. Sackville: My hon. Friend probably has more expertise on the likely effect of advertising than anyone else in the Chamber, and I thank him for his comments.

Mr. John Carlisle (Luton, North): Does my hon. Friend accept that the sponsorship of sport by tobacco companies is outside the agreement, so will be subject to other negotiations? I think that he will share my concern that Opposition Members might find it difficult were sponsorship to be withdrawn from many such events. They would not be able to enjoy those events that they now attend freely and watch on television. Those events allow them to enjoy, not the hospitality, but the generosity of tobacco companies.

Mr. Sackville: I am sure that my hon. Friend's remarks will be heard by the Department for National Heritage.

Mr. Andrew Miller (Ellesmere Port and Neston): Will the Minister answer the question posed by my hon. Friend the Member for Makerfield (Mr. McCartney) about computer games? Will he confirm that there is no evidence to show a distinction between the effects on young people of advertising in computer games and the effects on them of advertising in other media to which they are introduced, such as inserts in comics?

Mr. Sackville: Clearly we must ensure that advertising and promotion is not allowed in relation to any items that are aimed specifically at young people. That provision must become part of the agreement.

Mr. John Austin-Walker (Woolwich): No doubt the Minister is aware of the memorandum from the Secretary of State for the Environment to the Prime Minister last November in which he said that, if the Government wanted to be seen to be serious about wishing to reduce the

[Mr. John Austin-Walker]

prevalence of smoking and to improve health, they would introduce an outright ban on tobacco advertising. May we take it from his statement today that the Government do not wish to be seen to be serious about tackling the problem?

Mr. Sackville: The Government are extremely serious about tackling the problem in a number of ways. The idea that an advertising ban is the only thing which must be addressed to try to reduce the incidence of smoking is a complete myth.

Mr. Toby Jessel (Twickenham): Does my hon. Friend agree that the health warning would be very much more effective if the size of the lettering was increased by more than a mere 80 per cent.? The lettering is so small at the moment that it is often hardly legible. If the space for the warning is to be increased to 20 per cent. of the poster, will not that waste of lot of space? Would not it be better to increase the size of the lettering by more than 80 per cent.?

Mr. Sackville: We have arrived at the answer of a minimum of 6 in because we believe that that is generally readable at some 210 ft. We regard that as a fair distance.

Royal Military School of Music, Kneller Hall

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Conway.]*

3.5 pm

Mr. Toby Jessel (Twickenham): Any hon. Member initiating a new debate this weekend will wish to join in the tributes to the late right hon. and learned Gentleman, the Leader of the Opposition, following his sudden death yesterday, and I certainly make no apology for doing so. I came to know him in 1982 on a 10-day Commonwealth Parliamentary Association delegation to India, and I grew to like respect and him immensely. He will be greatly missed.

I am grateful for the opportunity to raise the subject of the Royal Military School of Music at Kneller Hall, Twickenham, which must be done in the context of the current defence cost study.

Kneller Hall is one of the glories of our country. It trains British Army bands which are the envy of the entire world. They have a high standard of excellence. They lift the spirits of the nation. Who does not feel uplifted by the sight and sound of a British Army band on one of our royal or state occasions? The bands are without doubt one of our finest traditions. As part of the traditional British scene, they help to attract visitors whose spending generates employment and income and yields tax to the Government. The amount of that yield cannot be exactly measured, but it undoubtedly exists. Allowance should be made for it, and some such allowance should be offset against the cost of bands.

The immensely high standard of British Army bands is linked inextricably with the famous name of Kneller Hall, the Royal Military School of Music at Whitton, which is in the Twickenham constituency. It trains Army bandmasters and instrumentalists to a level of precision, strength, control and musicianship, which in military music has never been surpassed.

It is an efficient training. It is tried and proven, its quality and fame distilled from vast experience and woven into an effective system. Kneller Hall is also enormously popular—some 25,000 visitors pay to come annually to its celebrated outdoor summer concerts. The bandmasters and pupils benefit from the stimulus of an audience, 80 per cent. of whom are said to come from within 10 miles.

Within Twickenham and Whitton, Kneller Hall is a highly prized asset. Many of the audiences come from within my constituency, and many come from that of my hon. Friend the Member for Brentford and Isleworth (Mr. Deva), since Kneller Hall is right on his boundary. I hope that my hon. Friend will catch your eye later, Mr. Deputy Speaker.

Many also come from the constituency of the Minister, my hon. Friend the Member for Richmond and Barnes (Mr. Hanley). He has always been most supportive of Kneller Hall. I remind the House that, in 1986, he seconded my early-day motion in response to the proposal from the then Secretary of State for Defence to close Kneller Hall. As it was a long motion, I shall read just part of it:

"That this House pays tribute to the high standards of excellence of the bands of the Army trained at Kneller Hall, Twickenham, the Royal Marines trained at Deal"—

I am glad to see my hon. Friend the Member for Dover (Mr. Shaw) in his place—

"the Royal Air Force trained at Uxbridge, all of which add splendour to Royal and State occasions . . . takes note of the . . . Report of the Public Accounts Committee which expresses grave disquiet that the Ministry of Defence should have decided on a joint Defence School of Music which would disrupt the training of service musicians and entail expenditure of £10 million before carrying out a full investment appraisal . . . and hopes that band training will long continue to flourish at Kneller Hall, Twickenham, at Deal and at Uxbridge respectively."

That early-day motion was signed by 163 Conservative Members, of whom 95 are still here, including 14 Ministers and Whips in the present Government. They included not only my hon. Friend the Member for Richmond and Barnes, who is now Minister of State for the Armed Forces and will reply to the debate—at that time, he had the freedom of the Back Benches—but his parliamentary secretary Viscount Cranborne and my hon. Friends the Members for Shrewsbury and Atcham (Mr. Conway), who is sitting on the Front Bench as the defence Whip, and for Romford (Sir M. Neubert), whom I am glad to see in his place as he is a distinguished wind musician as well as a former Defence Minister.

Outside the Government and these Benches, may I say, Mr. Deputy Speaker, that two of your colleagues in the Chair, my hon. Friends the Members for Northampton, South (Mr. Morris) and for Plymouth, Drake (Dame J. Fookes), also signed the same early-day motion? At that time they, too, had the freedom of the Back Benches.

In the debate on the Army on 4 May, my hon. Friend the Minister said:

"Support areas make a vital contribution to the front line."

Britain has one of the world's best armies. Its courage, skill, professionalism and self-control are legendary. That has been proven time and time again under fire, as in the Falklands, the Gulf, Northern Ireland and Bosnia. My hon. Friend also said:

"The UK contribution to current UN operations in former Yugoslavia is second to none in terms of its professionalism, efficiency and effectiveness."—[*Official Report*, 4 May 1994; Vol. 242, c. 727-38.]

I fully endorse those words.

As a naval man—I served for six years in the Royal Navy—I know of the superb military qualities of the British Army which are hugely respected at home and abroad. Those qualities flow from the motive of regimental loyalty. Regimental loyalty is a powerful motivator. Just as in the Royal Navy a man will not want to let his shipmates down, so in the army a man will not want to let down his mates in his regiment. Regimental loyalty is territorially based. It is intense. It is purposely fostered. Without doubt, it is the mainspring of what makes the British Army tick.

Loyalty to Crown and country is strongly buttressed by loyalty to colonel-in-chief, to badge and to band. If the bands are weakened, so are our defences. If that motivation is undermined, so are the high standards of professionalism, as shown in Bosnia. My hon. Friend rightly paid tribute to that in his speech on 4 May.

Last time round in 1983, it took me nine meetings with different Ministers; it took me raising the subject 17 times in the House; it took the early-day motion signed by 163 hon. and right hon. Members on this side of the House; it took a petition signed by 16,000 people; and it took asking the Public Accounts Committee to report on the finances of the proposal to close Kneller Hall made by the then Secretary of State for Defence in his 1983 White Paper.

In its first conclusion the Select Committee on Public Accounts said:

"We are gravely disquieted that the Ministry of Defence should have decided"

to close Kneller Hall

"before carrying out a full investment appraisal. We were therefore glad to receive the Ministry of Defence's undertaking that, in future, such appraisals would be carried out wherever a financial investment was contemplated and the results would be reported to Ministers before a decision was made."

In the end we got the Government to reverse their decision to close Kneller Hall. That decision was taken in March 1987. I tell my hon. Friend the Minister that while I am not asking to go through all that palaver again, I am absolutely ready to do so if needs must—and to double it. He can save himself and the Secretary of State a very great deal of trouble by doing the right thing and announcing in July that they will keep Kneller Hall open.

Incidentally I remind the Secretary of State, who has promised to read the report of this debate, that his appointment as a member of the Cabinet of my right hon. Friend the Prime Minister was approved by Her Majesty the Queen while she was at Kneller Hall in November 1990. The list of names was submitted to the Queen by telephone. She had decided not to stay in Buckingham Palace that afternoon but to carry on with her visit to mark the completion of the restoration of Kneller Hall following the Government's decision in 1987 to reprieve the Royal Military School of Music from closure. I ask my hon. Friend the Minister to remind me of the cost of that restoration which was carried out in 1987-90.

I hope that the Minister will confirm that the Government would never countenance any suggestion, as has sometimes been put about, that army bandsmen should be trained at civilian music colleges such as the Royal Academy of Music, the Royal College of Music and the Guildhall School of Music. A moment's thought would show that that would never work.

As a form of higher education those fine colleges train gifted young people, mainly those who are 18-plus and have reached grade 9 or above as singers or composers, or for solo work, for chamber music or for orchestras. I am second to none in my admiration of our symphony orchestras, but those colleges cannot train military musicians. They cannot train people to march as they play and to stay exactly in line as they march with military precision out of doors and in all weathers. We would still need a place to train military bands.

Can the Minister imagine the Halle orchestra performing at the trooping of the colour, at which I have no doubt he will be present next month on Horse Guards parade? Can the academic colleges of music train music bandmasters, army band conductors, and army band leaders? Can they handle security measures and the ring fencing of their colleges that the training of army personnel would have to entail? Have those colleges, which are already oversubscribed, been asked whether they could accept such conditions?

Without doubt we need to retain a military school of music whether on its own or merged with the training of Royal Marine bands which would, of course, be warmly welcomed at Twickenham if, unfortunately, they were not able to stay at Deal.

Mr. David Shaw (Dover): Does my hon. Friend accept that if there were to be combined school of music his bandsmen would also be welcome at Deal?

Mr. Jessel: I am sure that they would be welcome, but they would not be welcome to leave Twickenham, and I

[Mr. Jessel]

shall give my hon. Friend, the House and the Minister eight reasons why the training of the bandsmen should stay at Twickenham.

First, Kneller Hall is a world-famous institution. Secondly, a large sum has been spent on it as recently as 1987-90, following the decision in March 1987 to reprieve Kneller Hall. Thirdly, it remains easily the largest of the three, so that any other solution would be the tail wagging the dog. Fourthly, as it is only half an hour from central London, the specialist music tuition can be given by top instrumentalists from London orchestras, who would not be so ready to make journeys of two, three or four hours to the coast, whether in Devon, Hampshire or Kent. Fifthly, it has a good bandstand. Sixthly, it draws large audiences. That is part of the training. They also bring in some money. Seventhly, due to past reductions in bands, it has the capacity to take in the training of the Royal Marines, Royal Air Force bands, or both, without much additional expenditure on modernisation. Eighthly, it could not be sold for much. My hon. Friend the Minister should regard any figures that he has given on that not merely with caution but with the deepest scepticism.

As we are now halfway through the debate, as I am hoping that my hon. Friend the Member for Brentford and Isleworth (Mr. Deva) will catch your eye, Mr. Deputy Speaker, and as I want to leave plenty of time for my hon. Friend the Minister, I shall not enlarge on that eighth point now, but will write to my hon. Friend.

I hope that my hon. Friend the Minister will able to declare today that in no way will he ever put at risk the superb standards of that internationally famous institution which is Kneller Hall.

3.20 pm

Mr. Nirj Joseph Deva (Brentford and Isleworth): I am extremely grateful that I have the opportunity to speak in the Adjournment debate of my hon. Friend the Member for Twickenham (Mr. Jessel). I commend his speech to the House.

I could not add more to enlighten the House on how important Kneller Hall is to the people of London and the nation. I merely want to say that Kneller Hall it is a very important attribute to the welfare and cultural aspects of my constituents. As you know, Mr. Deputy Speaker, Brentford, Isleworth and Hounslow are exposed to the rigours of environmental pollution, motorway traffic and Heathrow airport. The people of Brentford and Isleworth, and particularly the people of Hounslow, do not have outdoor facilities near their homes, other than Kneller Hall. In the summer, some 5,000 people go there to enjoy the excellent music provided by the Royal Military School.

Kneller Hall has been a national installation. It has provided the people of Brentford and Isleworth with the only available easily accessible source of music, including military music, in the past several decades. We have heard from my hon. Friend the Member for Twickenham why it has been a national institution. It provides the people of west London with a national asset of very high quality. Some 25,000 people a year go there to be entertained and, in the summer particularly, the people of the somewhat deprived parts of my constituency have only that place to go to follow some cultural activity.

Many elderly people in my constituency make Kneller Hall their summer home. When they go there, they enjoy walking in the gardens. They like listening to the music, and they know people who have been associated with Kneller Hall and the Royal Military School, the Royal Marines and so on. To those people, it is not only a sentimental attachment but a great service to their social well-being. It is for that reason that I stand before you, Mr. Deputy Speaker, and appeal to my hon. Friend the Minister to consider carefully all the various options that he must consider. It is quite right that he should consider those options carefully before he reaches a decision.

3.23 pm

The Minister of State for the Armed Forces (Mr. Jeremy Hanley): I warmly congratulate my hon. Friend the Member for Twickenham (Mr. Jessel) on his tenacity in securing the Adjournment debate on a subject that I know is close to his heart. I referred to him earlier in the week as my hon. and musical Friend. I should make it clear that that was meant very much as a compliment to the staunch way in which he has championed the cause of Kneller Hall for many years and kept the merits of that wonderful institution in the parliamentary and public eye, as well as in recognition, of course, of his own extraordinary musical talent and, if I may say so, that of his wife.

I recognise also the interest of my hon. Friend the Member for Brentford and Isleworth (Mr. Deva), and I am grateful for his excellent brief contribution. I acknowledge his dedication to this cause, the presence and intervention of my hon. Friend the Member for Dover (Mr. Shaw) and the interest of my hon. Friend the Member for Romford (Sir M. Neubert)—a former Defence Minister.

I am only too pleased to place on record my own high regard for the musical skill of our Army bands and bandsmen and women, as well as those equally professional members of the Royal Marines and Royal Air Force bands. My hon. Friend spoke passionately about the high regard in which our Army bands are held throughout the world—I could not but agree.

There could have been no better example of just why they are held in such high esteem, and no better demonstration of the skill, dedication and imagination of our Army bandsmen than that incredibly uplifting sight of the band of the Coldstream Guards marching on to the football stadium in Sarajevo on Sunday 20 March playing, appropriately, "Peacemakers".

When historians come to chronicle the 20th century, the images of that event will be hard to ignore. I certainly suspect that only a British Army band could have put on such a display—and I, for one, was most proud of it.

Kneller Hall is still the Army's centre of musical teaching It gives more than 120 Army bandsmen each year a foundation course in music theory and instrumental skill, while training a select number of experienced musicians on a full three-year bandmaster course. That qualifies them academically and practically to become bandmasters and possibly commissioned directors of music. On average, about 30 such students are resident at any one time.

The school also welcomes students from overseas—mainly from Commonwealth armies and police forces, teaching on average some 20 students each year on both bandsman and bandmaster courses. That is extremely helpful in building further links with friendly nations and other forces to which I referred.

In addition to the teaching functions carried out at the school, Kneller Hall houses the headquarters of Army music, in which the commandant has responsibilities as inspector of bands for the military and musical standards of 30 bands and more than 1,100 musicians.

My hon. Friend referred to the affection with which Kneller Hall is regarded in the local community, as did my hon. Friend the Member for Brentford and Isleworth. If I include myself, there is a holy triumvirate of hon. Members present whose constituencies are close to Kneller Hall, and I know that many of the 25,000 people whom my hon. Friend said attended the last season of open-air concerts are my constituents—who would rightly expect me take this opportunity to place on record their own warm feelings about Kneller Hall, which I share entirely.

Only last year, I marvelled at the musicians' musical skill, laughed till I cried at their good humour, felt the hairs on my neck rise with the emotions they engendered, and cursed the aircraft noise at Heathrow that affected the concert so badly.

All that is confirmation of the reputation for excellence in military music that the Royal Military School of Music has throughout the world. Its motto—"Nulli secundus" —is most appropriate. and I assure my hon. Friends that the Government's respect and admiration for the important role that the school has played over the years continues undiminished.

My hon. Friend the Member for Twickenham made a number of points, with his customary vigour and volume, about the future of Army bands and Kneller Hall in particular. He was kind enough to give me notice of many of them, for which I thank him.

My hon. Friend's overriding concern is, as one would expect, the future prospects for Kneller Hall itself. He alluded to the defence costs study "Front Line First", which has been in train since last December. It is well known that the study was charged with examining all aspects of support to the front line. As my hon. Friend recognises, that has, quite properly, in spite of the recent review of Army music, included a scrutiny of military music in all three services.

A special study team—one of 33 such teams—was established to examine the subject. My hon. Friend may agree that in such a comprehensive review of the support services of our armed forces, no sacred cows should be safe from consideration.

Perhaps it would be helpful to my hon. Friend if I say a little about how the team approached its task. Its remit was to examine every aspect of military music, identify the requirement for music in the services and establish how it can most cost effectively be met.

The study examined in detail the needs of each services, operating and administrative costs, the balance between Regular and Reserve personnel, accommodation and training of bands men and women—including at Kneller Hall, and the operational roles performed by band personnel.

It is perhaps the last item on the list, the operational roles performed by band personnel, that is most often overlooked. I know that it is not overlooked by my hon. Friends, but perhaps I could dwell on it for a moment. As my hon. Friends know, bandsmen and women are not merely professional musicians in uniform; they also have an important operational role as medical orderlies. During Operation Granby, more than 800 personnel from 35 bands were deployed to the Gulf in that role.

Of the 34 bands remaining in the United Kingdom, all but two had teams of personnel deployed to airheads in the United Kingdom, in anticipation of the possible requirement to receive casualties from the Gulf. Also, members of the Duke of Wellington's regimental band are currently deployed to Bosnia in the medical role. I am sure that my hon. Friends would wish to join me in paying tribute to the important role played by bandsmen on both of those occasions.

Let me assure the House that the defence costs study fully recognises the significance of the role which military music plays in military life, for all of the reasons that my hon. Friend gave. I know that he will appreciate that I am not in a position to discuss the proposals that have emerged from that study, or indeed from any of the other defence costs studies. The proposals number well into the hundreds and are at present under detailed consideration by officials. I can say, however, that formal recommendations are to be put to Ministers very shortly, but it will take some time before decisions are reached.

We have already told the House of our intention to make an announcement on the broad outcome of "Front Line First" in July. Although I cannot predict what the final outcome will be, I can assure my hon. Friends that we will take full account of the arguments that my hon. Friend the Member for Twickenham has so persuasively set out in reaching any decisions affecting military music in general and Kneller Hall in particular.

Mr. David Shaw: Will my hon. Friend give way?

Mr. Hanley: May I just say that I fully take into account what my hon. Friend the Member for Dover said, and I invite him to apply for an Adjournment debate at an appropriate time?

The final proposals emerging from the defence costs study will be subject to full consultation in the normal way.

My hon. Friend the Member for Twickenham also referred to the early-day motion of 1986—No. 397—that I, among others, signed. I make no apology for signing it, and I still stand by a great many of the sentiments it contained. In particular, I see no inconsistency in the statement made at the time that the requirement for a defence school of music, as well as its possible location, should be looked at afresh in the light of the latest facts. The defence costs study has been considering alternative proposals in the light of the latest facts in many areas—including music.

Mr. David Shaw: Will my hon. Friend accept from one accountant to another that one of the major concerns of our constituents will be the credibility of the financial assumptions in the decision-making proposals put to Ministers? Will he ensure that as many of those financial assumptions as possible are published, as high security is not at risk in this instance?

Mr. Hanley: My hon. Friend makes an important point. The decisions reached by Ministers, following the recommendations of the various teams that have been undertaking the tasks in the defence costs studies, must be credible and must be available for inspection. When we announce the decisions, they will be supported by sufficient information for a proper consultation process to be undertaken. I cannot give an exact assurance to my hon. Friend that every financial detail will be published, but I assure him that I will try to carry out the preparation of the

[Mr. Hanley]

work and the announcement of our decisions with the skill in which my hon. Friend is well versed and which I still hope that I possess.

I should like to assure my hon. Friends that I set great store by the quality of our military bands and believe that they will continue to be the envy of the rest of the world for many years to come. But what is being considered is how we sustain that quality by assessing how our musicians are trained, where they are trained and at what cost. Not even my hon. Friend the Member for Twickenham would seek to justify needless cost which puts in jeopardy the effectiveness of our front-line fighting capacity.

I thank my hon. Friend the Member for Twickenham for his important contribution.

Question put and agreed to.

Adjourned accordingly at twenty-six minutes to Four o'clock.

House of Commons

Monday 16 May 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

Students (Benefits)

1. **Mr. Rooker:** To ask the Secretary of State for Social Security how many inquiries have been made to his Department's freephone service from persons asking about benefits available to students in the latest convenient period for which figures are available.

The Parliamentary Under-Secretary of State for Social Security (Mr. Alistair Burt): Freeline managers estimate that about 1 per cent. of their calls are from students; it is not possible to say how many inquiries might be about student benefits.

Mr. Rooker: I am grateful for that answer. Would the Minister pass on to the freephone staff the thanks of mature students, potential students and access co-ordinators, certainly in Birmingham and the west midlands, for a very helpful service when students who are not the normal 18-year-olds ring up? However, will he have a word with the staff in the offices? When unemployed, mature people ask at the offices what is available for mature students, they are sometimes met by a knee-jerk reaction. They are told that no benefits are available, which is not the case for the unemployed, single parents and disabled mature students, who can sometimes retain housing benefit and income support. That area is not dealt with as well in the offices as it is on the freephone.

Mr. Burt: I am grateful for what the hon. Gentleman has said about the freeline service; that will be passed on. I am also grateful for his courtesy this morning during his telephone call. I hope that he has received by now a reply to his letter. The local area director makes it clear that the Benefits Agency has a number of different types of student with whom to deal. We try to ensure that all information is available to all students. In the case to which the hon. Gentleman refers, there is an officer with particular technical expertise who can deal with the issues. There is a district information officer available in all districts to deal with the issues. However, in view of what the hon. Gentleman has said, I will, of course, make inquiries at the Benefits Agency to ensure that its information for students is as good as it can be.

Mr. Brazier: Can my hon. Friend confirm, however, that with the huge and welcome expansion in the number of students, the best way to cope with the difficulties in the long term is not to return to the widespread availability of benefits for students, but to do what almost every country in the developed world does—ensure that the majority of students go from home to local universities?

Mr. Burt: Some of those matters are for the Department for Education rather than for me. I can confirm that my hon. Friend is right about the expanding number of students, and that expansion can be paid for only by asking students to pay an increasing contribution themselves. That is why students were moved out of the benefits system. It must be best that students look towards the education maintenance system for support rather than to benefits. My hon. Friend will be glad to know that an increasing number of students continue to want access to university and higher education. That is welcome and is something for which we can pay.

Pension Age

3. **Mr. Legg:** To ask the Secretary of State for Social Security which countries since 1964 have a state pension age higher than that of the United Kingdom.

The Secretary of State for Social Security (Mr. Peter Lilley): Denmark, Iceland and Norway currently have equal state pension ages above 65 and many others, such as Canada, Luxembourg, Netherlands, Spain, Sweden and the USA, have equal state pension ages higher than the present retirement age of British women. The majority of European Community countries have equalised, or are intending to equalise, state pension ages at 65. Most of the Scandinavian countries and the USA have, or are moving to, an equal state pension age of 67.

Mr. Legg: Can my right hon. Friend confirm that equalising the pension age at 60 will cost £12 billion more than equalising the pension age at 65? Can he confirm that claims by the Trades Union Congress that equalising at 60 will save money are politically motivated rubbish?

Mr. Lilley: I can confirm the points that my hon. Friend makes. During the period in which we intend to introduce equality in the state pension age, it would cost about £12 billion a year more to equalise at age 60 than to equalise at age 65. I do not believe that that would be a sensible use of a huge amount of public fiscal resources—equivalent to 6p or more on income tax. Suggestions that we could save money by equalising at 60 are way off beam.

Mr. Wigley: Does the Secretary of State accept that there is considerable dismay among many men who very often have to retire even earlier than 60? The average age at which men retire is now 57 and they are unable to obtain pensions, whereas women can get them at 60. In the present economic climate, people should not have to feel deprived if they do not have a pension with their work because they should be able rely on the state pension much earlier than 65.

Mr. Lilley: Of course, there can be other state assistance for people who, for any reason, have to retire or are jobless prior to the state pension age. A great many people have private pensions, which enable them to retire earlier than that age. It would be an odd use of public resources if extra money were to be channelled to those who have perfectly adequate resources to look after themselves in retirement.

Benefit Increases

4. **Mr. Pawsey:** To ask the Secretary of State for Social Security by how much the main social security benefits have increased since their inception.

Mr. Lilley: All main social security benefits are now worth as much or more in real terms than at their inception.

Mr. Pawsey: May I thank my right hon. Friend for that helpful reply? Does he agree that the majority of benefits have, in fact, increased and quite substantially? Does he agree that that defies public perception? Will he therefore say how much money is now being spent by his Department on benefits and, to make the figure more realistic, will he break it down per taxpayer?

Mr. Lilley: My hon. Friend is absolutely right. The amount spent on social security benefits has increased by 75 per cent. in real terms under this Government and it now costs more than £80 billion a year of taxpayers' money. I cannot express the equivalent on a taxpayer basis, but I can express it per head of the working population. To finance social security, on average, every working person in the country has to pay £15 every working day.

Mr. Flynn: Has the Secretary of State seen the articles in the *Financial Adviser* this month and last month, which celebrate the fact that 10 million people will have to take out additional personal insurance from insurance companies because of the cuts in the welfare state? Is not it an outrage that the same people sold 3 million dodgy personal pension policies on the basis of 50 per cent. of the premiums being taken in administration charges and commissions? Now 10 million people have had benefit cut and have been taken out of the national insurance scheme, which is good value and takes only 5 per cent. in Administration? Why is he throwing 10 million of our people to the vultures of the personal pension markets?

Mr. Lilley: I have not seen the article to which the hon. Gentleman refers, but if it is as loosely based as his addendum to it, it certainly requires some re-writing. As he will know, the Securities and Investments Board is requiring that, where there has been mis-selling, remedies are available, which will mean that the people who were mis-sold pensions do not lose out. Surely, that is good news and means that we will wipe the slate clean of the past misdemeanours and ensure that, in future, people can have confidence in the whole system of occupational and personal pensions.

Mr. Burns: Does my right hon. Friend agree that it is strange that when social security spending to help the less well-off has increased in real terms year in year out, people who should know better are constantly trying to put across the impression that the opposite has happened and never point out that, whereas our social security has increased each year, a number of our European partners have cut their help to the less well-off?

Mr. Lilley: It is rather strange, but we have become used to a certain proportion of the chattering classes referring to any increase that is less than they want as a cut. There have been substantial improvements and increases in total social security spending over the years. We have made sensible reforms and, as a result, have avoided the abrupt, arbitrary and painful cuts that some other countries have had to make. That is to our credit and shows our good sense. Other countries wish that they had taken earlier the reforming measures that we have taken.

Mr. Sheerman: Does not the right hon. Gentleman's chatter disguise the fact that since 1979, when the Conservative Government took office, the incomes of disabled people have plummeted? There has been a widening gap—*[Interruption.]* I had my figures checked by the House of Commons Library only 10 minutes ago. While average income has risen by a factor of four, disabled persons' income has risen by only 2.6 per cent. That is a terrible reduction in income.

Mr. Lilley: On close inspection, it appears that the hon. Gentleman has decided that a 2.6 per cent. increase in the incomes of disabled people can be described as a cut. The truth is that we have more than trebled spending on disabled people—a record in which we take some pride.

Widowed Parents

5. **Mr. Viggers:** To ask the Secretary of State for Social Security what support is available for (a) widowed fathers and (b) widowed mothers; and if he will make a statement.

The Parliamentary Under-Secretary of State for Social Security (Mr. William Hague): Child benefit, together with the range of income-related benefits, is available to both widowed fathers and mothers. In addition, widowed mothers are entitled to receive contributory widows' benefits and widowed fathers receive one parent benefit.

Mr. Viggers: Does my hon. Friend agree that ever since the Beveridge report in the 1940s, our social security system has been based on the principle of a bread-winning father and a dependent mother? The Government have built upon that recently by increasing widows' benefits. However, does my hon. Friend recognise that some of the 30,000 widowed fathers find life difficult? Would not it be appropriate to consider assisting them further?

Mr. Hague: My hon. Friend rightly draws attention to the existence of widowed fathers. I stress that the qualifying criteria for widowed mothers and fathers for income support, the lone-parent premium in income support, housing benefit, child benefit, one-parent benefit, family credit and the forthcoming disregard for child care in family credit, are all the same.

There is the additional provision of the widowed mothers' allowance, which reflects the fact that women are more likely than men to have been dependent on their spouses and that wives who are working when widowed earn, on average, less than their husbands. To extend equal treatment between widowed mothers and widowed fathers would involve either paying benefits to some men who do not need to be dependent on the state or taking some benefits away from widows, neither of which is an attractive course.

Mr. Winnick: Is the Minister aware that some of the widowed mothers and fathers are disabled people? Apart from financial matters, those people desperately need the sort of measure that my hon. Friend the Member for Kingswood (Mr. Berry) tried to introduce. In view of the Government's dishonesty and treachery in defeating the

Civil Rights (Disabled Persons) Bill, should they not now acknowledge that the Bill should become law at the earliest opportunity?

Mr. Hague: There has been no dishonesty or treachery by the Government. My right hon. Friend has announced a series of consultations on these subjects, to which the hon. Gentleman should direct his attention.

The point of the main question concerns the benefits available to widowed fathers and mothers. Those benefits are very considerable—a fact which should be recognised.

Occupational Pensions

6. **Mr. Thomason:** To ask the Secretary of State for Social Security what proportion of pensioners currently have an occupational pension; and how many had one in 1979.

Mr. Hague: In 1990-91, the latest year for which figures are available, an estimated 61 per cent. of all pensioners had an occupational pension. The equivalent figure for 1979 was 43 per cent.

Mr. Thomason: I am grateful to my hon. Friend for that answer. Can he confirm that the figures for the more recently retired are even better than those that he has just cited? About 70 per cent. of those who have recently retired have income from occupational pension schemes. Can he confirm that in 1979 the figure was under 50 per cent?

Mr. Hague: My hon. Friend is right to say that almost 70 per cent. of recently retired pensioners have income from an occupational pension scheme. That figure was very substantially lower in 1979—just over half the total. Apart from that, 76 per cent. of pensioners now have income from investments and savings, which again is a considerable increase on the 62 per cent. equivalent figure in 1979. Those factors have all contributed to the rise in pensioners' living standards.

Mr. Olner: Is the Minister aware that many men and women find that their occupational pensions are not realised to their fullest extent because they are made redundant at an early stage? Surely the Minister should be examining the phenomenon. He should have it well in mind also that many people have put a misplaced trust in companies offering personal pensions, thinking that they would be given a reasonable return for their money.

Mr. Hague: The security of personal pensions is being dealt with by the Securities and Investments Board. The board has already published a series of measures that are to be taken. We await its further consideration.

During the 1980s, the Government introduced considerable improvements to the indexation of occupational pensions for those employees who leave schemes early before their normal retirement age. That has been of great assistance to many hundreds of thousands of people.

Mr. Alan Howarth: While I welcome the spread of occupational pensions in many parts of the population, I remind my hon. Friend that only about 40 per cent. of recipients of invalidity benefit are also in receipt of an occupational pension. Will he ensure that restrictions on benefit under the new incapacity benefit do not lead to hardship among those who are genuinely unfit to work and do not have access to other resources such as occupational pensions, permanent health insurance or income from savings?

Mr. Hague: I know that my hon. Friend pursued that point during the passage of the Social Security (Incapacity for Work) Bill and that my right hon. Friends have taken note of that. The introduction of an objective medical test is intended to ensure that there is no hardship and that help is directed at those who most need it.

Mr. Corbyn: Does the Minister recognise that the Government's reliance on the large proportion of pensioners having either occupational or private contributory pensions masks the serious problem of poverty among older women pensioners who have to rely entirely on the state pension plus housing benefit to survive? Their poverty is becoming worse, as is the humiliation of their lives. The Government's refusal to uprate the pension in line with average earnings means that such pensioners' living standards are deteriorating year on year. What does the Minister plan to do about these people?

Mr. Hague: It is because older pensioners in particular have not had the benefit of occupational pensions, investments and savings to the same extent as younger pensioners that, since 1988, the Government have targeted additional resources totalling £1.2 billion in the form of additional benefits on the poorer and the older pensioners. That is our response to the problem, and it will continue.

Mr. Willetts: Does my hon. Friend agree that as the labour market becomes more flexible it makes more sense for more and more people to have personal pensions, as the best way of saving for their retirement?

Mr. Hague: The availability of personal pensions, as my hon. Friend rightly suggests, is extremely important in a more flexible and mobile labour force. The availability of these pensions has meant that people are now saving for their retirement some billions of pounds that were not being saved before. These moneys will provide additional income in their retirement.

Child Support Agency

7. **Mr. Spellar:** To ask the Secretary of State for Social Security when he expects to announce further changes to the operations of the Child Support Agency.

Mr. Burt: A number of changes were put in place in February and these must be given time to take effect. We have no plans for further changes at present, but the operation of the Child Support Agency will continue to be kept under review.

Mr. Spellar: Does the Minister accept that that is an entirely unacceptable answer for the thousands of families throughout the country who are facing ruin as a result of the operations of the agency? When will he understand that what is needed is not further tinkering or analysis but a fundamental change to the basis of the agency and its operations? Will he convey to the agency that the public expect it to spend less money on holding courses in expensive hotels when its staff should be back at their offices dealing with correspondence from Members and their constituents?

Mr. Burt: I do not accept the hon. Gentleman's premise. The agency is getting on with doing its job of producing assessments and higher rates of maintenance for parents with care of their children. That is its job and those are the principles that guide it—the hon. Gentleman is well aware that those principles are endorsed by a variety of people. The reforms that we made in February were not cosmetic and resulted in a reduction in the number of assessments made at that time. It is right that they should be given time to have effect. As the hon. Gentleman knows, we are continuing to keep the agency under review, which is right and proper.

Mr. Harris: Does my hon. Friend accept that it was an eye-opener to many of us to discover the extent to which some people ripped off the state in the past by expecting the system to look after their children? Having said that, the CSA scheme is clearly littered with anomalies. I pay tribute to my hon. Friend and I ask him to have a word with our right hon. Friend, the Secretary of State, and ask him kindly not to embark on any more general reforms of the social security system until the Government have sorted out the scheme, all its anomalies and all the other things that have gone wrong with it.

Mr. Burt: I am grateful to my hon. Friend for the way in which he put his question. He is right to draw the attention of the House to the terrible anomalies in the previous system, which left parents with care without adequate maintenance and depended far too much on the benefits system to support separating couples. It should be known that 96 per cent. of all the cases with which the CSA is currently dealing involve those who are on benefit.

My hon. Friend also drew attention to the concerns that have been expressed by a number of parties about the operation of the scheme. He will know that different voices have expressed different views; only last week, the National Council for One Parent Families issued a statement in association with Gingerbread calling on us not to forget the interests of lone parents when considering the operation of the CSA.

Any further consideration that we give to the matter would have to balance interests, because it is important that the House supports a proper system of maintenance for all in the United Kingdom. That is why we think it right to keep the affairs of the CSA under careful review.

Mr. Kirkwood: Hon. Members on both sides of the House agree that interests must be balanced. Does the Minister accept, however, that anomalies in the system have created overwhelming pressure, in particular financial pressure on second families, which is quite intolerable? The Minister has been quite right to wait to see how the February changes have bedded down, but the key question is at what stage he will feel able to make a move. That moment must be close and some changes must be made.

Mr. Burt: I take the hon. Gentleman's point. He referred to the February changes, the bulk of which were designed to provide some form of assistance for those who had been complaining about the agency, particularly because of the second family problem and similar issues. The support that we gave in February to protected income, which improved matters beyond the recommendations made on that particular point by the Select Committee on Social Security, was designed to help those second families. Our desire to ensure that the agency is properly reviewed is governed by our wish to see how those changes are working. Those changes were only introduced in February, just three months ago, and it is important to give them time. As my right hon. Friends, the Prime Minister and the Secretary of State have said from the Dispatch Box, if the need for further change is proved, it will be made.

Mr. Congdon: May I welcome the changes that were introduced in February, in particular in respect of phasing? I am sure that my hon. Friend agrees that one of the biggest difficulties facing absent parents is when the costs that they incur increase greatly as a result of a maintenance assessment replacing a court order. Does he agree that it is important that we keep that under review to ensure that the system works fairly? In so doing, we must not only ensure that it works fairly, for the absent parent, but must bear strongly in mind the needs of the lone parent and the parent with care.

Mr. Burt: Yes. My hon. Friend puts the case correctly. In relation to the amount of money left after the maintenance requirement has been made, the intention behind the formula was that some 70 per cent. of net income, as calculated in that formula, should be left available to absent parents to meet their other needs and obligations. My hon. Friend is right to say that the House must balance carefully the interests of all parties—parents with care, children, absent parents and the taxpayer.

Mr. Dewar: Does the Minister accept that a policy of wait and see is not heroic, but it is just plain stupid given the crisis now facing the agency? Can he give me one reason why there should not be an independent appeal procedure to deal with cases where there are genuine hard circumstances and where the maintenance demands have lost touch with the ability to pay, as has happened in some cases? Has he noted the repeated press reports that the Government have decided to legislate soon to ensure, for example, that financial and property settlements that were intended to effect maintenance payments could be taken into account by the agency? Given the Minister's main reply to the question, is he telling us that that is not true? If so, does he recognise that that is totally unacceptable to the Labour party and to many people in the country?

Mr. Burt: I should have thought that the hon. Gentleman was long enough in the tooth to know to take with a pinch of salt what is in the newspapers. We stand by the answer that we have continually given in relation to this matter: as I said to the hon. Member for Warley, West (Mr. Spellar), we have made the changes and we want to find out their effect. We have been through the answer to the hon. Gentleman's question about appeals before. The danger is that a completely open system of appeal would return us to the totally discretionary system that the House and many other people have said on many occasions they do not desire.

Mr. Waterson: Does my hon. Friend agree that much of the media comment since the CSA began to operate has tended to ignore the plight of single deserted mothers and, even more, the plight of millions of working couples who have set up stable traditional family units and who, as we heard earlier, contribute £15 a day on average towards the costs of the social security system?

Mr. Burt: My hon. Friend draws attention to the other side of the coin, which is important. It is true that, in the

early days of the CSA, by far the greatest running in terms of press comment was made by absent parents and in relation to the issues that concerned them. Only in the past few weeks have the representatives of lone parents said that they want their voice to be heard and got their side of the case across. No one necessarily represents taxpayers in these matters except Her Majesty's Government; it is right that we should take into account taxpayers' interests for the very reasons mentioned by my hon. Friend, which were accepted by hon. Members on both sides of the House when the legislation was originally passed.

8. **Mr. Norman Hogg:** To ask the Secretary of State for Social Security what response he has made to the recent report by the National Association of Citizens Advice Bureaux on the first year of operation of the Child Support Agency, a copy of which has been sent to him; and what measures he proposes to introduce as a consequence.

Mr. Lilley: I am giving NACAB's recent report careful consideration, as we do any representations about the scheme.

Mr. Hogg: Does the Minister recognise that the citizens advice bureau is an organisation that enjoys a very special respect among the British people, and that he should pay a great deal of attention to what NACAB has to say about this contentious matter? Does he agree that a more positive attitude by him and the Parliamentary Under-Secretary of State, the hon. Member for Bury, North (Mr. Burt) would be welcome?

Mr. Lilley: I entirely agree with the hon. Gentleman about NACAB. I will as I said, give full consideration to its report. I always respect reports coming from that organisation. I am sure that most people concerned with citizens advice bureaux share the view of most hon. Members that parents are responsible for their children; that that responsibility persists even if, sadly, they split up; and that the taxpayer should be involved only to the extent that parents do not have the means to support their children. It is therefore appropriate that we have a system for assessing parents' means. We tried to get that system right originally, then to reform it in February. As my hon. Friend the Under-Secretary said, it is important to see how those changes work out.

Dr. Spink: In the light of NACAB's representations on the CSA, will my right hon. Friend take all possible steps to ensure that errant fathers are made to pay and to co-operate with the CSA—including, where necessary, the immediate attachment of earnings at source?

Mr. Lilley: I take my hon. Friend's point. The NACAB report called for more stringent enforcement measures and we are working in that direction. My hon. Friend will be pleased to know that we have been more successful in pursuing those so-called feckless fathers who had left with the mother looking after the child not a trace of their whereabouts. More than 85 per cent.—about 29,000 of such cases—have been tracked down so far. That is a greater level of success than we perhaps expected when we established the agency. and is an important aspect of its work.

Mr. Frank Field: Further to the NACAB report, can the Secretary of State confirm that the system that the Child Support Agency replaced gained maintenance payments for those on benefits for less than 60 per cent. of eligible mothers, but that in its first year of operation the CSA is raising less money for taxpayers than the liable relative system that it replaced? What conclusions does he draw from that?

Mr. Lilley: The hon. Gentleman is right. Under the old system there were some 1.3 million lone parents, 1 million of whom were dependent on income support and more than three out of four of whom were not receiving a penny of regular maintenance from the absent parent. As yet, we have no final figures for the first year of the new system's operation. We are conscious that, given that it is in its first year, it will fall short of the targets set for it, but its performance will build up over time.

Mr. Nicholls: Is not it thoroughly dishonest of Opposition Members to criticise the principle of the CSA, given that it had all-party support? That should not obscure the fact that a number of anomalies in the system will have to be dealt with. The fact that so much evidence is becoming available should mean that we can at least set a date by which we are prepared to assess that evidence. If my right hon. Friend would agree to look in a year's time at the evidence of the previous year, would not that go a considerable way towards answering the justified concerns of those of us who accept the principles on which the CSA was set up?

Mr. Lilley: We have demonstrated by our speedy response to the Social Security Select Committee report, which we implemented rapidly in February, our willingness to respond where changes are required. The fact that we implemented the bulk of the Committee's recommendations and, in some respects, went further than those recommendations, shows that, as we keep the agency under review, if and when we find that changes are necessary, we shall introduce them. A specific date is not helpful, however. It is important that the agency be allowed to continue to get on with its work and improve its performance, and that those who have been contacted by it respond and pay the money to the parents who, by and large, have been bringing up children on income support.

Social Fund

9. **Mr. Hutton:** To ask the Secretary of State for Social Security what assessment he has made of the operation of the social fund.

The Minister for Social Security and Disabled People (Mr. Nicholas Scott): Our assessment is that the social fund is working extremely well in targeting resources on those people most in need of help. Nearly 9 million awards totalling £1.5 billion have been provided from the discretionary fund since the scheme started. Even so, we routinely monitor the operation of the fund and continue to introduce improvements as necessary.

Mr. Hutton: Does the Minister agree with the Social Security Advisory Committee that structural changes are now required in the operation of the social fund? Will he ensure that if someone satisfies the criteria for the award of a grant or loan, that person will receive help notwithstanding any financial constraints that would otherwise deny it?

Mr. Scott: We take careful account of the Social Security Advisory Committee's advice. We improved the

social fund, particularly its management, in April this year. Although it is in the nature of a discretionary fund that not every application can succeed, this system is much better than its predecessor, which was doubling in cost every two years.

Mr. Matthew Banks: How much has the social fund cost to set up and how many millions or billions of pounds have been awarded? Does my hon. Friend agree that loans rather than grants have been an effective way to provide most where the need is greatest?

Mr. Scott: As the years of the fund's operation have passed, it has become increasingly clear that loans are an acceptable part of social fund provision. As of the end of last year, £1.5 billion had been expended on the operation of the social fund since its inception.

Mr. Bradley: Is the Minister aware that the social fund is failing homeless people? Has he read the latest report by citizens advice bureaux in Scotland, which shows that people are locked into hostel accommodation because they are not receiving grants or loans for essential household items such as cookers and bedding? As that is the only source of help for such homeless people, should not the Minister review the situation urgently so that people can set up home, which is preferable to languishing in hostel accommodation?

Mr. Scott: It cannot be the sole responsibility of the social fund to accommodate everybody who is rehoused. Social fund loans are available to those who go into unfurnished accommodation. Local authorities can also assist in certain circumstances.

Income Support

10. **Mr. Clifton-Brown:** To ask the Secretary of State for Social Security what effect the change in the level of unemployment since November 1993 has had on his Department's estimate of the cost of income support provision for this financial year.

Mr. Lilley: The number of unemployed claimants has dropped by more than 90,000 since November 1993, and we estimate that that has reduced expenditure on income support by £176 million and on unemployment benefit by £90 million.

Mr. Clifton-Brown: Does my right hon. Friend agree that the very welcome news of a year-on-year reduction of nearly 250,000 in unemploymennt has had an extremely beneficial effect on the cost of unemployment-related benefits? Does he also agree that policies that would introduce a statutory minimum wage and a maximum working week would be liable to increase unemployment, with a consequent increase in the cost of benefits and the likelihood of tax increases to pay for them?

Mr. Lilley: My hon. Friend makes a strong point. The fall in unemployment does not just reduce my budget; it is a great boon and benefit to those 250,000 households whose members are now back at work instead of being unemployed. We are doing all that we can to encourage people back into work, not least through benefits such as family credit, which now enables 500,000 people to work who previously might have been tempted to remain unemployed.

Mr. Madden: Does the Secretary of State recall making a remarkably unpleasant speech at last year's Conservative party conference, and subsequently suggesting the introduction of a so-called habitual residency test? Have the social security commissioners given any recommendation on that ill-advised proposal? If the right hon. Gentleman introduces such a test, will he provide an exemption for citizens of the Irish Republic? Will he be sensible and allow that barmy idea to die a natural death?

Mr. Lilley: My recollection is of warm support, both then and subsequently, not least for the proposal that we in this country should introduce something that already exists in most continental countries. It would not be possible for someone from this country to go to most continental countries and pick up the equivalent of income support and housing benefit. Why should people from the continent who are here to learn English be entitled to do that? We are being thoroughly communautaire in adopting similar procedures over here, but we have not yet heard the full results of the consideration being given to the matter by the Social Security Advisory Committee.

CHURCH COMMISSIONERS

Disestablishment

29. **Mr. Thurnham:** To ask the right hon. Member for Selby, representing the Church Commissioners, what representations have been received about the financial consequences of disestablishment.

Mr. Michael Alison (Second Church Estates Commissioner, representing the Church Commissioners): None.

Mr. Thurnham: Will my right hon. Friend draw to the attention of the Church Commissioners the recent Adam Smith Institute report by Adrian Pepper, entitled "The Consultants' Report on the Church of England", which makes a number of recommendations about how the Church could improve its performance?

Mr. Alison: I am much obliged to my hon. Friend for his constructive suggestion, and I will certainly pass it on to my colleagues. There is a verse in the book of Proverbs which says:

"in the multitude of counsellers there is safety."

We shall bear that in mind as we consider the multitude of counsels that we receive.

Mr. Frank Field: Will the right hon. Gentleman comment on the fact that if disestablishment occurred, the same group of people who managed to lose £800 million of the Church's assets would still be in control?

Mr. Alison: Disestablishment is a cloud no bigger than a man's hand at present, and may not go anywhere, so the hon. Gentleman's question is to some extent hypothetical. In relation to the £800 million figure that he cited, he will have noted that, in 1993, the value of the assets of the Church Commission increased by £396 million. We are rapidly making good the notional loss which has been recorded in earlier years.

Mr. Harry Greenway: How much of that £396 million was regained from stocks and shares and from the market, and how much from direct giving by the laity? Can the final £400 million be made up in one way or another?

Mr. Alison: If I said £396 million, I apologise. The figure should be £296 million. *[Interruption.]* Hon. Members will allow me a measure of optimism and a firing-from-the-hip apology for having got the figure wrong.

My hon. Friend asked about the increase in the value in so far as that relates to donations. We are talking entirely about the capital valuation of assets, of which about £190 million represents the increase in assets in the stock exchange security and £100 million represents the increase in the value of property and commercial assets.

Church Land (Housing)

30. **Mr. Simon Hughes:** To ask the right hon. Member for Selby, representing the Church Commissioners, what is the Commissioners' policy towards responsible asset management as it affects housing development on land it owns; and if he will make a statement.

Mr. Alison: The Church Commissioners' duty is to their beneficiaries—the clergy. This requires them always to consider the promotion of the housing and other development potential of land through the normal planning processes. The Commissioners seek, when it is consistent with their responsibilities, to make land available for affordable housing.

Mr. Hughes: May I reinforce the view, exemplified most recently in the row in Wiltshire, where the Church Commissioners plan to build executive homes rather than affordable homes for villagers and other people, that the Church has two duties: first, to provide the money for its clergy and, secondly, to go not always for maximum profit but for the enhancement and building up of communities and family life? The Church Commissioners can then ensure that they do not make a muddle on this issue as they made a muddle of their investments last year.

Mr. Alison: The hon. Gentleman will have digested, even though it has only just been delivered to him, my earlier comment that when it is consistent with our responsibilities, we make land available for affordable housing. But the Church Commissioners are not a housing charity, and they must bear in mind their primary responsibility to maintain the level of stipends for the clergy and, above all, pensions for retired clergy and their dependants.

LORD CHANCELLOR'S DEPARTMENT

Courts Services Agency

40. **Mrs. Roche:** To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the cost of setting up the Courts Services Agency.

The Parliamentary Secretary, Lord Chancellor's Department (Mr. John M. Taylor): The preparatory work started in July 1992, and has cost £320,000 up to April this year. A budget of £690,000 has been set aside this year to carry out the work needed to launch the agency in April 1995.

Mrs. Roche: Does the Minister agree that, given the number of closures of both Crown courts and county courts over the past four years, the setting up of an unaccountable agency, which will make the whole process of the administration of justice much less accountable to both Parliament and the public, is a complete waste of money?

Mr. Taylor: The Government believe that it will be money well spent. It is directed towards improving the management and systems of the court service and, as a direct result, improving the standard of service that can be afforded to court users, who are the public—our constituents.

Mr. Boateng: Will the Minister show a little more concern for those members of the public who, over the past year, in the county court system alone, have received more than £400,000 by way of compensation for errors and delays? Is not that just a picture of what is happening everywhere in that service—demoralisation, inefficiency and Government complacency? Is not it time that he abandoned these hare-brained, ideological schemes and started taking care of the consumer of legal services?

Mr. Taylor: There are no hare-brained schemes or ideologies. The interests of the consumer are uppermost. There have certainly been some problems in London, but the rate of compiaint has fallen rapidly. The Lord Chancellor is acutely conscious of the need to handle complaints in a sensitive and user-friendly way.

Divorce

45. **Mr. Wicks:** To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to improve mediation services for couples petitioning for divorce.

Mr. John M. Taylor: I think I had better read my answer fairly slowly.

Mr. Tony Banks: The Minister is not being paid by the word now.

Mr. Taylor: For one of the few times in my life, I am speaking without a fee.

The Lord Chancellor is considering the case for legislation in the light of the responses received to the Government's consultation paper on mediation and the ground for divorce. He therefore has no immediate plans for improving mediation services.

Mr. Wicks: But does not the Minister think that improvements could be made to mediation services, even ahead of legislation? Given that, every year, 160,000 children under 16 have parents who divorce, does he recognise the need for urgency?

Mr. Taylor: Yes. I recognise the urgency, but, in matters as important and sensitive as this, it is very important to get things right. The hon. Gentleman is an expert in these areas, and I respect that. Moving to mediation as a concept is difficult. Moving away from fault-based divorce and adversarial techniques is, in my view, considerably easier, but they are parallel paths. It would be a great mistake to allow legislation to get to the statute book without having quite defined how we would provide mediation, how we would pay for it and who would be the mediators.

Mr. Hawkins: My hon. Friend will recall that I practised in family law for a number of years before coming to the House. Does he agree that, in making any

changes in family law, particularly in divorce law, it is most important that we ensure that, in any divorce, the interests of the children remain paramount? Will he confirm that, whatever other changes to the law are considered, the long-established legal principle in this country—that the interests of the children are paramount—will remain?

Mr. Taylor: I am at pains to emphasise to my hon. Friend that the welfare of children will remain paramount. In fact, if it is possible to enhance the superlative, I suggest to him and the House that, under the proposed arrangements, the welfare of the children will be even more important because the parties will be asked to consider what we now inappropriately call "ancillary matters" before they get their decree. The welfare of the children, the future of the children and funding for the children will have to be addressed by the parties. They will have to resolve those issues, perhaps with the aid of mediation.

Mrs. Ewing: But given that many effective voluntary organisations already work in mediation services, is the Minister prepared to ensure that they are given sufficient funding to enable them to complete a task that is very important to the families concerned without having to rely on legislation being introduced? Beyond that, is it likely that, within the next Parliament, legislation will be introduced to ensure that family mediation services are recognised and given their due worth?

Mr. Taylor: It is not for me to anticipate what will be in a forthcoming legislative programme, and I do not think that the hon. Lady would expect me to. She will accept, however, although she may not be content with the situation, that local services exist; that, in many cases, they are very good; and that they are currently funded by the voluntary and private sectors, with assistance in some areas from the probation service, local authorities and the legal aid fund.

Mr. Ian Bruce: Does my hon. Friend agree that many fathers who face mediation find that their lawyers tell them that the mother's interests always seem to come before the father's, although the children's interests may come before both? In this age of equality, should not we start to look more closely at the way in which men and fathers are viewed when divorce settlements come about?

Mr. Taylor: The law is even handed between men and women in the unfortunate circumstance of divorce. My hon. Friend is quite right to identify the fact that the interests of children come before those of the mother and father; but it is very often the best interests of the children that make the settlement between the parties look as though it is asymmetrical. That asymmetry might well follow arrangements for residence, contact and the like.

CHURCH COMMISSIONERS

Theft (Churches)

31. **Mr. Tony Banks:** To ask the right hon. Member for Selby, representing the Church Commissioners, if he will make a statement about the current levels of theft from churches.

Hon. Members: Hear, hear.

Mr. Tony Banks: It would appear that there is a Lord, Madam Speaker.

Mr. Alison: By divine providence, I return to inform the hon. Gentleman that the Church Commissioners are aware of anxieties about the level of theft from churches. The responsibility for their guardianship rests primarily with the parochial church council and church wardens. The Council for the Care of Churches offers advice on security and has published a booklet entitled "Church Security—a Simple Guide". The Ecclesiastical Insurance Group, as the main insurer of churches and other church buildings, also offers practical advice about security and a number of concessionary schemes.

Mr. Banks: Although I am in no way religious, I find distasteful the fact that people have been stealing from churches. It is a breach of trust and an appalling crime. What discussions have the Church Commissioners had with the various police authorities so that perhaps more specialised policing services can be put in place to track down these thieves? Naturally, I would not recommend Group 4 to give any advice. Perhaps a police equivalent of the Spanish inquisition would be appropriate.

Mr. Alison: On studying in detail my somewhat extended response to him a moment ago, the hon. Gentleman will discern that the responsibility is highly dispersed and lies with parochial church councils. It is not within the remit of the Church Commissioners to intervene directly. However, we do our best to propagate good advice. I am grateful to the hon. Gentleman for his sensitive reference to the unacceptability of thefts of this sort. He will bear in mind that the founder of the Christian religion issued a warning that we should not lay up for ourselves,

"treasures upon earth, where moth and rust doth corrupt, and where thieves break through and steal."

Forewarned is, to some extent, forearmed.

Mr. Dickens: Does my right hon. Friend accept that many of my local churches have been on the receiving end of theft? Often when many of the images and chattels of a church have been removed the whole character of the church is changed; many of those items have been there since time immemorial and are respected and greatly thought of by the congregation. Does my right hon. Friend think that we should say to the parochial church councils, "You now, unfortunately, have a duty to lock your churches"?

Mr. Alison: A great many churches are locked, but some are kept open all the time. There remains a considerable body of valuable antiquities and antiques and other treasured articles in parish churches. However, the overwhelming significance of the value of living individuals in churches remains its particular treasure. I am sure that if my hon. Friend occasionally graced his own parish church with his presence, as I am sure he does, it would make up for the incalculable loss through theft of goods and chattels and treasures.

Housing

32. **Mr. Ian Bruce:** To ask the right hon. Member for Selby, representing the Church Commissioners, what plans the Church Commissioners have to switch investment from up-market homes and offices into affordable homes to rent.

Mr. Alison: The Church Commissioners already provide approximately 1,600 homes at affordable rents in inner London on their Octavia hill estates. They also seek whenever possible to make land on their agricultural estates available for that purpose.

Mr. Bruce: I thank my right hon. Friend for that answer. The last report by the Church Commissioners that I read made a great point of the fact that they were investing in up-market houses and not investing new money in affordable homes. As that investment policy was disastrously wrong and made no money for stipends for the clergy, surely they should look again at their policies and give affordable homes a greater boost—and, indeed, do their Christian duty as well as their financial duty.

Mr. Alison: Our primary Christian duty must be to maintain our primary charitable objective, which is to provide a high cash flow to pay the stipends of clergy and pensioners and their dependants. I told the hon. Member for Southwark and Bermondsey (Mr. Hughes), who pressed the same point that, where we can, we mitigate the impact of this necessary policy by trying to help with low-cost housing. For example, opportunities have been taken, where planning has enabled us to act within our legal duty, to provide land for affordable housing on a number of sites in Cambridgeshire, Hampshire and Yorkshire as well as in London. We try to bear in mind my hon. Friend's point, but we are caught on the horns of a dilemma as to whether, strictly speaking, we can pursue the policies of a housing charity—which we are not.

Redundant Churches

33. **Mr. Viggers:** To ask the right hon. Member for Selby, representing the Church Commissioners, how many churches are currently administered under the redundant churches scheme.

Mr. Alison: At the end of April 1994, 290 churches were vested in the Churches Conservation Trust, formerly the Redundant Churches Fund, for preservation.

Mr. Viggers: Bearing in mind the fact that these interesting and lovely buildings are national assets and have moved away from religious use, does my right hon. Friend think that it would be appropriate for the Church Commissioners to ask for a revision of the formula whereby the state pays 70 per cent. of maintenance costs and the Church Commissioners 30 per cent?

Mr. Alison: I do not rule out an approach to secure a revision of the formula, but it would be tempting providence to do so immediately, since the formula has just increased substantially in favour of the Church Commissioners, from 50 to 70 per cent. Before we press for it to rise to 90 per cent., we should digest the advantageous terms that we enjoy at present through the good offices of the Department of the Environment.

Business of the House

3.30 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): With permission, I should like to make a short statement. Following representations through the usual channels, the business for Thursday 19 May has been changed and will now be as follows.

THURSDAY 19 MAY—Motion on the Coal Industry (Restructuring Grants) Order.

Motion on the Value Added Tax (Education) Order.

Motion on the Railways Pension Scheme Order.

Motion on the Railway Pension (Protection and Designation of Schemes) Order.

The business for Monday 23 May will be announced on Thursday in the usual way, but it may help the House to know that it is likely to include the Third Reading of the Local Government etc. (Scotland) Bill, followed by other Government business.

Mr. Derek Foster (Bishop Auckland): I thank the Leader of the House for his statement and for so readily agreeing to change Thursday's business so that hon. Members who wish to do so can be in Edinburgh on Friday. I also thank the right hon. Gentleman and his colleagues for suspending campaigning for the European elections until after the funeral.

Hon. Members: Hear, hear.

Mr. Newton: The warmth of the House's reception for the right hon. Gentleman shows both its welcome for his remarks and its pleasure at his breaking the normally Trappist vow of the individual who holds his office.

I am grateful to the right hon. Gentleman for the generosity of his remarks and the way in which we have been able to co-operate on that matter and on another on which the Government planned to make a statement today, which the right hon. Gentleman and I discussed on Friday.

Sir Peter Emery (Honiton): I am certain that I reflect the view of the House when I say that I wish that we could frequently have such statements from the Opposition Chief Whip.

I remind my right hon. Friend that we lost the Report and Third Reading stages of the Deregulation and Contracting Out Bill last Thursday. Can he say when that business is likely to come forward?

Mr. Newton: Perhaps I can be helpful by saying that I anticipate that it will be included in the business that I shall announce on Thursday. We are still giving that matter consideration, so I should not wish that to be taken as an absolute commitment.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I express my gratitude to the Government for so readily making the concession that they have, in consideration of hon. Members' travel arrangements—particularly those of Scottish Members. I have my sleeper booked already.

Does the Leader of the House acknowledge that some of the motions tabled for Thursday are contentious? It would be helpful for the dispatch of Thursday's business if the right hon. Gentleman can say something about the timetabling of those motions.

Mr. Newton: I am not in a position to say anything off the cuff, but I hope to take the generally constructive posture of the Opposition Chief Whip, in indicating that there might be co-operation through the usual channels on agreeing something reasonably tidy in that respect. I will certainly do my best.

BILL PRESENTED

LANDLORD AND TENANT (COVENANTS)

Mr. Peter Thurnham, supported by Dame Peggy Fenner, Mr. John McFall, Mr. John Fraser, Sir Geoffrey Johnson Smith, Sir Gerard Vaughan, Mr. A.J.Beith, Mr. Ieuan Wyn Jones, Mr. Paul Boateng, Mr. Colin Shepherd, Mr. Dudley Fishburn and Mr. Patrick Nicholls, presented a Bill to make provision for persons bound by covenants of a tenancy to be released from such covenants on the assignment of the tenancy, and to make other provision with respect to rights and liabilities arising under such covenants; to restrict in certain circumstances the operation of rights of re-entry, forfeiture and disclaimer; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 20 May, and to be printed. [Bill 111.]

Points of Order

3.34 pm

Mr. Barry Sheerman (Huddersfield): On a point of order, Madam Speaker. It will be brief, and I apologise for making it today.

There is a feeling on both sides of the House that—given your great interest in preserving the rights of hon. Members—you might wish at some stage to comment on the view that, over the past two or three weeks, private Members' time and private Members' business have been interfered with in an unwarranted way. Two weeks ago, a Bill that would have given disabled people rights—

Madam Speaker: Order. I think that we are all aware of that. What is the point of order for me?

Mr. Sheerman: Last Friday, we debated a Bill to prevent disability—

Madam Speaker: I was in the Chair.

Mr. Sheerman: I remember your being there, Madam Speaker.

The feeling is that the Government are now organising business in a way that almost undermines private Members' time and private Members' Bills. I have heard the matter being discussed by hon. Members on both sides of the House. Will you make a statement, Madam Speaker, or talk to the relevant Committees in order to make some headway? There is a feeling that our rights as Members of Parliament are currently being undermined by the Government.

Madam Speaker: I am sure that the hon. Gentleman was present on Friday, when I was in the Chair and several hon. Members raised the issue. I understand that a number of hon. Members have already written to the Procedure Committee about the whole procedure of dealing with private Members' Bills. I anxiously await the Committee's report, in which I am as interested as the hon. Gentleman.

Mr. Michael Jopling (Westmorland and Lonsdale): On a point of order, Madam Speaker. It is on the same subject. May I point out that the problem with private Members' Bills arises every year? It is in the very nature of private Members' Bills that if they are controversial, it is always difficult to get them through; I must point out, however, that when the Select Committee on Sittings of the House —which I have the honour to chair—sat just over two years ago, there were no representations for the procedure for private Members' Bills to be changed.

Madam Speaker: The right hon. Gentleman has been in the House for a long time, and is very experienced in these matters. I am as aware as he is of some of the difficulties that the House runs into from time to time in regard to contentious issues.

European Union

[Relevant documents: White Paper on Developments in the European Community July to December 1993 (Cm 2525) and the Commission's White Paper on Growth, Competitiveness and Employment (Supplement 6/93 to the Bulletin of the European Communities).

Madam Speaker: Before I call the Minister to open the Adjournment debate, may I appeal to the House? A number of hon. Members on both sides of the House will be taking a great deal of interest in the debate. I do not wish to impose a 10-minute limit on speeches, but I ask hon. Members to exercise voluntary restraint in regard to the length of their speeches.

3.36 pm

The Minister of State, Foreign and Commonwealth Office (Mr. David Heathcoat-Amory): I beg to move, That this House do now adjourn.

My right hon. Friend the Secretary of State apologises for not being present; he is attending a meeting of the Foreign Affairs Council in Brussels. He had hoped that the discussion on Bosnia would allow him to return in time for the debate, but, for other reasons, it has had to be delayed until this afternoon.

We are to debate two White Papers, one on developments in the European Community during the last six months of last year and the other on the European economy. If there is a common theme running through both papers, it is making the European Union work better.

The Maastricht treaty came into effect in November last year, after clearing its final hurdles in the German constitutional court. Our aim now is to make a success of it. Implementing the treaty means curbing the itch to legislate, and seeking Community instruments that are simpler and clearer. It also means putting into practice the second and third pillars of the Union, so that member states can tackle issues of foreign policy, justice, and home affairs on a basis of more effective intergovernmental co-operation.

The Uruguay round of the general agreement on tariffs and trade was also completed successfully last year, in December. The Government strongly supported the efforts of Sir Leon Brittan, the Trade Commissioner, who conducted negotiations on behalf of the 12 member states. It was vital for us that the European Union maintain its free-trading vocation, remaining committed to dismantling trade barriers not just within the Community but worldwide. It was not easy to overcome the protectionist tendencies of some other member states, but there is no doubt that—as with previous GATT rounds—this round will deliver a powerful boost to world prosperity.

Figures are obviously only estimates, but a recent Organisation for Economic Co-operation and Development study estimated that an increase in world income of about US $270 billion could result from the Uruguay round. The industrialised and developing world will benefit from increased trade flows and there will be better rules for settling trade disputes.

Mr. Derek Enright (Hemsworth): Will the Minister admit that countries that are highly dependent on trade in cane sugar, for example, have come out of the GATT round extremely badly? They are 20 per cent. worse off than they were when they received special concessions from the European Community. Is not the throwing away of our

[Mr. Derek Enright]

responsibilities to small banana and cane sugar producing countries the reason why some of us are cynical about the way in which GATT works?

Mr. Heathcoat-Amory: Under the Lomé conventions, we have a number of legal obligations to assist certain developing countries. The hon. Gentleman mentioned bananas and sugar, but the agreements, if modified, can be reconciled with the free-trading objectives of the Uruguay round. It was noticeable that the developing world was enthusiastic about the Uruguay round; it sees a great deal to gain overall in a freeing up of world trade.

The European Commission, negotiating on behalf of the 12 member states, deserves our thanks for the persistence with which it conducted those negotiations, but the self-discipline of the 12 member states made an agreement possible. We hope to introduce and to give effect to the World Trade Organisation; the agreement was signed in Marrakesh and is due to come into force on 1 January next year.

During those negotiations, another feature of the economy was at the top of the British agenda for Europe —unemployment and the need to tackle the associated question of competitiveness in world markets. In the past, we have discussed competitiveness in Europe, but we also need to ask whether Europe is competitive in world terms and, if not, what we can do about it. Similarly, unemployment in Europe has been under-debated and has not received enough attention.

A change of emphasis is noticeable, particularly among those in Europe whose vision of the future has hitherto been about creating new institutions. The value of institutions lies not in theory, but in what they do, what they deliver and how effective they are. We believe in creating a people's Europe, not a Europe for bureaucrats and politicians. That means responding to people's day-to-day concerns about jobs, security, crime and the need for budgetary discipline and action against waste and fraud. That has meant patient work in the Council of Ministers with other member states that share our aims in particular areas of policy.

For instance, the Maastricht treaty gives full legal status to subsidiarity. That means that decisions will be taken by member states unless the policy objectives require action at Community level, as was the case with the GATT negotiations. To give effect to that principle, last year the British and French Governments submitted a joint list of directives to be withdrawn, amended or repealed. Most of them were accepted and the Commission is now working up details for implementation.

We will keep up the pressure and the Commission will produce another report by the end of this year. I know that the German presidency, which starts on 1 July, attaches the same high priority to making subsidiarity work in practice and to turning the words of the treaty into action.

The White Paper on the European economy is in many ways a disturbing document. There are 20 million people unemployed in the European Union and the number has been rising at every turn of the business cycle over the past 30 years. Even in good years, growth in Europe has delivered far fewer new jobs than in economies elsewhere in the world. Last year, member states were invited to submit papers on growth, competitiveness and employment. Ours was the first to be published—we submitted it in July last year. Many of its themes were incorporated into the final Commission White Paper, which is one of the subjects of today's debate.

Europe has become a high-cost continent. Action is needed to lighten the burden of regulations, to improve the flexibility of labour markets, to avoid excessive social costs and to improve training. Action is also needed to complete the single market and enforce the rules on competition. In December last year, the European Council adopted just such an action plan. The Commission is now to conduct an audit of existing legislation in terms of its effect on employment.

There is a feeling, which is now widely shared, that well-meaning legislation has imposed uncosted burdens on industry and business.

Mr. Michael Fabricant (Mid-Staffordshire): Has my hon. Friend read the report by the Organisation for Economic Co-operation and Development which was published about two years ago and said that non-wage employment costs were the biggest single cause of unemployment in France which is now at its highest level in absolute terms?

Mr. Heathcoat-Amory: Yes, non-wage labour costs are sometimes startlingly high in Europe, which is undoubtedly a contributory cause of unemployment. When I said that the feeling was widely shared, I included thoughts from the OECD's report and other studies that offer the same conclusion. There is no doubt that the result of such burdens and costs has been higher unemployment in Europe and firms becoming less competitive in world markets. In other words, over-regulation leads to unemployment.

Mr. Anthony Coombs (Wyre Forest): Does my hon. Friend agree that the ability of different communities to create jobs is a matter not merely of wage costs caused by social regulation but of the imposition of taxation? The proportion of gross national product taken in taxation in Europe varies between 36 and 45 per cent., whereas the United States takes only about 31 per cent. and Japan 29 per cent? It is precisely those countries which have been most successful in creating jobs.

Mr. Heathcoat-Amory: I could have said that Europe is becoming a high-cost and high-taxation continent, and something must be done about both. However, over-regulation was the subject of my remarks. I was drawing attention to the fact that the Government are tackling the problem at the national level. We believe that it must be tackled with the same vigour in the Community.

It was clear at the very successful Anglo-German summit last month that many of the concerns about cost, taxation and over-regulation are shared by the German Government and, as they will be taking over the presidency on 1 July, I think that we can look forward to further deregulation initiatives in the latter half of the year.

Sir Teddy Taylor (Southend, East): Does my hon. Friend agree that, apart from the problems of high costs and high taxation, which are part of the European set-up, we also have a serious problem with vicious protectionism? Does he recall our correspondence about the crazy restrictions recently placed by the European Community on trade with China which have knocked on the head two firms—PMS. and Hi-Tec—in Southend? They have been

instructed to reduce their business by 75 per cent. which will mean the loss of jobs as a direct result of European protectionism.

Mr. Heathcoat-Amory: I recall the correspondence with my hon. Friend. He will know that we did our best at the Council meeting concerned further to liberalise trade and to dismantle the restrictions to which he has referred. He will agree that barriers have come down and that restrictions have been removed on trade between the two countries, although not as far and as fast as he would like. I know that the firm in his constituency had been put at a disadvantage by the remaining barriers to trade.

The action plan agreed last year at the Brussels summit did not tackle only cost and regulation; it also includes measures to make the single market work better. A high-level group is to co-ordinate work on energy and transport networks. A separate group is studying information networks and we hope that that will lead to rapid moves further to liberalise the European telecommunications market. Many of these are long-term measures, but interim reports will be made to the European Council meeting next month in Corfu and further reports will be made by the end of the year, by which time we wish to see real progress.

Other areas in which the citizens of Europe want action are international crime, terrorism, drugs, money laundering and illegal immigration. Those are dealt with in the so-called third pillar of the Union through co-operation between Governments. Good progress has already been made and, in particular, the EUROPOL drugs unit started work in February to analyse and exchange intelligence on drug trafficking and related crimes.

My right hon. and learned Friend the Home Secretary recently launched an initiative to crack down on fraud in the Community, again using the new procedures available under the Maastricht treaty. European taxpayers have the right to know that their money is being properly applied and that waste, mismanagement and fraud are being dealt with. The European Parliament has new powers in this area to ensure that money is accounted for and that the reports of the European Court of Auditors are taken seriously and followed up.

Indeed, the European Parliament now has wider powers to check the legislative process. They can help us to redefine the work of the Community so that what needs to be done is done better, through fewer, clearer instruments which are then properly complied with and properly enforced.

Mr. Harry Barnes (Derbyshire, North-East): The second item on the Order Paper today is a motion on a report of the Court of Auditors on the environment. Why was it 16 months before that report was presented to European Standing Committee A, by which time it was outdated? The Committee was so incensed that the motion before it was defeated. Today's motion must either be accepted or objected to, and we cannot discuss it on the Floor of the House. If we are concerned about the report of the Court of Auditors, should not the matter be discussed on the Floor of the House?

Mr. Heathcoat-Amory: If the hon. Member has complaints about procedure, he would do better to direct them to the business managers. My point, which I repeat, is that reports from the European Court of Auditors, which have tended to be largely ignored in the past, are now to be followed up and implemented. In addition, the European Parliament has certain powers to ensure that that happens.

Mr. Nigel Forman (Carshalton and Wallington): Does not the interesting example raised by the hon. Member for Derbyshire, North-East (Mr. Barnes) underline a rather important home truth about the European Union, which is that national Parliaments and the European Parliament should regard each other as complementary rather than as necessarily conflicting? Together, they can add to the sum total of public accountability.

Mr. Heathcoat-Amory: My hon. Friend makes a fair point. The real debate in Europe now is how the new powers are to be used; that is the importance of the European elections. People now have the chance to put in Members who will utilise the new powers and, where necessary, work with their colleagues of similar parties in national Parliaments to achieve the same ends.

I return to the future of the Community and, in particular, enlargement. I am pleased that the European Parliament recently approved the agreement to admit Austria, Norway, Sweden and Finland to membership of the Union. The way is now clear for signature of the accession treaty, probably at the next European Council meeting in Greece, and a Bill to enable United Kingdom ratification will be introduced to Parliament in due course, certainly in time to meet the deadline of the end of the year. All that, of course, is subject to the referendums that must be held in each of those four states and for them to decide if they wish to join.

Mr. Charles Kennedy (Ross, Cromarty and Skye): What assessment has the Minister or the Foreign Office generally made of the damage that was done by the position of the British Government and others in the qualified majority voting fiasco to the subsequent referendums in the potential member states?

Mr. Heathcoat-Amory: Our assessment is that it has done no damage at all. It shows that important national interests can be protected and that agreements can be reached. That should be of assurance to new countries coming in, which have a well-developed sense of statehood.

The whole process of enlargement fulfils a long-standing British ambition. Indeed, we started the ball rolling on the current round of enlargement at the Edinburgh Council meeting of 1992. The negotiations for enlargement were tough and a number of member states had important interests to defend. We protected our fisheries, we kept our budget rebate intact and, yes, we reached agreement to protect minority positions in the Council of Ministers when votes are taken by qualified majority. Just to avoid any misunderstanding, let me emphasise that that issue was about majority voting.

We will continue to insist that, on vital national interests —matters such as taxation, defence, foreign policy, immigration, treaty changes and so on—unanimous voting will continue to be required. I realise that that is the difference between the parties. The Opposition wish to extend majority voting, and they have said so on a number of occasions, but we do not.

We look forward to the four new countries joining on 1 January next year, if possible. Of course, they will not all share our views, but they are free traders and they are used

[Mr. Heathcoat-Amory]

to making their way in the world. They will be contributors to the budget, so they will share our views on the importance of budgetary discipline. They all have a keenly developed sense of statehood, with strong national parliaments. All of them are committed to good government and a European Union based on the rule of law.

Mr. David Winnick (Walsall, North): Will the Minister give way?

Mr. Heathcoat-Amory: One more time, perhaps.

Mr. Winnick: In view of what the Minister has just said, is he aware that there is increasing concern, certainly in this country, over the fact that, in the new Italian cabinet, five members are clearly pro-fascist and in the second tier of 37 Ministers, 12 are associated with fascism?

Bearing in mind the fact that, as I have said in exchanges with the Foreign Office, next year will be the 50th anniversary of the defeat of fascism, when we will be celebrating—not commemorating, but celebrating—the end of the war against fascism, does not the Minister recognise that the answer that he gave me in the previous Foreign Office questions was very complacent indeed and that we should be concerned—however it came about—that there are fascist Ministers and Cabinet Ministers in one of the leading member countries?

Mr. Heathcoat-Amory: I do not recall that the hon. Gentleman complained when we used to do business with Communists and Marxists, some them with extremely disagreeable records on human rights. At Government level—I include the previous Labour Government—we frequently have meetings with the leaders of east European countries and the countries of the former Soviet Union, most of whom were hardline Communists, with extremely poor records on the treatment of human rights.

I shall repeat the point that I made, possibly to the hon. Member for Walsall, North (Mr. Winnick), at a Question Time. It is for the Italians to decide, under their democracy, whom they elect. If they elect a Government and they are committed to the constitution and duly elected, we will do business with them.

Mr. Enright: On a point of order, Madam Speaker. Is it in order for a Minister to attack an hon. Member of the House for taking positions which he has never taken? For example, my hon. Friend the Member for Walsall, North (Mr. Winnick) has always—

Madam Speaker: Order. The hon. Gentleman is not raising a point of order with me. He is putting to me a point of argument and frustration. If Opposition Members catch my eye, they will be able to put matters in another perspective.

Mr. Heathcoat-Amory: The hon. Member for Walsall, North asked a question and I gave an answer. That is what the hon. Member for Hemsworth (Mr. Enright) is complaining about.

Mr. Winnick: Further to the point of order, Madam Speaker. You are the defender of Back-Bench Members and I have been accused of being a defender of dictatorships and totalitarian movements if they were communist. That is a lie, and the Minister should withdraw his statement.

Madam Speaker: That is a matter for debate, not a point of order. If the hon. Member feels that he has been done an injustice by the Minister, he may seek to catch my eye and to set the record, as he believes it to be, absolutely correct.

Mr. Heathcoat-Amory *rose—*

Mr. Winnick: Apologise.

Mr. Heathcoat-Amory: I am not disputing the hon. Gentleman's record of standing up for human rights. I made the separate point that he and his hon. Friends did not complain when the Government, and the Labour Government, used to do business at official level with communist countries and Marxist states, all of which had deplorable records on human rights.

My final point is that if we make a success—

Dr. Norman A. Godman (Greenock and Port Glasgow): Will the hon. Gentleman give way?

Mr. Heathcoat-Amory: I hope that the hon. Gentleman will forgive me for not giving way. I have begun my concluding remarks and I wish to adhere to Madam Speaker's injunction that we try to keep our remarks relatively brief.

A successful enlargement this time round will, we hope, pave the way for future rounds of enlargement. Recently, two more countries—Hungary and Poland—applied for membership. Already, Malta and Cyprus are being considered. Those developments raise important questions about institutional reform and finance—questions that go well beyond the scope of today's debate. We welcome, however, the prospect of reuniting Europe, its having been divided by communism for nearly 50 years.

We reject a European Union that is rigid, centralised and incomplete. We share with other countries a view of Europe that is diverse, outward looking and able to face common challenges with confidence. I believe that the events of the past six months and more have taken us further in that direction.

4.1 pm

Ms Joyce Quin (Gateshead, East): The debate, when first planned, would have coincided with the opening shots in the European election campaign. That is no longer the position because of the tragic death of John Smith last week.

The debate allows us, however, to advance our views on what we see as the development of the European Union, to comment on the documents that are before us and to show that there is an alternative to the Government's approach and that we have many positive ideas for the way forward.

I welcome the debate, but its timing is unfortunate for practical reasons. It is rather odd that the debate coincides with the meeting of the Foreign Affairs Council in Brussels. That being so, it is rather difficult to influence any of the discussions that the Foreign Secretary might be having with his counterparts. In terms of our ability to influence today's meeting, it is a matter not of one minute to midnight but of one minute after midnight.

The Minister raised various issues, one of the most important being the enlargement of the European Union, to

which the Opposition give an unqualified welcome. It is something for which we have long called. We feel that we have much in common with the four applicant countries, with their strong social democratic tradition and their belief, like us, that Europe needs a strong social dimension as well as a strong economic one.

I shall ask the Minister one or two questions about enlargement, and especially about the agreement reached at Ioannina—the famous Ioannina compromise. I recently wrote to the Prime Minister to question what he said in the House about the agreement. The right hon. Gentleman said that it was "justiciable" in the European Court of Justice. I am sure that the Minister knows that in the European Parliament recently the Commission President, Jacques Delors, said that the agreement at Ioannina was a political declaration but not a legal text.

Does the Prime Minister still adhere to his belief that the agreement is justiciable? I tried to raise the matter with the Minister in Committee last week during a discussion on enlargement, but my question was not answered. I would welcome an answer today.

I should like the Minister to comment on a claim that was made to me by one of the Labour Members of the European Parliament about a statement by the Secretary General of the Council to a meeting of the Foreign Affairs and Security Committee of the European Parliament a week ago. He described what would happen, once the Ioannina compromise was supposed to be working—that would come into play when between 23 and 26 votes were against a Council decision—when four countries besides Britain were part of a so-called blocking minority of 23 votes.

According to the Secretary General, it would be necessary for all the countries concerned to say specifically that they wanted to use the Ioannina compromise. Therefore, it would not be enough for Britain to say that, since a certain number of votes were against a proposal, the compromise should be automatically invoked. He also said that, should one of the countries opposed to the decision withdraw its opposition in the spirit of unity, matters would simply proceed, despite the fact that our Government might want to invoke the compromise, without any hindrance. Will the Minister comment on that?

It is clear from a parliamentary answer to one of my hon. Friends that the Government's assurances on social issues are simply oral and that there is nothing in writing. We strongly believe that nothing has been achieved other than a restatement of what was already the case. The Government may say that certain issues will not come before the Council because they will not be taken under the health and safety heading.

Many countries would agree with us, however, that many of the social directives proposed in Brussels are related to health and safety—for example, the vexed directive on working time and the directive on the protection of young workers. A strong case can be made for saying that working inordinately long hours harms health and safety. The Government have made a completely false assumption that health and safety has nothing to do with those important issues.

The Labour party strongly believes that we should play a positive, central role in Europe. That is the best way in which British interests can be safeguarded and British people can be given a good deal from the European Union. The Opposition also believe that that is the best way for Europe to make progress.

I should like to illustrate that argument by referring to four policy areas where the kind of policies that we are putting forward would be good for Britain and good for Europe. On the economy, we welcome many of the proposals contained in the Delors White Paper, although we would have preferred the stronger version that was originally available. We believe that a great deal could be achieved through co-operation on infrastructure projects that would help to create jobs. For example, funding should be given to provide direct rail links between the channel tunnel and all the regions and nations of this country. Such links are long overdue.

I am sure that my hon. Friends could refer to numerous public transport schemes that deserve funding in their areas, and if I may be permitted to cite one from my part of the country, the completion of the Tyne and Wear metro integrated transport system would be greatly welcomed. I say "integrated", although, unfortunately, integration has been lost because of bus deregulation and other measures.

Many important environmental projects should be encouraged through such co-operation and the Opposition's idea of public-private partnerships. We should also like regional funds to be put to much more effective use; so often they have swollen the coffers of the Exchequer without providing proper additional benefit to the regions concerned. After all, the regional funds of the European Union were originally designed to offer such benefit.

We also believe that more co-operation on research and development is important. We regret the rather negative attitude that has been adopted to the European Community's framework programmes. Those programmes should be extended and better targeted.

We also, importantly, believe that our industry needs equal treatment in the European Union. Whether we are speaking about our old industries such as steel, shipbuilding or coal, where we believe that we have lost out unfairly in the European context, or about research and development and new industries, we need measures that ensure that we are not disadvantaged by the support that other countries may give.

That is also important for exports. When I used to take a special interest in that subject from the Opposition Front Bench, I was worried that we had a far more niggardly attitude to such aspects as export credit guarantees than many of our European competitors. It seems to me that the Government are expressing a vain hope when they say, as they often do, that they will cut down support and hope that everyone else will follow suit. I do not believe that that is a sensible way to approach industry in the European Union. One must obtain agreement on a common level of support so that progress can be made.

Mr. Fabricant: Perhaps the hon. Lady knows that I was greatly involved in exporting before I came to this place. Does she accept that, since the Budget and the previous Budget, the Export Credits Guarantee Department now offers terms at least equal to those of HERMES in Germany?

Ms Quin: I accept that there were some modest measures to support exports, but, for many years, there were many discrepancies in the terms of the support that we were offering. How many exports were lost in the

[Ms Quin]

interval? I am speaking about a number of years ago. I think that that weakened our economy at a difficult time for us.

On other aspects of the economy, we note that today the European Commission is still giving a rather unfavourable forecast of British economic growth. We believe that the policies that have been pursued have weakened our economy and our industrial base, in spite of our great natural advantages of oil, coal and gas. A great deal more needs to be done if the economy is to recover.

The second area to which I shall refer is social and employment matters. I say strongly that the Labour party believes that the European Union is not simply a market or a free trade area: it has been a market with a social dimension from the beginning. It is obvious that a social dimension has been built into the European Coal and Steel Community treaty, the treaty of Rome and subsequent treaties. Therefore, it is not credible for the Government in the 1990s to try to remove the social dimension of the European Union on the spurious ground of subsidiarity. That simply will not work, and it explains why we are so marginalised and isolated on that issue.

Mr. William Cash (Stafford): The hon. Lady suggested that the Government might oppose the progress that she would advocate towards greater social cohesion on the ground that we might be marginalised or that it might be spurious to do so. Has she considered the fact that the jobs of the people of this country depend emphatically on our being competitive, and that the only way in which we can be competitive in global markets is by having wage costs that are comparable with those throughout the world?

Ms Quin: I do not accept the hon. Gentleman's argument for a minute. Perhaps, in replying, I can refer to inward investment, which I know exercises the attention of hon. Members on both sides of the House. If one considers inward investment and the reasons for it, one will see that low wages have practically nothing to do with the inward investment that has taken place in recent years.

I refer the House yet again to the evidence that was given by Nissan to the Employment Select Committee during its study on inward investment in which Nissan said clearly that the social chapter, far from presenting it with a threat, caused no difficulty to the company because it already had terms and conditions that exceeded those of the social chapter. Indeed, it was interesting that the management of Nissan, in their evidence, said that they thought that the low-wage, low-skill approach to the economy was the road to economic disaster.

Mr. Graham Riddick (Colne Valley): Will the hon. Lady explain why the United States, which has a low-tax, deregulated, free-market economy, has managed to create 30 million new jobs in the past 20 years, whereas the European Community, whose economy has gone in the opposite, more regulated direction over the same period, has managed to create only 5 million new jobs, most of which are in the public sector?

Ms Quin: I stoutly maintain that no facile correlation exists between low pay and poor conditions and high employment. For example, the Government have spent much time advertising in German and Swiss newspapers about the virtues of a low-wage economy, yet Switzerland, in particular, has an unemployment rate of only 4 per cent.

Sir Teddy Taylor: Switzerland is not in the European Community.

Ms Quin: That is irrelevant to my argument. I said that there was no correlation between low wages and poor employment conditions and the level of unemployment. Employment terms and conditions in Switzerland are much better than those in this country. Austria, which is applying to join the European Union—it hopes to join shortly and I trust that the referendum there will be successful—also has low unemployment, yet it is extremely keen on the social chapter of the Maastricht treaty. The hon. Member for Southend, East (Sir Teddy Taylor) should bear that in mind.

Sir Teddy Taylor: Does the hon. Lady appreciate that she has hit the nail on the head? It is not low or high wages but membership of the EC which causes the burdens, high costs and unemployment that the people of Europe are now suffering.

Ms Quin: The hon. Gentleman has a strange view of the universe. The record of the past 20 or 30 years shows that the countries in the European Union with the lowest wages and poorest working conditions have not had particularly high unemployment; the contrary has been the case. If deregulation is such a success, why was this country, after 10 years of that medicine, the first to go into recession?

Several hon. Members *rose—*

Ms Quin: Many hon. Members now want to intervene, but I have already said enough to show that no simple correlation exists between poor wages and poor conditions and high unemployment. I feel confident about that.

Listening to Conservative Members, one would think that inward investment would never go to countries with good employment conditions or high wage and non-wage costs. In the past couple of weeks, I have noticed that the South Koreans are to assemble cars in Europe. The plant where they hope to produce up to 30,000 vehicles a year is in Germany. That is another matter that should be borne in mind.

Mr. Bernard Jenkin (Colchester, North): Will the hon. Lady give way?

Ms Quin: I have already given way several times.

The growing inequalities in Britain under this Government are outside the general trend in the European Union and we want that to be reversed. Such inequalities are morally wrong but also economically indefensible and Britain is paying the price for the fallacy that poor wages and bad conditions are linked to economic efficiency. Plenty of evidence shows that that is not so.

Mr. Simon Burns (Chelmsford): Will the hon. Lady give way?

Ms Quin: I may give way a little later.

On the social dimension, we also regret that the Government have consistently blocked a range of directives which we think would have helped British people at work, and which would have been very much in their interests. I could mention several of them, but in particular there was the information and consultation of

workers in multinational companies, the directive on parental leave and the directives on giving employment rights to part-time and full-time workers.

Let me say clearly that we not against flexibility. We believe that flexibility is an important aspect of employment, but we do not want flexibility to be a lifetime penalty of lost benefits and poor pension and holiday entitlement. We would like flexible part-time work to be an opportunity, not a penalty.

Mr. Burns: The hon. Lady will accept that a significant amount of inward investment has come to different parts of the country during the last decade or so. During her speech, she has given a number of reasons which were not the cause of that inward investment. Would she be kind enough to tell the House why she thinks those companies decided to invest in this country?

Ms Quin: There are several reasons, such as the availability of labour and of certain skills. As for Japanese investment, the fact that we speak English is an advantage because of all the commercial contact which Japan has had during the past 30 years with the United States. It was obvious that the Japanese would look to Britain, and we welcome them to areas such as mine in the north-east. I willingly concede that companies have received grants from the Government and from other sources.

It is also fair to say that there is some concern among would-be inward investors, particularly because the two opt-outs which the Government have negotiated mean that we seem to be semi-detached in a European context. Perhaps it is for that reason that the rate of investment into the United Kingdom has slowed somewhat, and we have seen efforts by some companies—particularly by the Japanese, but also by the South Koreans, as I mentioned just now—to invest in other countries.

To a certain extent, those companies may feel that they do not want to put all their eggs in one basket, which I can understand; but there is also a feeling—borne out in an Ernst and Young report on inward investment—that our semi-isolation in the European Union is a factor weighing in the minds of inward investors. The Government ought to take that into account.

Mr. Jenkin: Will the hon. Lady give way?

Ms Quin: I have given way several times, and I will not give way again. I know that many of my hon. Friends want to speak.

Mr. Jenkin: It relates to the hon. Lady's point.

Ms Quin: This will be the last intervention I take.

Mr. Jenkin: I am grateful to the hon. Lady. Why is unemployment so much worse in so many other EC countries than in ours, and why is the EC as a whole an unemployment black spot compared with developed countries throughout the world?

Ms Quin: Given that unemployment in Britain has been consistently higher than in other European Union countries during the time the Government have been in power, the hon. Gentleman should perhaps direct that question to the Government. We must look at different countries in different ways. For example, Germany has had specific problems recently which it has tackled with tremendous courage. It is interesting that the European Commission is now painting a brighter picture for Germany in the future. [HON. MEMBERS: "What about France?"] Recent predictions are rather more favourable for France than they are for Britain. [HON. MEMBERS: "No".] Yes, according to the lunchtime news today.

The third area I should like to mention is the environment. The Labour party feels positively about European environmental initiatives and we believe that it is an important area for us to co-operate on in the future. The subject was, to a certain extent, debated fully last week, and I commend to the House the excellent speech by my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith), who talked about Labour's policies and attitude towards European environmental issues.

Perhaps at this stage I should respond to something that the Minister said about the question of subsidiarity. We believe that the Government's view of subsidiarity is entirely false. They seem to see it as a simple choice between taking decisions in Brussels and taking decisions in Westminster and Whitehall. Labour believes that subsidiarity means taking decisions at the lowest most appropriate level—that could mean the local level, regional level, national level or European level, or even the United Nations level, depending on the issue which is being discussed and which is under consideration.

We note from the report "Developments in the European Community: July-December 1993" that the Government's claim a few months ago that they had proposals to scrap certain European environmental directives on the ground of subsidiarity is completely false; it is clear from the report that those directives have not been scrapped. I am glad that they have not been scrapped. We are not against them being revised if that means even better standards for Europe's citizens as a whole.

Sometimes the Government try to convince us that they are defending British interests by raising the Union Jack. I do not want to see the Union Jack raised alone on dirty beaches around our coasts. I want to see the Union Jack alongside the blue flag of environmental approval from the European Community, which would at last signify that we had complied with the commitments that the Government entered into when they signed certain European environmental directives. It is a scandal that many years later we are still far away from fulfilling those obligations.

As for the environment, we also believe that there is tremendous scope for job creation in energy efficiency. Perhaps I can echo the complaints made by my hon. Friends about the way in which the Government recently scuppered the Bill of the right hon. Member for Berwick-upon-Tweed (Mr. Beith). We believe that such measures have job creation potential, and it is something that should be looked at seriously. There are also opportunities for our industry in helping to clean up the, sadly, heavily polluted economies of central and eastern Europe. Those economies have tremendous problems and they need our help both in aid and in trade.

Finally, I turn to the fourth element on which I believe we have positive proposals to put forward—decentralisation in the European Union. I have already talked about our views on subsidiarity. We believe in regionalisation and decentralisation. We find it rather strange that the Government sometimes complain of bureaucratic centralism in the European Union when bureaucratic centralism seems to be the recipe that they have been keen to give to the people of Britain over the past 15 years.

Mr. Winnick: Does my hon. Friend agree that on decentralisation—I have been following what she is saying—it is absolutely essential that all member countries in the Community should have a commitment to democracy? Therefore, does she share my apprehension at the Minister's complacent remarks about the inclusion of fascist Ministers in Italy—*[Interruption.]* Tory Members who are heckling will undoubtedly next year savour celebrating the end of the war against fascism. If that is true, why are they so complacent about the presence of fascist Ministers in the Italian Government?

Ms Quin: I agree with my hon. Friend. I should have liked a more fulsome apology from the Minister to my hon. Friend's intervention earlier in the debate.

We want to see a more open and more democratic European Union. I think my hon. Friend will agree when I say that we believe that the contribution of the four new members to the process will be important. We hope, although we do not expect, that the Government will support those four new countries in their desire for greater openness in the proceedings of the Council of Ministers and, indeed, in their great concern to ensure proper freedom of information throughout the European Union.

The Labour party has a positive agenda on the four areas that I have mentioned. We do not believe that everything in the Euro-garden is rosy. We also have ideas for change, whether they be on the common agricultural policy, an increased battle against fraud or an increased European awareness of problems to do with racism. One of the proposals in our European document is for a European Commissioner with a specific remit for racial equality. The European Union has done a great deal for women's rights, but there is a great deal that could be achieved, particularly for ethnic minorities and the various groups in the European Union.

I have tried to make my speech positive. I believe that the Labour party has a positive programme to put forward. There is a great deal about the Government's approach that we reject. I conclude by quoting from the very fine tribute to John Smith that was made by Michael Foot in *The Observer* yesterday, in which he said that he had hoped that John Smith would be here

"to play a full, magnanimous part in the Europe he had helped to create".

I hope that that will inspire many of us in the months and years to come.

4.30 pm

Sir Edward Heath (Old Bexley and Sidcup): I gladly agree with the hon. Member for Gateshead, East (Ms Quin), the Opposition spokesman, on her last remark. It is sad at this particular time that John Smith is no longer with us. He was always absolutely clear headed about the European Community and the European Union and developed all his views in accordance with it. During the campaign—if he had been taking part—I believe that he would have given a very important lead to the people of this country and would have secured the support of his party for it.

The debate is important, in part because we are at the beginning of a campaign for the election of our European Members of Parliament, but also because we are now hearing from Government sources that the Government are preparing, apparently, a wide mass of proposals to put forward at the 1996 conference. It is therefore good that we are able to express our views before the European election, and also, if I may say so, that the Government recognise that they could not be more wrong if they think that they will change the European Union into a free trade area, which was their former idea. The quicker they learn that the better.

The debate gives an opportunity for mentioning a few home truths. I do not want the Government to go through the same humiliating performance that we saw when they recently tried to change the voting system in the European Union. Nothing was more humiliating as far as our country was concerned, and it has done us immense harm. It did so in part because at the same time it emerged from sources—said to be in Downing street—that if the Prime Minister did not get everything that he wanted in 1996, we were out.

I was in the United States at the time that that was published, and the Americans said to me, "But what on earth can your people be thinking of? You do not matter outside the Union. We are not interested in you outside the Union." I heard exactly the same from the far east. It was then stated that of course there was no such intention. But the damage was done. People ask, "What are you playing at?" They think that those who make such suggestions are out of their minds; and on that I agree.

When it comes to the importance of the election, I hope that all hon. Members will urge the people of this country to vote, as that is essential. Ever since I have been connected with European interests in the political way, which is now nearly 50 years, I have always been told by the Europeans, "We want you to show us how to create the European democracy. You have the oldest Parliament among us. You have the mother of Parliaments. You have the experience and the expertise, and it is your lead and guidance that we want." And we failed them completely.

At the previous European election 33 per cent. of the people voted—the lowest percentage in the European Union. What is there to be proud of in that as a country, a Parliament or a party? That is why I hope that we can urge our people to use their European vote. We cannot say that the attendance for the debate is a good example of the keenness of the House to debate European matters. We must try to persuade people to vote, and for that an explanation is required.

Over the past 15 years the people of this country have been given no explanation of what is going on in the European Community. [Hon Members: "What about your White Paper?"] My White Paper was extremely good and greatly appreciated at the time. *[Interruption.]* Perhaps we could have some manners. Good manners were certainly not displayed during the speech by the hon. Member for Gateshead, East (Ms Quin).

The trouble with Maastricht was that the Government took it for granted that because a large majority sent the Prime Minister to Maastricht and because he won the general election and got the Second Reading on the Bill, everything was straightforward. But it was not and people now require a full explanation of what is happening, what we are doing, why we are doing it and how it benefits them.

Over the past 15 years the Government have not said a good word about the Community. People have had no information about the money coming to us—more than £9 billion in the past seven years for regional development and other purposes—nor have they been told that we get a larger share than any other member of the European Union.

Mr. Peter Shore (Bethnal Green and Stepney): Will the right hon. Gentleman give way?

Sir Edward Heath: I am sorry, I shall not give way. Madam Speaker has asked that everybody be brief. I shall be as brief as I can and I hope that the right hon. Gentleman will be called.

When for 15 years nothing is put forward with the weight of Government backing and official information what can people do except read the nonsense in the deplorable gutter press? Last weekend an American said to me, "How has your press got into this state? It is incredible. We had always thought that the British press at any rate was truthful and that it dealt with important matters. But now nothing appears in many papers about what is going on in the union unless it is a matter at which they can throw mud." That puts the task on us and especially on the Government and their information services to explain everything that is happening.

We have rightly heard a great deal about the social order, the economy and wages in the Union and about the action being taken on those issues. This country went into the depression much earlier than others and we have come out of it somewhat earlier than others. That is the economic truth. Germany has the highest wages in the Union and was the most successful. But it then had unification and took on 18 million people who had had 50 years of communism and an entirely out-of-date industrial set-up that was falling to pieces. To a large extent those people were less skilled than people in the rest of western Europe and they naturally wanted to take quick advantage of joining western Germany.

Perhaps people can today criticise Chancellor Kohl for going for immediate unification, but I do not think that he could possibly have done anything else. The Front-Bench idea of a royal commission to examine it for 15 years and committees to look at the individual recommendations bore no resemblance to reality. Chancellor Kohl had no alternative. However, the ratio of the East German mark to the West German mark was misguided. If they had stuck to their original proposal of a ratio of 3:1 they would not now have so many problems. But I have no doubt at all that the Germans will master it: the signs are already showing.

We are told that the answer is to push down wages. One of my hon. Friends said that that is the only answer. What is the logical conclusion? It is that to compete in the Pacific, one must reduce wages to the level of the People's Republic of China. Who would accept that? No one—not for a moment. One way to compete is by forcing wages down wherever possible. Another is to improve one's management and technology—and that is the alternative that we should be working on, for all that we are worth. The Government ought to give that objective every possible financial support.

The problem will become greater because much of the People's Republic of China has technology newer than that of this country. When China invests, it insists on the latest technology, from countries that have the latest technology. That is the real problem facing this country. We shall not get anywhere returning to the dogma of the old diehards in my party from whom we thought that we had moved away, who earned us such a bad name in the 1920s by their lack of support for workers and pressing wages down as hard as they could. That is past. If that is emphasised in my party, it will be disastrous for it when the next test comes. I have no doubt about that. Let us concentrate on better management and improved technology. That is the only chance that we have of competing.

Other countries in the Union will do that. Once the Germans get through this spell, they will do that as much as any country. The Japanese come to the United Kingdom because they can pay higher wages and get results. They have been doing that successfully for the past 20 years, but they will not continue if Britain is outside the Union—not for a moment.

Some countries inside the Union believe that the French and Germans will separate, but that will not happen. Their interests are too close. They have learnt their lesson. We have seen that not only in terms of their economies but in defence and foreign policy, in which the French and Germans are drawing closer and closer together. The idea that one can permanently separate foreign policy, defence, and economic and financial matters does not bear examination. What can be achieved in foreign affairs and defence depends on one's economy and finances.

If one does not have the economy and the finance right, one cannot do the other things. To say that it is an achievement to separate them bears no relation to reality. The other member states know that and will go on their own quiet way, merging things together. Once again, we shall be on the fringe.

What nonsense it would be to imagine that we could separate those three aspects in this country, with finance and the economy being looked after at Westminster; foreign policy in Liverpool, because it has always been outward-looking and has a view across the Atlantic; and defence in Edinburgh, because the Scots will get a war quicker than anybody. Those aspects are bound to come together, and we shall not achieve anything by trying to slow that process.

As to the single currency, my right hon. Friend the Prime Minister said that he would not hold a general referendum but that perhaps we should have one on a single currency when the time comes. That is a fascinating idea. If the other members of the Union said that they had decided on a single currency, we would have to say that we made an undertaking to hold a referendum. The issue of whether sterling entered a single currency would be campaigned on in public for four or six weeks. What would happen to sterling during that time? Look what happened in a couple of hours on Black Wednesday. What would happen during four to six weeks' campaigning on whether or not to join a single currency? It is fantastic and unbelievable that anyone could even consider such a thing possible. That would again bring us into disrepute.

More and more, other members of the Union are saying, "They want to be on the outside, and we can let them be on the outside." They take less and less notice of anything that we put forward. I hope that my right hon. Friend the Foreign Secretary and other members of our Front Bench realise that.

Four new members of the Union have been approved. I met a large number of people in Europe over the past week and I know that those four countries were the angriest about the attempt to change the voting. They said, "We are joining, and now you are trying single-handed to monopolise the voting." The Foreign Office did not even discover whether there was any support for that change. What a Foreign Office. What a policy—to try to do something like that without knowing whether or not one could get it through.

[Sir Edward Heath]

On Thursday, I was in Aachen for the awarding of the Charlemagne prize to the Norwegian Prime Minister and had a great opportunity to learn the views of others. The President of Germany made his farewell speech there. Also present were Prime Ministers, Foreign Ministers and nearly 20 ambassadors. There was no Minister from the British Foreign Office present, no British ambassador from Bonn—not even a clerk from the British Foreign Office. Do not other Union states draw the conclusion that we are not interested in what happens in Europe and in the Union? Of course they do, and they act accordingly. Those may seem simple matters but they are important when people are working together in a union. Over the years, I have seen countries growing closer and closer in all their activities.

After the collapse of the Soviet empire, President Bush said that we would have a one-power world and that it would be a peaceful world. Worryingly, we have seen instead a world more stricken by strife than anything since the end of the second world war. The one world power tried to deliver what it thought were the goods, and failed. It failed over Yugoslavia, where the United States was not prepared to put troops on the ground to bring about any other solution. It failed over Somalia, where it withdrew its troops, and in other activities. The USA is taking less of a place.

It is not a one-power world now. Russia is still a power. We saw the way that the election moved, and we hear what the Russians have to say. When I was in Moscow the week before Easter, I spoke to business men, politicians and diplomats. They said, "We like the British Government's know-how approach, of saying that they will show us how they do it and that we can follow it if we like." I saw some of the schemes being undertaken. But those business men, politicians and diplomats said, "However, we will not have anyone tell us what we must do. Anyone who tries will be in difficulty."

Therefore, there is Russia, which is a military power that is also tying up individual parts of the new Russia. There is the People's Republic of China with a population of 1.25 billion people and 12.5 per cent. growth each year. When the American Secretary of State went to China and threatened to remove the most-favoured nation clause unless it did as the United States required in respect of human rights, China said, "Kindly go away," and the Secretary of State left with nothing. China too is a modern power.

More and more American business men say, "You cannot try to tie human rights to other matters when countries have different civilisations, histories, religions and political systems. By all means try to influence them in respect of human rights, but do not try to force them with threats, when it is a power of that size and importance."

Japan is the fourth power of great importance. Economically, it leads the world. It may have difficulty keeping Prime Ministers—I was going to say that Japan is not unique in that, but I will not say anything at all. Japan's achievements are remarkable, and it will continue being ahead in technology and to tie up with the People's Republic of China.

The sixth possible power is India. Often, we do not realise how much is happening in India today from the point of view of its economic development and political influence in Asia.

The fifth power, which already exists, is the European Union. If we are to play any part in the world and in those six powers, it will be in the European Union. If we go outside it or move on the fringe of it, we shall have no effect on the rest of the world powers. That is a new situation, since the collapse of the Soviet Union. We have been very slow to realise the way that the world powers are developing. If we do not appreciate that, we shall be left behind.

Let me say to my hon. Friend the Minister and his right hon. Friends that it is vital for us to carry out the task that the Prime Minister originally identified. He said that we should be at the heart of Europe. We cannot be at the heart of Europe if we are not prepared to take part in its heartbeats: that is the humble truth. That is what we must do, and do whole-heartedly. Instead of constantly explaining why we are not going to do things, and trying to do less and less—which does not benefit the people of this country anyway—we must show that we want to make the utmost contribution that we can to the European Union. When we can show the world that, the world will respect us again and we shall have influence in our own continent.

That is the task. The Government are responsible for carrying it out, and I want to see it carried out fully.

4.50 pm

Mr. Peter Shore (Bethnal Green and Stepney): The right hon. Member for Old Bexley and Sidcup (Sir E. Heath) painted a very wide canvas. I found myself in considerable agreement with part of what he said; but, as is so often the case, his judgments struck me as being continually distorted, first, by his barely concealed anti-Americanism and, secondly, by his enthusiasm for Europe, which goes far beyond any serious sensible balance of advantage and disadvantage.

I was going to intervene on a simple point, which itself illustrates the point that I have just made. The right hon. Gentleman pointed out that we are recipients of money from the European regional fund. That is true, and if we tot up the sums received over 10 years or so we will find that they add up to a substantial amount. But the right hon. Gentleman knows—probably better than anyone else—the extent of our net contribution to Europe. After allowing for all the money that we receive for the regions and from any other funds, and for the rebate negotiated so bitterly by the right hon. Gentleman's successor as Prime Minister, we find that every year an average of some £1.5 billion to £2 billion is paid by this country for the so-called privilege of being a member of the European Community. That is a fact.

Another fact of—I think—much graver importance is that, over the past 10 years, the balance of our manufacturing industry trade with Europe has totalled the appalling figure of nearly £90 billion; or, rather, minus £90 billion. Before we joined the European Community, we had a slightly positive balance with Europe. I am prepared to allow for a great deal of difference on how we judge the overall enterprise of Europe, but no one in his senses who looked at the facts objectively could pretend that we have not had to bear grievous burdens and heavy handicaps as a result of our membership of the Community. I see that I have the continuous dissent of the right hon. Member for Old Bexley and Sidcup; that does not surprise me.

Let me turn to the subject of the debate. The Minister reminded us that on 1 November 1993 the European Union

—the creature and creation of the Maastricht treaty—came into effect. On that day, at a stroke, every person in Britain, and every citizen of the other 11 states in the European Community, suddenly found himself acquiring citizenship of the European Union. I am sure that that came as a great surprise to those people—those who knew what was going on, that is.

I must tell the House that there were no wild scenes of enjoyment and public rejoicing in the streets of Stepney and Bethnal Green on 1 November 1993. Because I am fair-minded, I should add that there were no acts of overt hostility, such as a public burning of the treaty. Neither event took place—I think because the British people are now just about soggy, fed up and bored stiff with all that has been going on. As the right hon. Member for Old Bexley and Sidcup rightly complained, over the past two or three years very little has been explained to them about what is implied in—and, indeed, what is in—the Maastricht treaty, and how it will affect them. There has been a total failure to communicate. I say that from my side of the argument, but I am sure that the right hon. Gentleman would say the same from his side.

The failure to communicate is a great pity, but it does not mean that things are not happening; they are. Notwithstanding reassurances from Ministers, the great engine of federalism is still driving ahead in the European Union. Two processes are involved: first, the various mechanisms and timetables set out in the Maastricht treaty, and, secondly the preparations for the 1996 intergovernmental conference, which have already started.

Stage 2 of economic and monetary union began on 1 January 1994. The European Monetary Institute—the precursor of the European bank—has been established, and the Government have complied with their obligations under stage 2 of EMU by forwarding to the Commission the progress report on the plans made by the British Government to conform with the convergence criteria laid down in the Maastricht treaty. Based on the November 1993 Red Book, fiscal projections over the next five years show that the United Kingdom's public sector borrowing requirement will conveniently fall to 2.75 per cent. of gross domestic product in 1996-97, and to 1.5 per cent. of GDP in 1997-98. Both are well within the 3 per cent. of GDP demanded by the Maastricht treaty.

The Government, of course, will say that that is pure coincidence—that their basic aim all along was to get the PSBR down, irrespective of how the economy was progressing as a whole and irrespective of unemployment levels.

Interest rates and inflation rates are also down to the levels that would meet the obligations of moving from stage 2 to stage 3 of economic and monetary union. Only our absence from the exchange rate mechanism disqualifies the United Kingdom from making an application in three years' time. We all remember the Prime Minister's encouraging words in his article in *The Economist* last autumn, when he said that—what were the words he used?—joining the ERM was "not on the horizon" or that "not in the foreseeable future" would he contemplate such a move. He is keeping his options open, however.

Despite the setback to the ERM when the franc was forced out of its 2.5 per cent. band last year, and the subsequent introduction of a new 15 per cent. band within the ERM, exchange rate policies on the continent have remained firmly linked to the deutschmark at the old parities, and monetary policy has continued to reflect the anti-inflationary stance of the Bundesbank. The ERM, and with it EMU, is—I fear—back on course.

We cannot imagine, or take it for granted, that the ERM is in a state of total collapse and that we can cease to worry about the imminence of EMU. On the continent, the federalist drive remains powerful and undisguised. The Conservative and Christian Democrat parties—the European People's party, I think they call it—adhere to the Athens declaration of 11 November 1992. On organising the future of Europe, they said:

"the European people's party advocates European unification on the basis of democracy and federalism.

The Maastricht Treaty on Political Union and Economic and Monetary Union provides an appropriate and sturdy framework for European unification . . . but the Treaty on European Union is not enough in itself to achieve the aim of European Union. Starting now we must therefore prepare for the Inter Governmental Conference scheduled for 1996 and draw up a European Constitution.

The Federal Constitution of European Union must be democratic and based on the principle of subsidiarity".

The federal constitution of European Union! What can I say to the right hon. Member for Old Bexley and Sidcup and his hon. Friends about that? I understand that the Conservative party has some kind of close relationship with the European People's party. I hope that we shall hear, if not Ministers, then Back-Bench Conservative Members, categorically reject the assertion that that federal aim is shared by the Conservative party of this country. I hope that we shall hear that loud and clear before the end of this debate.

I have not been able to lay my hands on a similar declaration by the Party of European Socialists, of which I find all of a sudden I am a member and which my party has apparently joined. The great majority of continental socialists are federalists. I was pleased, therefore, to receive a communication in my mail this week from my right hon. Friend the Member for Copeland (Dr. Cunningham), the shadow Foreign Secretary, in which he nailed what he described as a number of lies, including:

"lie 5: Labour is Federalist and wants a centralised Europe".

I do not know about wanting a centralised Europe, but I am glad to have my right hon. Friend's assertion that it is a lie to suggest that Labour is a federalist party. Let him make that noise again, and let him say it loud and clear.

The Liberal Democrats are openly federalist, but they are not alone in that—so are such influential people as the right hon. Member for Old Bexley and Sidcup and such influential organisations as the European Movement, which recently published a pamphlet about what Britain's stance should be at the intergovernmental conference in 1996. The pamphlet includes these significant proposals:

"the co-operation in the fields of justice and home affairs should be transferred to the competence of the community institutions".

So we can say goodbye to that pillar. It continues:

"the common foreign and security policy should be brought by stages into the competence of the community institutions".

If the European Movement had its way, we could say farewell to the other so-called pillar—foreign policy. The document continues:

"Britain should renounce its opt-out from the commitment to Economic and Monetary Union . . . The IGC should provide the drawing up of a constitution for the Union".

I believe that hon. Member for Harrow, East (Mr. Dykes) is the chairman of the European Movement. He is not in his place today, but that cannot be helped. It is interesting that he should so publicly and openly associate himself with the federalist aim in that document. Its line

[Mr. Peter Shore]

reflects the provision in the Maastricht treaty for the IGC in 1996, which specifically calls for a review to be undertaken of the so-called pillars of which the Foreign Secretary is so proud.

Those same federalist views are held by the Institutional Affairs Committee of the European Parliament, whose recent report was approved by an overwhelming majority of Members of the European Parliament. It is not without significance that, during his recent visit to the European Parliament, Chancellor Kohl gave his support to greatly increased powers for the European Parliament. The federalist goal is the cherished purpose of the European political elite—the classe politique, whose ambitions are so significantly divergent from those of the mass of the populations whom they claim to represent.

The 13 May issue of *The European* contains an interesting MORI survey of European response to the following question:

"on balance do you support or oppose a United States of Europe with a federal government"?

In four countries—Belgium, Greece, Italy and Spain—those in favour outnumbered opponents, but in the other eight member states, the reverse was true. In the United Kingdom, no fewer than 68 per cent. of the electorate oppose a federal Europe—Liberal Democrats, please note—while only 17 per cent. are in favour.

In 1996, the issue of a federal union will directly confront us in the IGC, but there is an indirect route to the same purpose, which should also deeply concern us—the proposal that we should adopt a single currency and enter the third stage of EMU, which would deny any British Government the effective means of economic self-government. We must be equally aware of that danger and implacably opposed to that course of action.

I do not agree with the right hon. Member for Old Bexley and Sidcup that the inevitable consequence of having a single market, a large area of open trade and open movement of capital in Europe is a single currency. I do not believe that the recent formation of the North American Free Trade Agreement will lead to a single currency absorbing the peseta or the Canadian dollar; nor do I believe that it will lead to a new, wider federal union that is larger than that between those countries.

Mr. Nigel Forman (Carshalton and Wallington): The right hon. Gentleman gives the instructive example of NAFTA. He is not arguing, is he, that the effective freedom of national authorities, either in Ottawa or in Mexico, is enhanced by the nominal freedom of their currency being allowed to move against the American dollar?

Mr. Shore: They have considerable freedoms over their economies and their political goals. There is a great difference between claiming that sovereignty is absolute power, which it is not, and that it is self-government, with preferences being made on behalf of a country's people and not at the behest of others. It is an important distinction, which the Canadians understand. After the United States, Britain is the largest English-speaking country in the world, but there are others—Australia, New Zealand and Canada. Are those smaller English-speaking countries about to absorb themselves in a vast political and economic union with either Japan, in the case of Australia and New Zealand, or America, in the case of Canada? Of course not; they value and are prepared to defend their national self-government and freedom—and so should we.

I have already referred to the Prime Minister's article in *The Economist* last autumn, which gave considerable encouragement to those of us who do not like the idea of economic and monetary union. Nothing would give me more satisfaction than to hear Ministers say that they have not only temporarily opted out of the commitment to the third stage of EMU, a European central bank and the single currency but have concluded that those goals are not for us, and that on no account will we accept them.

I should like a similar commitment from my party. During the passage of the Maastricht Bill, it was depressing that, after the tabling of amendment after amendment to strike out the commitment to a single European currency, to the goals of convergence, to a European central bank and to the proscription on public borrowing beyond 3 per cent. of GDP, those proposals were voted down by the Government, with the Opposition sitting on their hands and abstaining.

Last September, I was much encouraged by the speech of my right hon. and learned Friend the then Leader of the Opposition, who, sadly, is no longer with us. It is important that his words should be noted. He said:

"Today I re-affirm the aim and the goal of full employment remain at the heart of Labour's vision for Britain. Labour's economic strategy will ensure that all instruments of macro economic management, whether it concerns interest rates, the exchange rate or the levels of borrowing will be geared to sustained growth and rising employment".

That speech was an implicit—almost explicit—repudiation of economic and monetary union, a single currency and a European central bank. One cannot deploy all the instruments of interest rate, exchange rate and levels of borrowing without repudiating the doctrine of economic and monetary union in the Maastricht treaty.

Mr. Ian Taylor (Esher): Will the right hon. Gentleman give way?

Mr. Shore: No, I am coming to the end of my speech.

I hope that that commitment will be re-affirmed by the Labour Front-Bench spokesman later tonight.

The right hon. Member for Old Bexley and Sidcup told us that we should urge the British people to vote in the forthcoming European election. My reply to that is, "Yes, but we should be clear-sighted." The one thing that will not arise in the election—to my regret and, probably to that of the right hon. Member for Old Bexley and Sidcup—is a serious judgment on Europe and our future in it. It will not even be mentioned in most of the speeches that are made. The election will be a judgment on the Government's performance in recent years. The right hon. Gentleman knows that as well as I do, so let us be reasonably impartial. We shall urge all our fellow citizens to vote but—whatever his party label—I ask them not to vote for a self-proclaimed European federalist.

5.9 pm

Mr. David Howell (Guildford): I am grateful for the opportunity to participate in this rather calm debate on what is undoubtedly a very contentious subject. The House wishes to debate the issue in a mood that is inevitably sombre after the tragedy of last week.

In the document that is the subject of our debate, my right hon. Friend the Foreign Secretary, whose absence I

quite understand—he is attending a Council meeting of Community Foreign Ministers—states rather hopefully that he believes that the dust has now settled on the Maastricht debate. I wish that he was right, but I cannot agree with him.

I believe that the issues raised before, during and after the Maastricht treaty process remain important and very much to the fore. I do not believe that the dust has settled; nor do I believe that the position of the party of which I am a member is quite as it is so joyfully described by the media and by its critics, including the Opposition, although that is a reasonable position for the latter to hold. They claim that my party is wholly divided, like an orange, and sliced between two contrary views on the future of the European Union.

I may already be defying the tone of earlier speeches, but I believe that it is wrong and that, in my party and, I suspect, in the Opposition, there is substantial common ground on the type of Europe of which we want to be part and on how we believe it should develop in the years ahead. Such common ground not only exists but is growing all the time. It not only has supporters in this country but is gaining adherents in all member states. That is certainly my experience, even in the so-called olive states of Spain and Italy, although I do not know so much about Greece.

What is that common ground? Let me try the patience of the House a little and describe that common ground on which I am convinced that my party and the country can unite and present a powerful front. I believe that we should get away from the various labels. We have been accused of being marginalised and isolated and of standing out against the European process, something which I would not wish to do.

Some colleagues may object to this, but I believe that most of us want to argue from within Europe. We want not to be silent or to accept everything that is rolled out but to argue from within. Our future does not lie in walking away from the right kind of European Union, for which we can and should fight and argue.

Such a Europe is a Europe of nation states, states of diversity which do not seek to have uniform standards imposed on them and which do not wish to be merged into a super-state. Those who argue otherwise and talk about the inevitable destiny of a Europe that is going to be a great political power bloc in a world divided into many such blocs have an old-fashioned and outdated view of how the variegated world will develop.

It should be a Europe of nation states, and that view is increasingly shared by those who vote, speak and act in the Parliaments and legislatures of the member states as they realise that some people really were contemplating the alternative—a Europe not comprised of nation states.

The characteristic of our stance should be that we put to the fore a clear and dynamic view of what we want to achieve at the 1996 intergovernmental conference. I do not accept that that conference will be a tinkering affair, a way of tidying up post-Maastricht, while we roll towards the goals asserted by the high priest of Maastricht. Those who say that there is nothing much to be done in 1996 so we had better squeeze all that we can from it while the process rolls on are adopting a dangerous attitude.

In 1996, there will be a need for Union reform, not tinkering. We shall need institutional change, even constitutional change. Although the right hon. Member for Bethnal Green and Stepney (Mr. Shore) does not like to talk about the constitution of a future Europe, we shall and should be involved. We should not be frightened of talking about constitutional issues in the type of Europe that we want or of setting off on the right road. If we do not proceed, the present constitution—that embodied in the existing treaties—will be the one to roll forward the process, and that is not the type of Europe of which I wish to be a member. I believe that a growing number of people in Europe feel the same.

I do not feel "comfortable"—to use the phrase of my right hon. Friend the Foreign Secretary—with the European constitution, the structure of European treaties or the way in which they are being interpreted today. Many people feel the same.

Nor do I feel happy with the concept of a multi-speed Europe which implies that, although different bands of European countries will move in different collective groups towards various objectives, there is nevertheless an overall sensation of speed and movement towards an integrated whole. Statesmen who want a settled Europe instead of constant upheaval and argument about how we should live in great single market that we have yet to build would be wise to seek equilibrium rather than rush towards this or that objective in this or that collective mood. We need a settled Europe.

I hope that most members of my party will agree that 1996 will provide an opportunity to halt the federalist agenda so accurately described by the right hon. Member for Bethnal Green and Stepney. Unlike him, I believe that it can be halted. He has long held the view that it cannot and that the process is inevitable. If we are strong and confident and hold our position, I believe that we can change the direction and tone of many of the openly federalist commitments of members of the older generation who are influencing the Brussels scene.

For many years, I have followed the words of Jacques Delors, a man of vast ability who has many admirable qualities, but whose recent comments are becoming increasingly bizarre. He seems to be asserting ever more stridently a type of old-fashioned centralism against the wishes of the people of Europe. He was quoted the other day—although I hope that it is nothing more than a mistranslation—as saying that people who did not share his integrationist views were racist. That implies that all those in the member states—but especially those in Britain—who do not agree with the centralising process inherent in his ideas for political and monetary union are to be branded as racists.

There is a strong consensus in my party—perhaps the word "consensus" is unfashionable and "common ground" might be a safer expression nowadays—on the need to formulate a policy about the way in which we want to shape Europe after 1996. What does that mean? It certainly means that the Commission's monopoly of the power to initiate legislation should be curbed, a notion to which I attach great importance. If this is not too intimate an affair for the Opposition to hear, I notice that intensive discussions at grass-roots level in our party have produced a series of recommendations suggesting precisely that.

Although members want to stay in the European Union and argue from within, they want the Commission's powers to be curbed. We must work out precisely how that can be done. We have to make precise proposals for altering the legal procedures by which it is decided whether a matter belongs to the competencies of the Commission, the central machinery of the Community or to the nation

[Mr. David Howell]

states. We must also re-examine the European Court of Justice; we cannot allow judgments constantly to be made in favour of the Union.

I listened in vain to the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Wells (Mr. Heathcoat-Amory), waiting to hear his view of how national Parliaments, including ours, are to play a formal part in the procedures of subsidiarity and the government of the Community. The Maastricht treaty contains some fine words about national Parliaments playing their part. However, I have heard nothing since on how that should be brought about.

We know that Chancellor Kohl has sent a letter to the European Parliament inviting it to the party. It has been invited to participate directly in shaping the agenda for 1996. It concerns me that for this Parliament and for other national Parliaments, the high-flown phrases of the Maastricht-makers have not turned into anything. No proposals exist of any kind other than that we are allowed to have debates such as we are having now.

Mr. Edward Leigh (Gainsborough and Horncastle): On the subject of Mr. Jacques Delors and national Parliaments, does my right hon. Friend think that this Parliament should have, for example, more of a role in the appointment of a successor to Mr. Jacques Delors?

Mr. Howell: That may well be so. We need at least to assert the type of people whom we expect to see as the Commissioners of a future European community. They should, after all, be servants of the people of Europe and not their masters.

I have no criticisms of the skill and importance of some of the great men and women who propose themselves as candidates for the Commission in the future; I hope that future Commissions will be composed of some of the best and brightest brains in Europe. However, I hope that they will be officials and not people with a high political profile. We are certainly entitled to have that opinion and I believe that we would be served in that way.

"Subsidiarity" is an elastic word. I believe that we are united in believing that it is not just a legal concept which can be solved by legal rulings, let alone by the European Court of Justice. It is political concept and a political judgment, so judgments must be made by politically legitimate bodies. That is why I conclude that we cannot accept that the list drawn up of what should be subsidiarised—if there is such a word—or devolved from the Community should be drawn up by the Commission or even that Governments should get together, draw up lists and discuss them with the Commission.

It is central to the political role of this House and of other national legislatures that we should have a say in what should be unravelled and decentralised from the Community, in terms of future powers and, indeed, of existing powers.

There are people who argue that what one is saying is all very fine, but that the game is lost—the thing has rolled away from us and there is nothing to be said in 1996. That is profoundly wrong. On every side, there is a growing army of people who understand very well that we want a new kind of European Union with new priorities. It will be a wider body which is based much more on the nation states.

The accession countries tend to have gone along with Maastricht to see the accession business through. However, when one travels to those countries and talks intimately to the business and political leaders, one finds a very different tone, whether in Helsinki, in Stockholm or, to some extent, in Oslo. As I said, if one goes to Madrid, which used to be the ultimate home of federalist enthusiasm, one now hears a totally different view as the people there begin to understand the British arguments. As a senior Minister there told me the other day, "We the Spanish—and our arguments—are converging with you."

While we focus on the wrong objectives, which we must change in 1996, the real objectives for the modern Europe, which some of us thought we were fighting for and building, are slipping away from us. What is the real objective? It is that the whole of Europe should be democratic and in the democratic community. What is happening while we are having all these arguments? Recycled communists are slipping back into power in country after country in eastern and central Europe. They are beginning to creep back in Hungary; they are back in the Ukraine; they are back in Lithuania; and they are beginning to have a greater influence in Poland.

Our children and grandchildren would say, "Having fought in the war and then having seen the tragedy of Europe split, you had an opportunity; then came the wonderful opportunity of these countries coming back to democracy. Yet you argued about the finer points of monetary and political union while these countries slipped away again." They would never forgive us.

This is where the priority lies and this is where the idealism lies, if we are trying to put the idealism back into Europe, as I believe we should. We should concentrate on the real issues of history and get away from the absurdities of trying to impose the political agenda of a single currency, which will, of course, never work. A common currency—a hard ecu—might work, but the goal of a single currency, as George Soros and others regularly point out, is the way in which to make George Soros rich. It has done so already and will do so again.

We do have a positive agenda. We are building the greatest single market the world has ever seen. It stretches from Lapland and the Gulf of Finland to Lisbon in the west, and from Syracuse in the south to the north of Scotland. This is a mighty enterprise which, if we work at it and get the security aspects right, will bring back into the democratic community all the nations of Europe which belong in Europe including, in my book, the Baltic three, which are just as much part of Europe as are the Visegrad four.

That is the agenda that we should now pursue, without apology or hesitation. It commands wide and growing support in Europe, and it is the one on which we should concentrate if we want to see the right kind of Europe after 1996.

5.24 pm

Mr. Denis MacShane (Rotherham): I have addressed many audiences and many chambers, but none quite as intimidating as this, with my true friends behind me and my real opponents facing me. I gather that convention demands that one must be polite, so polite one must be.

I am very conscious of coming to the House in place of Jimmy Boyce, a man who came from a part of our society about which not enough of us know. He was unemployed

for many years, a victim of the very cruel policies that have cost so much for some of the great talents of our nation over the past 15 years. I come from a different background, but I will fight for the causes that Jimmy supported. I hope that I can in some way measure up to the service that he provided to Rotherham in the short two years in which he was a Member of this House.

I am also conscious of the fact that I follow in the footsteps of Stan Crowther who is well known to the House and was a great public servant to Rotherham over 50 years of political life. I am also conscious of following in the footsteps of Brian O'Malley, the man who inspired me when I first became involved in politics. He collapsed at the Dispatch Box, another victim of the stress of public life. Like everyone else, I was glad of the tributes paid to John Smith in the press. We speak no ill of the dead; perhaps from time to time, my old friends in the Gallery may speak some good of the living.

Last week was for me the best of weeks and the worst of weeks. When I came to the House on Tuesday, John Smith greeted me and said that it would be a day that I would remember for the rest of my life. John Smith talked of a dream, but the dream was extinguished when, on Thursday, he left us. He spent a whole day with me in Rotherham, seeing the steel plant and the college, and talking to Asians and to party members. He left a message of hope for a new and better Britain.

I am proud to have been elected by the people of Rotherham to represent their interests in Parliament. They have not always been so happy in their choice. The first Member for Rotherham—a Member for Yorkshire in those days—was Sir Thomas Wentworth, later the Earl of Strafford. Older Members of the House may remember that he was executed on a Bill of Attainder in 1641. He was promised that his life would be saved by none other than King Charles I, but he was, of course, sacrificed.

Alas, the right hon. Member for Kingston upon Thames (Mr. Lamont) and the right hon. and learned Member for Putney (Mr. Mellor) are not with us today. They must know how poor Thomas Wentworth felt as they, too, were given the full support of a Prime Minister—a sure sign that they were about to mount the political scaffold.

"Put not your trust in princes",

were Thomas Wentworth's last words. The spirit of Rotherham and, indeed, of Yorkshire ever since has been one of sturdy self-reliance and a rejection of authoritarianism and the centralising forces that Toryism has represented throughout the ages.

Rotherham was the place where Thomas Paine, that most noble of commoners, who brought democracy to America and the "Rights of Man" to Europe, even as he was forced into exile by the Pitt Government, built his great suspension bridge. I do not know how many hon. Members know that Thomas Paine was a great manufacturer as well as a great democrat. The bridge was a feat of great engineering, as important as in many ways as his enunciation of the rights of man. Paine's bridge was built by the Walker Brothers of Rotherham, whose cannons sunk Napoleon's fleet at Trafalgar.

What would Tom Paine find if he returned to Rotherham today? The great manufacturies, on which Adam Smith based his "Wealth of Nations", have all but disappeared, 25,000 jobs have gone since 1979 and the coal mines, which once promised Britain its own energy source safe from the perils of foreign disturbances, are now capped. The local council, with the money and the will to build homes for the homeless, is prevented from doing so by the most centralised administration since that of Charles I.

Paine would find poverty in Rotherham, I am sad to say, as bad as anywhere in Europe. Indeed, he was dismissed from Government service for arguing for fair wages for public servants. Poorly paid public service, he argued, attracts only the ill-qualified and breeds corruption, collusion and neglect. He went on:

"An augmentation of salary sufficient to enable workers to live honestly and competently would produce more good effect than all the laws of the land can enforce."

I offer that to our low-wage merchants on the Government side of the House. We already knew that Thomas Paine was a great democrat and a friend of Rotherham manufacturing, but it came as news, even to me, that he believed in a statutory minimum wage 200 years before its time.

For all those problems, Paine would find, as would anyone who visits Rotherham, a town and a people whose spirits are unbroken despite all that has been thrown at them in the past 15 years. The pedestrianised town centre, which is one of the nicest in Europe, is spoiled only, alas, by the pressure on shopkeepers arising from the declining purchasing power of the citizens of Rotherham.

One of the world's most advanced engineering steel plants, UES, is at the cutting edge of modern technology. I must to say my hon. Friends, talk not of steel as an old industry. Steel is one of the most modern and advanced sectors of our economy.

There are new partnerships between the chamber of commerce, the training and enterprise council, the local council and the trade unions, which support unity and a common cause to promote Rotherham.

Tom Paine would also find a very great sense—Tom Paine was, if nothing else, an internationalist—of feeling that, if Rotherham is to succeed, Britain must play its full part in Europe, because Britain is part of Europe as surely as Yorkshire is part of Britain.

I pay tribute to the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), the Father of the House, who, since 1938, has stood for, yes, a Tory vision of internationalism against isolationism and that yellow streak of appeasement and opting out, which has always shamed the Conservative party, as it shames it in so much of its policy today.

We are part of Europe and the Euro-septics on the Government Benches may want their cash-and-carry Europe, in which each state takes what it wants. They decry centralisation, yet they have gone through the Division Lobby voting for measure after measure after measure to transfer power from local authorities—indeed, from the House—to give it to their friends in privatised companies and quangos. I want to see power shared downward to the regions, to communities, horizontally to the sister units of civil society in Europe, but, above all, I want to see power made accountable.

If we are to live in an international community in which trade and travel and money and ideas can go through porous frontiers, at least we, as human beings, as subjects of Her Majesty, as citizens of Europe, should have the right to have the human spirit protected through regulation of trans-frontier activity. Yes, Europe is too important to be left to Brussels, but if we are to fight for British interests, we must do so by promoting transparency, democracy and

[Mr. Denis MacShane]

accountability in all European institutions. R.H. Tawney described the hereditary disease of the English nation as "the reverence for riches" and went on:

"If men are to respect each other for what they are, they must cease to respect each other for what they own."

I apologise to the hon. Ladies present and to you, Madam Deputy Speaker, for the references to the rights of man and quoting men. I see myself, after post-modernism and post-industrialism, as the first "PPC"—post-politically correct—hon. Member.

England is the most money-obsessed country in Europe. Switch on the BBC and every five seconds there is some Brylcreemed spokesperson for the bond markets telling us how the dollar is doing. The BBC and ITV tell us the price of the stock market at any moment, anywhere in the world, but have ceased to report on the values needed to bring cohesion back to our communities. I do not blame them. They take their lead from those who rule our society and until we get public interest hands on the tiller of the state, instead of the sticky fingers of so many of the Conservative Members and their friends in the till, the media can do no more than take a lead from those who put a price on everything, but know the value of nothing.

For all our obsession with cash, Britain remains the poor man of Europe. Italy's gross domestic product per capita in 1960 was exactly one half of Great Britain's. Now, it has overtaken us. We have been so busy preaching at Europe and trying to teach Europe the secrets of the United Kingdom's economic record, we have committed, to use James Fenton's phrase—how pleased I was to see my old friend become professor of poetry at Oxford on Saturday—

"the fault of thinking small and acting big".

Perhaps we have forgotten that we have some lessons to learn; lessons about partnership, lessons about the successful countries in Europe. Germany, even after unification, has a lower unemployment record than our own. The Benelux countries and the new entrants are successful, too. Those who proclaim themselves Thatcherites, such as in the Prime Minister's favourite holiday country Spain, have the worst record of job creation and balanced development.

The core answer from Europe—one of vital importance to Rotherham and one to which I intend to commit myself in the House—is that manufacturing is not dead and, despite all the best efforts of the Government, should not die. The rising sun has been coming here continually to try to save a sinking England, but we now find that Japanese investment is going to Germany, to France and is leaving these shores.

If I may refer, as a socialist, to my favourite Sunday reading, *The Sunday Telegraph* tells us how well Germany is doing, that the Japanese research and development centres are installing themselves there and that the Japanese now prefer to be in Germany because of its high skill base, good labour relations and its position as Europe's engine of growth.

My right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore) blamed our balance of trade on Europe. I have to say to him that it is 15 years of anti-manufacturing policies, of the destruction of partnership, of the lack of investment and the money that has flowed overseas that has been at fault. In fact, if we would learn from our European partner competitors, Britain would be in a much better shape.

It is not only an economic question. I was privileged to have many conversations with John Smith when he was in Rotherham and he talked of the constitutional changes that Labour would like to introduce, such as the end of the absurd spectacle of hereditary Members in another place making and casting laws, the need for national Governments for Scotland and Wales and regional assemblies, and the need for a referendum—not on electoral reform as I see it, but on re-thinking the way in which we govern ourselves. That is part of the constitutional package that I think is necessary for a new Britain.

As with John Smith's commitment to full employment and to trade union rights, we are seeing fleshed out a new programme to reconstruct our lives in Britain as great as that which we saw after the war, but, this time, with us secure in the heart of Europe.

A Europe of what? Is it a "Europe des patries" as General de Gaulle said? That is difficult for us. We have four nations, but what is our fatherland? That is not a word that we can use easily as British people. It is not a united states of Europe or a stepping stone to Tennyson's "Parliament of the World", either. After many years working in Europe, I find the Germans more German, the French more French and the Italians more Italian. It is only we in Britain who seem to live in a permanent identity crisis about who we are and what it means to be British. That is because the old Toryism is dying. The new Labourism is not yet born. As a consequence, the morbid symptoms of corruption and xenophobia that lie at the heart of the Cabinet are everywhere to be found where the Government are at work.

Those who are hostile to Europe are to be found in all nations. We have the Euro-sceptics here, there are the French communists and now we have the Italian fascists. I have with me the programme of Philippe de Villiers, the conservative right-winger in France. He wants Europe to be protected against any imports from outside the Community. He wants also a Europe in which national controls stop immigration. Like the Chief Secretary to the Treasury, my father came here in the 1930s. He was a refugee from fascist Europe. The Europe that is described by Philippe de Villiers is not one of which I want to be part. Indeed, I am not even sure whether Conservative Members believe in such a Europe.

Closing the door to foreign immigrants and to exports from around the world is not a Europe in which we need to believe. We in Europe should defend our interests, but, at the same time, we in this country should deepen our friendship with countries such as Germany and—I declare an interest because my wife is French—France. In the words of Victor Hugo,

"France is the adversary of England as the better is the enemy of the good."

I am conscious of returning to the country that made me. I have returned from elsewhere in Europe, where I worked for many years. I have learnt much, and some of that learning I might bring to the House. I am not

"A steady patriot of the world alone,
The friend of every country but his own."

I remain British. I am proud of the schools that made me and of the health service that put me together when I cracked my head open in the 1950s. I am hopeful that such

again could be the kind of United Kingdom in which my children can grow up. It is a country in which we always refer to faith, hope and charity. But greater than any of those concepts is justice.

I will argue for justice for the people of Rotherham. I will strive for economic justice for the unemployed and social justice for the weak and disabled people of Rotherham. I so much agree with those who say that the best tribute that we could pay to John Smith would be to pass the Civil Rights (Disabled Persons) Bill, which was recently talked out. There must be "plain justice"—justice for the criminals who walk free in an England that opts out of Europe. In so many parts of our communities, unfortunately, it seems to opt out of decency and law and order. If I can deliver any part of that message during my time in the House on behalf of the people of Rotherham, I shall be well pleased.

5.43 pm

Sir Peter Hordern (Horsham): The hon. Member for Rotherham (Mr. MacShane) made a most eloquent speech. He made it within a week of arriving in the House, which I must tell him is somewhat unusual. He spoke gratifyingly about his predecessors, who are of great historical interest in some instances, such as Tom Paine and Wentworth. I rather think that the hon. Gentleman favours Tom Paine rather than Wentworth.

The hon. Gentleman spoke movingly about his more immediate predecessors, Jimmy Boyce and Brian O'Malley. There are some in the House who will remember Brian O'Malley with affection. Indeed, we remember them both with affection and because they remind us, if we needed any reminder, of the course of human mortality in this place. The hon. Gentleman is most welcome. We all enjoyed his speech and we hope to hear him on many such occasions, although perhaps he will not get quite such an easy ride in future.

The debate allows us to take stock of our position in the European Union before the intergovernmental conference in two years' time. The debate is welcome for that. As my right hon. Friend the Member for Guildford (Mr. Howell) said, there is a substantial majority in the House for Britain being at the heart of Europe. I am sure that that is the position. It is the case also that Europe cannot afford to ignore the rest of the world. It must be more aware of its relationship with other countries than perhaps it has been so far. The impression given over recent years is that it is concerned only with its internal identity. It has appeared to have been trying to fashion a political identity and has not been sufficiently aware of the opportunities and the penalties that might ensue unless we take account of the competitive position that arises from other countries. The European Union as a whole must be aware of that position.

We have been a member of the European Union for 20 years. In contrast with the right hon. Member for Bethnal Green and Stepney (Mr. Shore), who I know has been opposed to our membership of the Union throughout that time, as have one or two of my hon. Friends, I say that our membership over that period means that we have inevitably fashioned ourselves as a fully-fledged member of that Union, especially in a commercial sense. It is absurd to contemplate damaging our economic future by pulling out of the Union, as some hon. Members wish to do.

If we were to take that course, we would be damaged. There is no question about that. We would not have seen the flow of inward investment from Japan and the United States on the scale that has been apparent if we had not been members of the European Union. Much more importantly, we would not have seen that investment if they had thought that we would not last as members of the union. If we pulled out, we would be sidelined and ignored in all discussions within the European Union. That would surely be the result if we showed that we were reluctant to play our part.

We should ask ourselves why it is that all the EFTA countries, which have the benefit of association with the European Union, are so anxious to become fully fledged members. They wish, of course, to have some say in those matters that affect them and in their economic well-being. They all believe that they must have some say in all the economic, trade and environmental issues in which they are so closely involved.

Some people are putting about another option. They argue that the course of our European trade has been damaging to us. They say that we have a deficit on our balance of trade with Europe and that if we had concentrated rather more on the far east, all would have been very much better. I do not know why it should be our self-appointed role to tell business men where they should do their trade. We can take it, however, that they will pursue their business wherever it is to their best advantage to do so.

We need a firm industrial base, which the United Kingdom is now much too small to provide for itself. We have seen increasingly over the past few years—I am sure that we shall continue to do so in future—the international division of labour. To believe that we could form a large enough industrial base on our own is absurd.

It is foolish to play down the significance of the European market. The European Union has 6.5 per cent. of the world's population and generates 25 per cent. of global economic output. The EU's total output has risen by 30 per cent. since 1980, that increase being almost as large as China's total gross domestic product in 1990. Those who are enthusiastic about our trade and interest in the far east, which we can commend and hope to go for, must not ignore the substantial importance of the European Union for our business and jobs.

In a business sense, we are up to the neck and beyond in Europe. That was the position long before the single market started. British business has been breaking into Europe, finding new markets and establishing commercial links. If we examine the pattern of commercial development, we find British firms both large and small enmeshed within the European Union. What would happen if we had associated status? Only today, negotiations are taking place between British Airways and Air France on the basis that British Airways should be allowed to land at Orly airport. Imagine for one moment what our position would be if we had associate status. We would have no negotiating power with the French or any other country that tried to trade against our interests. Important European institutions, such as the Commission on Competition, are essential for our economic well-being.

Mr. Jenkin: I thoroughly agree with the thrust of my right hon. Friend's argument. A great many people who have been critical of the Maastricht treaty and the way in which the European Union is now operating would not,

[Mr. Jenkin]

however, advocate leaving the European Community. As my right hon. Friend has said, we would regard that as totally counter-productive.

Sir Peter Hordern: I am sure that that is true.

We must be aware of the fact that other countries have perfectly legitimate points of view and a perfectly legitimate way of carrying out their own objectives. The thought that we could lecture them into adopting some other form of activity or try to persuade them to go against what they deem to be their own interests is ridiculous. We must, of course, always stick up for our own national interests, but we must at least be aware that other countries believe that they have their own national interests too.

One of the reasons why I am so much in favour of the European Union is that we need a large single market. We tend to think of that market in terms of manufactured goods only, but we must also think about it in terms of services, in particular financial services. We have an decided advantage in the City, which is one of three global centres. As most of the savings in the European Union are in the form of bonds and as savings in this country and the United States are mostly in the form of equities, we have an unrivalled opportunity to sell financial services. We should be able to harness capital to the cause of the European single market.

One day, once the infrastructure is in place, eastern Europe will provide an industrial and commercial renaissance. We need to be at the centre of Europe to ensure that that happens. That will not happen, however, unless those countries are able to export their goods and services to us. There is far too much talk of welcoming those countries to democracy, free trade and enterprise while at the same time barriers are being raised against their exported goods and services. Such a policy is neither legitimate nor fair, and we must change it.

We must always be on the side of free trade and open markets and opposed to protection. The brute force of the economic facts of life will ensure that happens because otherwise unemployment will increase as companies throughout the European Union start to invest elsewhere. For some years, many German firms have invested in the United Kingdom because they say, quite frankly, that they cannot produce their goods at home competitively because of their wage rates and other expenses. One cannot protect employment by passing laws that place too high a burden on companies' costs. We must argue against that and demonstrate our case from within the European Union.

Of course there are objectionable sides to the Union —for example, its flood of regulations, fraud and waste, especially in the common agricultural policy. We must strengthen the European Parliament, as the Maastricht treaty provides, to deal with those problems. Some of the opponents of Maastricht are even against giving the European Parliament additional powers to combat fraud and waste within the CAP. They would rather that that fraud and waste continued than give additional powers to the European Parliament to allow it to question the Commission about the causes of such fraud and waste. Surely that is carrying opposition to an absurd degree.

We have an opportunity to start from first principles in contemplating the IGC in two years' time. Let us suppose that the treaty of Rome had never been signed. It would have been better to have had the single market without tariff barriers. We should not imagine, however, that we could ever persuade the French about the virtues of the free market, as Cobden, on his own, once persuaded Napoleon III in 1860. The single market exists and so do some of the health and safety regulations and the social chapter, from which we have an opt-out.

Such opt-outs may be the pattern of the future. We already have an opt-out from the single currency. If France, Germany and Holland meet the conditions laid down by Maastricht, I see no reason why, if they decide to do so, they may not have a single currency of their own. There is nothing in the treaty to prevent them from doing so. It would be up to business and industry to decide whether they wish to deal in the ecu or to continue to deal in sterling or any other currency. For many years, the oil industry has carried out its business in exactly the same way by dealing in the United States dollar. There is nothing strange about that. We can afford to be entirely neutral on the matter.

We should not say, however, that it would be wrong for those other countries to form a single currency if they wished to do so. In any event, we would be unable to stop such a decision. Such decisions should be part of a gradual, evolutionary process based on the idea that our business and industry should be able to deal in a single currency —for example, the ecu—if they find it convenient.

That also means that we cannot disclaim all responsibility for what happens to sterling, as some people would do. Some people believe that it was a great mistake to join the exchange rate mechanism. They believe that the solution is to allow sterling to fall to a level at which full employment could be guaranteed. When we had a strong pound linked to the gold standard we were able to attract funds from all over the world and the same was true with Bretton Woods. In those days, we always had low interest rates. I must remind those who believe that a falling pound is the answer to our economic problems that, goodness knows, we have had one for long enough. It did not appear to have all the advantages that people would like to claim for it. If we returned to such a policy we would have much higher interest rates.

Whether we have a single currency in Europe or anything else, the sensible thing to do is never to say never. We must always allow evolution to take place. We must see how things work out in the future. There is something very unattractive about us lecturing European countries about how they should run their affairs. To do so to the extent that we damage our own interests is absurd.

We may not always agree with other European countries, which have different traditions and different interests, but as a predominantly trading nation, we simply cannot afford to be anywhere but at the centre of Europe. We cannot afford to be isolated. That does not mean that we must have a federal Europe but if we believe, as we must, that trade and investment will provide the engine of growth and the prosperity that we need, it is essential for us to be at the centre to remove the barriers that may stand in the way of such trade.

For centuries we have been at war with our European neighbours. The peace is new and very fragile. We need to be at the centre to act as much as we can in harmony with other countries. We must always act with common sense. That is the spirit in which we should conduct negotiations at the IGC.

5.57 pm

Mr. Denzil Davies (Llanelli): I also congratulate my hon. Friend the Member for Rotherham (Mr. MacShane) on his remarkable and excellent maiden speech. Those congratulations are tinged with some envy because he showed the kind of confidence that some of us have taken 20 years to acquire—perhaps we have yet to acquire it. I am sure that he will represent the people of Rotherham with skill and diligence in the years to come.

It is a pleasure to congratulate my hon. Friend the Member for Rotherham but the debate also takes place in the sad aftermath of the death of John Smith. John and I came to the House in 1970. We both had the honour to serve in the 1974 Labour Government—he served in a number of Departments and I served at the Treasury. He was a good and revered friend and a formidable leader of my party. We did not agree about everything. He was a Scot and I a Welshman. I sometimes used to tease him that perhaps there were too many blessed Scots in the parliamentary Labour party. He sometimes showed a certain amount of impatience with the looseness and prolixity of language which the Welsh sometimes employ when discussing political matters, but at least we agreed about devolution. We differed on the Common Market —the European Union, as it is now called. He believed in it when it was not fashionable to do so in my party. He also believed in the European ideal.

It is now, apparently, fashionable in my party to believe in the European Union—I do not know about the European ideal. Not only do we believe in it, but we adhere to almost every facet of it—the social chapter, the autonomous central bank, a single currency, the entrenchment of a rather monetarist economic policy in the Maastricht treaty. Sadly, in voting for the Maastricht treaty, we seem to have voted to abandon that commitment to full employment for which I always thought that my party stood. All I can hope is that fashion will change again and given the speed with which my party has ditched old beliefs and acquired new fashions in the past 10 years, that may happen.

The European Union is a strange beast. As it trundles along towards the ever-closer union of European peoples, that higher state of fusion which the Europeans apparently want, it devours democracy as it goes. Step by step, politics is taken out of politics because, as more and more of the functions of a democratic nation state are transferred, as they are being, to the Union, they are usually transferred into non-democratic organisations, to non-elected institutions, to a type of glorified Euro-quango.

Democratic choice in the present Union—perhaps we can change it for the future—is gradually and irrevocably diminished. Elections become more and more about personalities and trivialities. The treaties, the directives, the case law, the European Court—the whole of the acquis communautaire, as I think we should call it in one short phrase—is entrenched. It is a constitution, a massive written constitution—we hear so much from people who say that Britain does not have a written constitution and should have one—that is entrenched in the sense that not even a single nation state can change it.

I believe that the constitution of the United States can be changed with a two thirds—perhaps three quarters—majority of the two Houses of Congress but this constitution cannot be changed by a single nation state or by two or three nation states. It now needs 12 nation states to agree to change the fundamental constitution of the acquis communautaire. They all have to agree.

Mr. Burns: I think that I am correct in saying that, to change the constitution of the United States, two thirds of the states must vote for a change.

Mr. Davies: That may well be so, but at least there is a mechanism. It is not an easy mechanism and it has been used only once or twice, perhaps only once. Here, we have an entrenched constitution that cannot be changed by Britain or by any one of the 12 member states without the consent and agreement of the other 12. Before long, if the referendums in the four applicant states result in a yes vote, 16 nation states will be needed to change the constitution. After a while, no doubt, if other nations came in, it will be 20.

That is not a recipe for democracy. I believe that the more nation states come in, the less democratic—if that is possible—the European Union will become, because the possibilities for change will become fewer and fewer. In that situation, the entrenched bureaucracies of the European Union will take over and make the decisions, because the democratic bodies will not be able to vote for change.

That unchanging acquis communautaire is a comfortable mode for the political class, for the bureaucrats who follow it, for the diplomatic corps and the range and army of hangers-on and followers of the European Union. It is convenient, it provides gainful employment, it is a type of superior welfare state for the political class and those people around them. Elections come and go. The electorate can change little because they cannot change the acquis communautaire. Indeed, one cannot even touch it and if one criticises it too much one is described as all sorts of things—possibly even a racist, as we heard from Jacques Delors. The vested interests are happy because that cannot be changed.

The elections to the European Parliament were mentioned earlier. I hope that my team wins and no doubt there are other members of other parties in the House who hope that their team will win. It is only natural. Frankly, however, an objective elector does not become involved in the day-to-day minutiae of politics. For an objective elector, does it matter whether the Conservative party, the Labour party or the Liberal party—or all three parties—subscribe totally to the acquis communautaire? None of us can change it; neither can the European Parliament. Does it really matter who is elected, from that point of view? Obviously, we want to impose a defeat on the Government and I hope that we do so, but does it really matter to someone who is not involved in politics? Does it matter who is elected to the European Parliament? It has very few powers and it must keep its hands off the entrenched constitution.

The Minister mentioned the 20 million unemployed people in Europe. Those 20 million people, unlike the political class, are not within the pale—they are outside it. I believe that the European Union has little to offer them and that, sadly, the 20 million will increase, even if recession recedes in Germany and France. Renewed growth in Germany and France will mean a reorganisation of their industrial base, which will create more unemployment.

[Mr. Davies]

What does the European Union have to offer those unemployed people? Bits of paper, commissions, committees, unelected assemblies that go back and forward to Brussels. The real levers of economic and industrial power, which lay within the nation states, are being transferred to the European Union, which cannot act. We are losing the very levers of power that we on the left used to believe enabled us to do something about unemployment. Instead of them, we have received an entrenched economic structure in the Maastricht treaty, to which the old European left would have taken considerable objection. The modern European left, apparently, has accepted and absorbed, and been delighted to take on board, that new economic system.

When there is a British general election, I usually try to write my own short manifesto. I try to write about industrial policy and economic policy. I found it very difficult last time to write about industrial policy because I could not check the treaty of Rome. I suspect that, next time, the words about economic policy will be few and we shall have to fill our sentences with clichés and statements of little substance.

The British electorate are not stupid. They have to choose between the people who aspire to be emperor at the next election. Given the context and framework of the treaty of Maastricht and the European Union, I suspect that the electorate will recognise that the emperor has no clothes. That may be why only 30 per cent. turned out in the last European elections. I suspect that not many more will turn out this time.

The right hon. Member for Old Bexley and Sidcup (Sir E. Heath) still lives in a world of economic blocks. Having lost the old ones, he is looking for new ones. Apparently, India is to be a new economic block. We shall leave him in that world. The Union was conceived as an impregnable economic block in a world of large economic groupings. Inside its walls, the people of western Europe would be secure from the rantings of the bear to the east and from salesmen that sometimes descended on Europe from Asia and America. Those hordes of vulgar commercial travellers from Osaka or Chicago would be kept out of the new Europe and the whole entity would be secure and safe.

I have news for the right hon. Member for Old Bexley and Sidcup: the world has changed. We now live in a global rather than regional world, although that may sound like an "Irishism". The pillars on which the European Union was founded have been buffeted by external economic forces beyond the control of the political class within the pale.

Throughout the 1970s, one talked of economies of scale. What has happened to those? We hear little about them today in the steel or car industries. Over the past 10 to 15 years, a massive revolution has taken place in manufacturing. I would not say that small is beautiful but, provided that a company has the right skills and technology, it can compete whatever its size. We no longer live in a world of large economic blocks and economies of scale. In terms of the production of goods, we live in a world of decentralisation.

The Minister mentioned GATT, of which we hear little these days. The Uruguay round was extremely important. What price regional economic pacts when one has GATT? The right hon. Member for Horsham (Sir P. Hordern) mentioned services. GATT has not gone quite that far yet, but it is certainly moving in that direction. If we look at manufacturing in terms of GATT, we find a global, rather than regional, economic world. Part of my argument is that the world is passing those regional economic blocks by.

Mr. Forman: I agree with what the right hon. Gentleman said about the new global realities. In the context of his remarks on GATT, does he accept that the regional groupings—whether the European Community, the Cairns group or the North American Free Trade Agreement—provided the levers by which people could get at least some of what they sought?

Mr. Davies: I would not say that they provided the levers, but I entirely accept that, if countries band together and agree a negotiating stance, they are in a stronger position. We are now moving towards a global economic world, especially if a world trading organisation is set up. It therefore makes no sense for the dinosaur of the EC to try to create an ever-increasing union of European peoples, because economic factors outside will have an effect.

The European Union can be compared to IBM a few years ago. IBM was the classic dinosaur—it grew in the 1960s and early 1970s but then failed to compete because it was out of date and smaller companies in Japan and especially the United States beat it. It is now trying to restructure and compete again. Likewise, the European Union as conceived is out of date. Who knows? Perhaps it will do an IBM. I do not really believe that it will, because the political class within the pale has no real incentive fundamentally to reform and become radical. I suspect that 1996 will be more of the same, as the beast trundles on, seeking a higher state of fusion of the European peoples. I hope that a radical restructuring takes place. If not, we should remember that, once we achieve fusion, fission happens soon after.

6.15 pm

Sir Teddy Taylor (Southend, East): The right hon. Member for Llanelli (Mr. Davies) worried me when he said that he did not know what to put into his election manifesto. Knowing him to be a truthful person, it has been plaguing me. As he is a kind and Christian gentleman, he could say that, if elected, he would be kind to children and animals, but, sadly, one cannot even say that now. A letter that I received this morning from the Minister of State, Ministry of Agriculture, Fisheries and Food said that, even if we were concerned about the foul cruelty of animals being transported to Europe and all hon. Members voted against it, we could do nothing. A legal reassessment has been made of article 36 and, although the Government thought that they might be able to do something, sadly, they can do nothing. All that the right hon. Member for Llanelli can say is that he will be kind to children and animals, in so far as the EC will permit.

I have listened to many dull, light and uninspiring maiden speeches, but the hon. Member for Rotherham (Mr. MacShane) made a confident and exciting speech. I hope that we shall have the privilege of hearing him on many occasions. What he said about John Smith was right. I went to university with John at the same time as my young wife went to school with his young wife. He was one of the few to emerge from the House with honesty, consistency and integrity. We should all pay tribute to him as we admire and applaud those virtues.

What worried me about the hon. Member for Rotherham—I do not seek to criticise a maiden speech—was that, in a dramatic part of his speech, he held up an exciting pamphlet produced by Philippe de Villiers and said that that terrible man, who is either a fascist or a communist, wanted to protect European trade from trade outside the Community. As a socialist who believes in liberty and the freedom of people, he said that he could never have anything to do with that. It struck me how right the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) was. Basically, we must tell people the truth about the EC rather than give interpretations, arguments or visions, and I hope that the Government can do something about that.

Had the hon. Member for Rotherham, who is obviously talented, been told that the EC was one of the filthiest protectionist rackets in the world and that two firms in Southend had been put out of business because of protectionist measures introduced by the EC six weeks ago, he would have known more. That is not a criticism of him. People simply do not know.

In this brief speech I appeal to the Government to tell people the facts about a few matters. People can then make a reassessment and will probably appreciate Government policy more than they do. The only economic truth that we can say now is that Britain is doing better than other member states of the EC. Unfortunately, we can do nothing about that because the main reason for it is that we were chucked out of the exchange rate mechanism.

I urge the Government to abandon their policy of make-believe and optimism, and tell people the facts. First, people should be told how much being in the EC costs the average Scottish and English family. The information that I have received from the Government is that we are £32 a week worse off. Of course, there is the question of extra unemployment. If we forget about the unemployment, it seems that the cost is £32 a week. The Foreign Secretary kindly wrote to me to say that the cost of the common agricultural policy to the average family was an extra £28 a week. The cost of our contributions works out at £4 a week, so we can say to people in Canvey Island and elsewhere that the cost to them is £32 a week. That is factual and clear, and people should be told.

Secondly, people need to know the facts about our trade with the EC. I have read articles by Prime Ministers and Cabinet Ministers in which they have said that one half or three quarters or two thirds of our trade is with the EC, but the Government must tell people the facts. My understanding is—I am subject to correction—that, since we joined the EC, we have had a trade deficit of £100,000 million, or £2,000 per person. The Government simply have to tell people whether that is the case. There is nothing worse in the world than seeing politicians on the screen arguing about what they think about things. We must tell people the facts, and let them draw conclusions from them.

Thirdly, if the European Court makes decisions which have serious consequences for this country, the Government simply must tell people. As an hon. Member who has been here for a long time—probably too long—I find it almost embarrassing that when something fundamental happens in Europe, it is almost impossible to find out about it.

Take, for example, the recent and rather embarrassing court decision that an Army officer who became pregnant could, apparently, get up to £300,000 in compensation. That was acutely embarrassing, because soldiers who had lost two legs while serving in the Army were getting about one fifth of that sum. People said that that was terrible, silly and odd. Even my hon. Friend the Member for Castle Point (Dr. Spink) said that it was terrible. Unfortunately, there is nothing that we can do about it. The crucial thing is that we should be told what is happening.

My understanding is that, since that decision was made a short time ago, the Government have agreed to hand over a total of £7 million to women in that position, and I am told there is a lot more money to come. It is appalling, because it basically upsets the former pattern whereby there was a limit of £11,000 on compensation. That has now gone out of the window.

Why should not people be told? The Minister is certainly one of the decent guys, and he is a straightforward man. I ask him: why cannot people be told what is going on?

Let me refer to a situation in Southend-on-Sea. I do not know whether any hon. Members represent areas which have experimented with something called privatisation, but we have led the field in that in Southend with our cleansing department. It has been a great success. Costs are very low, workers are happy, and the standard of cleansing is high. Unfortunately, the EC has said that the Government have applied something called the acquired rights directive wrongly and, therefore, someone must pay.

Apparently, when a firm is taken over, one must guarantee jobs, wages and working conditions. However, the Government were told by their top legal advisers—there are many of them—that they should not worry, because the directive did not apply to local authorities or to health authorities. Southend, which is a very good council, went ahead with privatisation. It has now found to its horror that the Government were wrong.

Mr. Brian Wilson (Cunninghame, North): The hon. Gentleman will know that the directive applies to Britain only because a good Labour Government signed up to it in 1977, and his party has spent 14 years trying to avoid its legal responsibilities. If we had never had that good Labour Government to sign it, the directive might not have applied.

Sir Teddy Taylor: The hon. Gentleman is right. The directive came through at the end of the Labour Government. Labour and Conservative Governments were told by the legal experts that it did not apply to local councils and health authorities, but now it does. What will happen? The Government must tell me, because someone has to pay compensation. Lots of money must be paid, as every worker who was not taken on and did not have his job guaranteed and every worker who joined and had his wages reduced or his conditions not met must be compensated. The Trades Union Congress—a wonderful organisation which looks after the interests of workers—has initiated 500 claims.

I should like to find out how much this will cost and who will pay. I am trying to find out.

Mr. Wilson *rose—*

Sir Teddy Taylor: I have said that the hon. Gentleman was right—he is always right. The hon. Gentleman should listen to this.

Basically, someone has to pay. Employers in Southend are worried about it and are asking whether they have to

[Sir Teddy Taylor]

pay. In addition, employees are asking from whom they should claim. I say that the TUC will look after them because the EC has sorted it out. We want to know who will pay, and how much. That is the kind of thing which the Government must tell us.

Those who deliver papers are called newspaper boys. I do not know whether any other hon. Member present has his papers delivered, but it is a way to make sure that one gets the paper bright and early in the morning. I have said in public meetings that newspaper boys should not worry because the Government would sort it out so that they would not lose their jobs. I have found to my horror that that is not happening at all.

The Government apparently got what they called a four-year exemption, and something called the European Parliament then said that it would have to take out that British opt-out. It seems that, under something called the Maastricht treaty—most right hon. and hon. Members voted for the treaty, but I did not as I was rather suspicious of it—if the European Parliament wants to change it, it cannot do so unless there is unanimous agreement among Ministers. This is happening all the time, and nobody notices. I wish that I had noticed that. If I was as clever as other hon. Members, I would read the treaties and find out.

It seems that we are in a terrible position. The newspaper boys in Southend, despite all the assurances given to them by the Conservative party, seem likely to lose their jobs unless we stop the directive; and, apparently, we cannot do that because it would require a majority vote.

These are important and complicated matters which people such as myself, as well as Ministers, do not understand. The Government should tell us what is going on, and I hope that they will.

Dr. Robert Spink (Castle Point): Before my hon. Friend gets away from presenting the facts, may I say that he has concentrated so far on the deficit side. Will he also address the benefit side? We know that newspaper boys are important, but they are not the be-all and end-all. Has not the greatest benefit of our membership of the EC been that we have had peace, strength and democracy for 45 years? Is not that a great benefit which is worth paying for? Will not my hon. Friend seek to strengthen our trading links with Europe? I accept that we must resist federalism and political union.

Sir Teddy Taylor: That is what worries me. The Conservative party says to newspaper boys that it will sort out the problem, and then the newspaper boys find that, when things go wrong, Conservative Members say that they do not matter so much, and they talk about peace.

My hon. Friend is a talented, sincere and upright man—so I am told. He talks about peace. He should read the treaty of Rome. I know that he is very young and that he was not here at the time the treaty was signed, but the only thing that the treaty said we could not deal with in the EC was defence. Defence was guaranteed by something called NATO, which is a splendid organisation because the Americans are involved in it.

On the matter of trade, I hope that my hon. Friend will ask—he will not get an answer if he tables the question, as they have now stopped such things—what our deficit with the EC has been since we joined.

I do not want to waste time, as I want to talk about Southend. If the Government were willing to listen to talk about the damage done to Southend-on-Sea by the EC, they would be horrified. First, Southend has a lot of unemployment—14.5 per cent. Despite that, the Conservatives did quite well in the local elections because people were hopeful for the future. We lost only one seat—and I did not like us losing that seat.

The Government said that they were aware of the level of unemployment and that they would give the Southend area assisted area status. I am not a great one for subsidy, but local people said that it was a great idea. They said that other people thought that it was good, and they wanted it also. The Government politely explained to me that they were very sorry but under the rules they had to go to Brussels before they could give their money. They said, however, that it should be okay.

So they went to the bloke in charge called Van Miert. He saw the long list, and, before he even looked at it, he said that it was too long and that the Government had to cut off 10 per cent. Southend, unfortunately, was in the bottom 10 per cent. He had not looked at the name Southend, nor had he considered it. I went to the Government and said, "Surely he cannot do this. There was not a meeting, nor was there a committee." They said, "Sadly, no. Mr. Van Miert decides." He decided that Southend had lost, and we felt upset about that. I have asked the Government whether there was anything they could do. They have said, "Sorry, too bad." The Government were very nice and said that they would put Southend forward for a Euro-grant. Mr. Millan, another Commissioner, apparently said that London had bigger problems, so we could not get a grant.

MK Electric, an excellent firm in every respect, employs many people in Southend and Essex. I met the firm's directors last week. They are horrified because we are to have something called the Euro-plug. They said that it is terrible—it will destroy jobs. They also told me that people in England and Scotland will have to spend an extra £1,000 on their house, first, on taking out the plugs; secondly, on taking out the sockets; and, thirdly, not on replacing the wiring but on making changes to it. Those three things will cost each householder about £1,000.

The employers' organisation had a meeting and said that it was absolute rubbish—they did not want it. Unfortunately, the Commissioners told them that the EC will do it anyway if the organisation does not put forward a plan, it will go through. PMS is one of the nicest firms on God's earth. A chap called Paul Beverley runs it. He is a super-duper business man. He employs 200 people from my constituency. Last year, he exported £8 million worth of goods. If the Government want to increase exports, they should think about that. Is not £8 million of exports great?

What has happened to Paul Beverley? Six weeks ago, he received a note saying that the European Council had decided to slash trade with China. I asked why. The Minister, who is a brave man and a super guy, voted against the decision because it was rubbish. However, the decision went through. PMS imports lots of furry toys—they are lovely toys of a high quality—from jointly owned factories in China and then exports them. It employs many other firms. It has been told to cut its business to one quarter of what it was. That is terrible.

What can the firm do? It has proceeded—I know that hon. Members will not understand this—by way of a complicated processs known as letters of credit. That means that firms pay money for goods to be delivered later.

They have paid out lots of money but they cannot get the goods in. They have asked what they can do about it. I am afraid that the answer is nothing at all.

A super firm called Hi-Tech is a big employer in Southend. It is a good, upright firm. It pays big wages and it is a good employer. It looks after people well. It sent me a fax today saying that, unfortunately, it had been affected in the same way. It explained that it has 50,000 items waiting in the ports, which is in excess of its annual allocation. The company has paid for the items, but they cannot come in. That is not funny. It is appalling when firms, which are fighting in a competitive world, employing people, exporting and making profits, are banged on the head by stupid Euro-rules.

One might ask why the rules are coming in. Apparently they are coming in because some countries in Europe had restrictions and some, such as ours, did not, and it was decided to have harmonised restrictions. Rules are put through by majority vote—with Britain voting against them—and we are now in the soup.

We are suffering a great deal. If we examine the facts properly, people will realise that the whole of Britain has suffered immensely. The people have suffered most of all. I am sure that the hon. Member for Rotherham, whose speech I enjoyed, will think about what the EC has done to the poor people of Britain. They are the ones who have suffered the most. It is the poor who suffer from outrageously high prices for food. It does not matter so much to me because I can afford to buy food; it does not worry me. Poor families suffer most of all.

We have the appalling value added tax. It is the most cruel and nasty tax which hits the poorest people hardest of all. The hon. Gentleman will be aware that, under the tax-free test, we are obliged to extend VAT to almost everything. The poor are suffering and jobs are suffering. The saddest thing of all is that, despite all the talk about how we would have expansion, growth and development, Europe is a very sick place, with mass unemployment and massive borrowing.

We must ask ourselves what on earth we will do about it. It is crucial to abandon all this silly talk about sitting around the table and reforming the organisation. It will not happen. Year after year, we kid ourselves that reform is coming. We are told every year that the common agricultural policy is changing and that things will get better. Ministers say that expenditure will be cut. I wrote a letter asking whether expenditure would be cut, and the Minister wrote back saying that it would not be cut; it would increase by less than it was going to increase before.

The plain fact is that there is no way that we can control the constant increase in the authority of Brussels. It goes on and on every day. There is no way that we can curb it—the example of the common agricultural policy is there for all to see—and there is no way that we can secure jobs in the EC. We must ask ourselves what on earth we will do about it. The crucial thing to do is, first, to tell people the truth. The Government must tell people the costs, tell them about the trade, tell them all the facts, not propaganda, and tell them the figures.

Secondly, we must give people a voice. To be honest, nothing has been more shameful in the history of our democracy than the fact that vast areas of freedom, liberty and sovereignty have been passed over to outside bodies without consulting the people. It is wrong in principle, it is contrary to democracy and it is contrary to all that people in the Labour party and the Conservative party should stand for.

I therefore hope that the hon. Member for Rotherham, who made a great speech today—it was one of the best and most talented speeches that I have heard—will think, just as other new Members have, about democracy, his rights and the rights of the people of Rotherham to influence things and ensure that things happen as they want them to. The sad fact is that as they look ahead to elections, whether European or national, many of them will wonder what on earth is the point if the same things happen, no matter who they vote for.

6.35 pm

Mr. Charles Kennedy (Ross, Cromarty and Skye): I cannot hope to compete with the hon. Member for Southend, East (Sir T. Taylor) in terms of touching every popular strand that is going. I made notes as he went through them—from pregnant women to local authorities, newspapers boys and electricians, and ended up with furry toys. None the less, the hon. Gentleman's points were important—he made them consistently.

At the end of my speech, I shall come back to the point on which the hon. Gentleman finished because a criticism that is often made of those in his party who come from his direction in this argument is that they do not set out what would be their alternative. Simply setting out the option of a referendum—I think that is what he was hinting at—or some sort of better level of consultation than he feels we have had is not enough. There was a referendum in 1975 which made the position clear. The hon. Gentleman does not seem to have lived with the consequences of that. I therefore think that he must go a bit further and be clear on what he would do, given the consequences of a future referendum.

Like other hon. Members, I refer to the fact that this debate takes place in the long and dark shadow of the death of John Smith. Within the village that is Westminster on occasions such as this, the House will appreciate that Scottish Members feel something of a close-knit family right across the parties, whether we sit for Scottish constituencies or represent seats elsewhere, as the hon. Member for Southend, East, who once sat for a Scottish constituency, does.

In paying tribute to the late John Smith, and as I represent a highland constituency, I pay a particularly warm tribute to the affection and strong sense of Celtic being that he felt in being a west highlander. He was born in Dalmally and was then brought up and educated in the earlier part of his life in Ardrishaig. Indeed, I am delighted that my hon. Friend the Member for Argyll and Bute (Mrs. Michie), in whose constituency both of those communities are located, is beside me.

As well as absent friends, I welcome, if not a parliamentary friend in the strict sense, none the less a first-time contributor to the proceedings of the House today—the new hon. Member for Rotherham (Mr. MacShane). I very much endorse all the warm sentiments that have been expressed about the excellence, fluency and force of his speech. I congratulate him on it. Given the sudden death of the Leader of the Opposition, it has been noted that the debate this afternoon has proceeded in a slightly less partisan and slightly more measured context.

[Mr. Charles Kennedy]

Noting the documents which have been issued to accompany the debate, I was amused to see the covering letter of 29 July from the Prime Minister on Downing street paper to Mr. Delors enclosing the Government's White Paper on growth, competitiveness and employment in the European community, which was part of the discussions going towards the summit at the end of last year. In that letter, the Prime Minister, in a characteristically friendly and personal fashion, added a handwritten note to Mr. Delors saying:

"I hope your back is recovering—I do sympathise!"

I do not know whether the Prime Minister has been suffering from a bad back, but as that was written on 29 July, I think that it possibly refers to the knives that were sicking out of it—most of which came from his side of the House. Indeed, most of the hon. Members whose fingerprints were on those daggers I can see before me this afternoon.

The Minister of State, in opening the debate, spoke about competitiveness and unemployment. There must be no doubt in anybody's mind that, with 19 million people unemployed across the member states of the European Union, that must be the No. 1 political priority. The broad thrust of the Commission's White Paper that was tabled for the Brussels summit is welcome not least because it dwells on the need for a Europewide recovery plan to tackle the problem. Although we have our differences in the House about economic policy and the approach to take, we must never lose sight of the fact that we are inextricably bolted to a European Union-wide economic unit. It is on that level that much can be done to tackle the glaring social and economic problems generated by the appalling levels of unemployment across the Community. In particular, the Liberal Democrats would argue for the need to generate new public and private investments, not least in cross-border infrastructure projects.

The hon. Member for Gateshead, East (Ms Quin), speaking from the Opposition Front Bench, referred to the channel tunnel and the rail links on either side of it. In a sad way, they are almost a physical embodiment of all that is wrong with Europe: they are moving at a faster speed on a better quality track on one side of the English channel but at a slower speed on a poorer quality track on our side. That is something of a metaphor for all that is wrong with too many aspects of Europe, not just the approach, but rail links on either side of the channel tunnel.

Mr. Giles Radice (Durham, North): It is not wrong with Europe.

Mr. Kennedy: The hon. Gentleman says that it is not wrong with Europe, but wrong with us. I would very much subscribe to the construction that he puts on it.

Secondly, looking back to the end of the second world war, or one aspect of it, as we will be in a week or two, surely the far-sightedness of that period in the Marshall plan, which was introduced to deal with the debris of much of the European continent, could and should be emulated now by the developed economies of western Europe—as it was known before the collapse of the Berlin wall—to help the countries of central and eastern Europe to upgrade and improve their economies and, we hope, reach the stage where they, too, can accede and become full members of a wider and deeper European Union. It would be in this country's economic interests if that happened, as we would benefit from the increased trade and increased flow of goods, material and people.

Thirdly, we should increase investment in science and innovation generally. That means giving greater priority in this country as well as increasing the pressure at European level towards a greater emphasis on scientific development and education and skill training generally. Fourthly, we should try to establish common guidelines for training throughout the European Union, again helping the free passage of labour across the existing member states of the Union. Fifthly, on the economic side, we should look for ways to give further incentives to employers to recruit new employees. Perhaps some aspects of the benefit system could be transferred directly to employers to encourage them. All those things should be considered.

In the economic context, I shall make a couple of brief points from the vantage point of the highlands and islands of Scotland. The Government's document that accompanies the debate makes it clear that, along with Northern Ireland and Merseyside, the highlands and islands of Scotland have qualified for objective 1 status—and very welcome it is too.

Mr. Dafydd Wigley (Caernarfon): Lucky you are, too.

Mr. Kennedy: The hon. Gentleman, who represents a Welsh constituency, says, "Lucky you are, too." We appreciate that fact. I am sure that the right hon. Member for Strangford (Mr. Taylor), who represents a Northern Ireland constituency, would agree with me and the chief executive of Highlands and Islands Enterprise that the whole point of getting objective 1 status is to get out of objective 1 status; that objective 1 status in itself is a reflection of comparative or relative poverty within the existing European Union; that it is not something to open the champagne about; and that it is not a status that we want to hold on to. We want to use it as a springboard to ensure that we never have to go back to that status again.

When the Minister replies, perhaps he will address the concerns of the highlands and islands—I do not know about other places where objective 1 status has a role to play—that the advent of objective 1 funding from Europe is being used by the Treasury, or in this case by its instrument, the Scottish Office, merely as a way of reducing the other expenditure that would otherwise be devoted by central Government. In other words, the all-important additionality principle is being diluted and undermined simply by reducing existing roads budgets or other forms of infrastructure budgets. They are being reduced and additionality, through objective 1 funding, is coming in to take its place. That is not supposed to be the way in which it works. It is supposed to be genuinely new money additional to the needs of the area, and additional to the provision that would otherwise be made.

Also looking at the economy of the Scottish highlands and islands, I particularly stress to the Minister the very real problems facing—he mentioned it in his speech—the protection of fisheries. I draw his attention to a distinct but discrete aspect of fisheries: the fish farming industry. After tourism, it has become the second single largest employer in many of the most fragile communities across the highlands and islands. It is been a great success story and one that we pay tribute too.

However, the activities of Norway in dumping excess salmon on the European Union markets has distorted the

price of salmon and has had a disastrous effect on our domestic industry in fish farming. As the European Union reference price for salmon is now taken as the benchmark for salmon prices, the industry should legitimately look for more effective action from the European Union if prices do not reach that benchmark. That, of course, depends on the willingness of the UK Government to press home the case for the industry.

Sir Teddy Taylor: Who will buy it?

Mr. Kennedy: I will happily give way to the hon. Gentleman if he wishes to intervene.

The Government, however, should go further than that. They should also give their approval—I do not understand their reluctance—for the setting up of salmon producers' organisations in the UK and, for that matter, elsewhere in the European Union. To date, they have been notably lukewarm in their attitude towards that idea. They have displayed a distinct unwillingness to give statutory backing, which is needed for such producer organisations to be effective and if full use is to be made of the reference price mechanism. I hope that the Minister will address those very pressing regional concerns from that part of Scotland.

I wish now to look to the longer term development of the European Union and to what might happen, not least in the context of the 1996 intergovernmental conference and what will follow after that. Surely the European Union needs to become more democratic. I do not wish to ruin his day, but while I share some of the suspicions and anxieties of the hon. Member for Southend, East (Sir T. Taylor) that there is not enough democracy, and certainly not enough transparency, in the Union, he and I part ways when we wonder how best that can be addressed.

We would like to see more co-decision-making at a European level: in other words, decisions being moved away from the Council of Ministers, or the Council of the Union as it will become known, where sovereignty is pooled. We want more responsibility and authority to go to the European Parliament, for we believe that sovereignty is a more authentic representation of the peoples of Europe. We do not believe in ceding more power. It is not an argument about ceding more power to Brussels from Westminster. It is an argument about taking the power that Brussels already has and making it more transparent and accountable to its relevant democratic institutions.

Mr. Oliver Heald (Hertfordshire, North): Will the hon. Gentleman give way?

Mr. Kennedy: I thought that that might provoke a response from the Conservative Benches. I happily give way.

Mr. Heald: I recently read the Liberal party document entitled "Making Europe Work" which states that this country would no longer have independent armed forces but would become part of a European integrated army. Majority voting would be used to govern it, and in a sense Mr. Delors would be in charge of the direction of important aspects of British defence and foreign policies. If that is not ceding power from this place to Europe, what is?

Mr. Kennedy: The hon. Gentleman anticipates my next set of arguments. If one wants to talk about a more democratic Europe, one must flesh out what is meant in terms of its institutions. I was speaking about the existing situation, the current powers of the European Union and the relative powers of the Council, the Parliament and the Commission.

Dr. Spink: Will the hon. Gentleman give way?

Mr. Kennedy: I should first like to respond to the intervention by the hon. Member for Hertfordshire, North (Mr. Heald). I do not know whether he is the hon. Gentleman's hon. Friend on this issue, so perhaps I should say his nominal hon. Friend.

Existing powers should be made more democratic in the way that I have outlined. I am delighted to see that the hon. Member for Hertfordshire, North is reading our document. I shall make sure he is on our mailing list for the future. The hon. Gentleman properly looks at the long term. We take the view that, as the right hon. Member for Old Bexley and Sidcup (Sir. E. Heath), the former Prime Minister, said, as we develop more coherent and concise economic and social policies, greater co-operation in areas such as defence and foreign policy will surely follow.

I part company with Margaret Thatcher's assessment of Bosnia. It is not that Bosnia proves that Europe cannot work; it is proof positive that on defence and foreign policy issues Europe must work better and more successfully than it has done in the past. The only way to achieve that is to evolve institutions that can give practical effect to defence and foreign policy decisions. If we cannot influence matters within our own perimeter in terms of the former Yugoslavia, it is a poor day indeed. That is the longer term issue going beyond 1996. I shall deal with the veto in a moment.

Dr. Spink: I should like to question the hon. Gentleman on the veto. Will he confirm that it is Liberal Democrat and Labour policy to abandon the right of a veto in the Council of Ministers? Is not that abandoning British sovereignty?

Mr. Kennedy: The hon. Gentleman was commendably pro-European a few minutes ago, but he has obviously tried to row back towards the shores of the Treasury Bench and regain some of the good will that he may have used up with the Whips on this issue. The hon. Gentleman is wrong. What the Conservatives are doing, and will do increasingly when the European campaign proper gets under way next week, is portraying those of us who want more co-decision-making and co-operation at European level as people who are surrendering every last vestige of British interest.

We have not committed ourselves to the wholesale introduction of majority voting in the Council. For example, we are not recommending that for issues affecting common foreign and security policy, interior and judicial affairs or for Community matters such as economic policy where the Council acts like Cabinet Government. The distinction that must be made is in the document from which the hon. Member for Hertfordshire, North quoted. The document says that our Council voting commitment is to European Union legislative and not executive matters. The document makes that clear early on.

Mr. Heathcoat-Amory: How does the hon. Gentleman reconcile that with what the right hon. Member for Yeovil (Mr. Ashdown) said in a speech to the congress of European Liberal Democrats and reform parties in December? The right hon. Gentleman said:

"We want Ministers to make decisions without single nation vetoes."

Mr. Kennedy: I think that the Minister was present when the Foreign Secretary raised that issue in our European debate on the day that my right hon. Friend was delivering that speech at the ELDR congress on the south coast. The Minister would have heard the exchanges in that debate, but if he did not I shall flesh out exactly what there was no time to explain fully on that occasion. The Minister takes the ELDR commitment to mean that in theory the UK can be outvoted in the law-making process, but I think that he would be the first to acknowledge that that could happen only when four subsequent conditions were met.

The first condition would be when the UK failed to build the 23-vote qualified blocking minority out of 74 in the Council. We have 10 of our own. The second condition would be when the elaborate built-in consultation procedure failed to produce a compromise and the third is when the Commission refuses to withdraw the legislative proposal. The fourth is that the European Parliament wields an absolute majority of 284 votes against us, in which Parliament, of course, we will have 87 MEPs.

It would be a catastrophic failure of British diplomacy if with all those hurdles, following a proposal and an initial log jam or diplomatic difficulty, we could not find a compromise. As a former Prime Minister, the right hon. Member for Old Bexley and Sidcup, made clear, the Foreign Office is in no position to lecture anyone on these matters, for the straightforward reason that it marched its troops to the top of the hill on the issue of qualified majority voting and had to turn them round. In an ignominious departure for British diplomacy, it had to march them swiftly down again precisely because the Foreign Office was not able to proceed in that way.

All those qualifications are to deal with a Government who would be instinctively hostile to sitting at the table in the first place and discussing the issue. They do not apply to Governments who would adopt a much more positive approach.

Obviously there must be more decentralisation in developing the European Union. I was fascinated by the speech by the right hon. Member for Bethnal Green and Stepney (Mr. Shore). He lambasted federalism without ever defining it. Subsidiarity now seems to be the name of the game and in the other member states it is seen as the flip side of federalism. Federalism is not a centralising, drawing in of power to Brussels but the decentralising of power down to the regions and nation states. The Government do not want to talk too much about that because they want subsidiarity to stop at the English channel and not be applied in the United Kingdom. That again distinguishes us from them.

We need a more diverse European Union that is wider but also deeper along the lines that I have outlined. If we are to take people with us, we will have to consider consulting them directly in the way mentioned by the hon. Member for Southend, East. As he knows, I voted for a referendum on Maastricht. I would do so again on the post-1996 intergovernmental conference—assuming that it reaches an agreement that represents a further major constitutional development for this country.

Mr. Burns: Will the hon. Gentleman give way?

Mr. Kennedy: No, because I have taken too many interventions and spoken for longer than I intended and I now wish to conclude.

The right hon. Member for Old Bexley and Sidcup spoke about the need for more explanation and that was echoed and reinforced by other hon. Members. The best way to take people with us is for all of us who are, broadly speaking, on the pro-European side, and who form a cross-party majority of five out of six in the House, to get on the stump together outside when it becomes relevant and necessary and to argue the case along the lines that I have outlined. I believe that, as in the mid-1970s, we would receive a resounding and clear-cut yes from the good sense of the British electorate.

6.58 pm

Mr. James Couchman (Gillingham): I am pleased to be able to take part in this thoughtful debate. It is thoughtful because of the sad events of last week, but it is none the worse for that. I congratulate the hon. Member for Rotherham (Mr. MacShane) on his excellent maiden speech. It was not only unusual in that it was delivered within a week of his arrival but because it was delivered to a fairly full House. I am sure that he enjoyed speaking to such a full and distinguished Chamber.

The hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) spoke of referendums. It is worth remembering that in 1975, Mr. Harold Wilson thought that it would be a good ploy to hold a referendum on whether the United Kingdom should remain part of the then Common Market, to get himself off the hook with the left wing of his party. Some people thought that that referendum was about Britain's entry to the Common Market but it was really about whether Britain should remain in it.

As a lukewarm European at that time, I voted yes for two reasons. I thought that Britain's membership would be good, even essential for succeeding generations—for my children and grandchildren, if not for myself. My second and more insistent reason was the nature of the opposition to Britain remaining in the Community. That consisted of a bizarre coalition comprising Wilson's left wingers, most of the trade unions, a small but vociferous band—and they are still vociferous—of little Englanders in the Conservative party and the National Front. It seemed that anyone who espoused respectable and responsible politics —I was then chairman of Bexley constituency Conservative association—would vote yes, even if without great conviction or enthusiasm.

In a six-week campaign, the mainstream of each party urged a yes vote. The little Englanders suggested that if we escaped the clutches of the Community, food prices would magically fall and Britain would renew links with Commonwealth and EFTA countries as if nothing had happened in 1973. Even in 1975 that hypothesis was weak, and two thirds of people voted against the anti-European case.

If such a referendum had been held on the Maastricht treaty and its consequences, or were to be pledged and implemented on the outcome of the 1996 intergovernmental conference—the agenda for which will not be known for many months—I should have no difficulty voting again in a positive light. There can be no ambivalence as to the vital nature of our continuing membership of what has become the European Union. There can be no harking back to our historic economic links with the old Commonwealth. Canada, Australia and New Zealand all

want to weaken or finally to break their last notional ties with the United Kingdom, and large numbers of each country's population aspire to republic status.

Canada has formed new and logical relationships with the United States and Mexico through the North American Free Trade Agreement. I disagree with the right hon. Member for Llanelli (Mr. Davies), who is inclined to pooh-pooh blocs in general. NAFTA will stand up. Australia and New Zealand recognise that their future lies in sharing the prosperity of the Asia-Pacific nations with Hong Kong, Indonesia, Thailand, Singapore, Malaysia, Taiwan, Japan and China.

The suggestion that Britain might enjoy looser ties with Europe through an EFTA-type trading relationship has proven flawed by the enthusiasm of EFTA nations in their wish to join the European Union. Does anyone seriously believe that the remainder of the enlarged European Union nations—by then numbering 15—would allow the United Kingdom to retain and to enjoy the advantages of trading on the basis of the Single European Act while resigning its responsibilities for all other aspects of the Community? I think not.

I share the aspiration of my right hon. Friend the Prime Minister to Britain playing a full part in the Union. One of the most important ways that the United Kingdom is already at the heart of Europe is in its status as an attractive location for the European headquarters of companies outside the European Union. The EU has a 344 million population and on the successful accession of the four aspirant nations, that figure will rise to more than 360 million. The Union is already the world's largest trading bloc, accounting for two fifths of world trade. It is no surprise that American, Japanese, Taiwanese and Korean companies want European bases that allow them to trade within the EU on the same terms as their European competitors.

It is no coincidence that 40 per cent. of American and Japanese investment in Europe has come to the United Kingdom. In my constituency there is a major Australian insurance company headquarters employing 800 people; American, German and Dutch companies; and three Japanese company European headquarters. The latter were attracted to Gillingham by exploiting our unique relationship with Japan based on the "Shogun" story, because the English sailor who was the model for "Shogun" was born and brought up in my constituency. We have been able to exploit that by twinning with two Japanese cities.

In Kent generally, there are 200 foreign-owned companies from many countries. They include such important employers as Pfizer in Sandwich—for which I have the honour to be an adviser—with 2,500 high-grade research and development production jobs in the pharmaceutical industry. It is worth noting also that the American pharmaceutical industry has overwhelmingly located its European headquarters in this country. I caution that if we weaken our ties with Europe, such companies would think hard about maintaining their production facilities here. There is an over-supply of pharmaceutical production within Europe. There will be rationalisation, which—with the access that we ought to have through the European Medicines Evaluation Agency—should come to the UK, but it may not if we weaken our ties.

Foreign-owned companies choose Britain for their European headquarters for various reasons. We speak English, which is undoubtedly the first-choice international language, and the first-choice second language for children to learn throughout the world. English is the language of commerce and industry, science and the air. Above all, it is the language of the United States, and we must hope that it remains so.

Our corporate taxation and, yes, individual taxation are more attractive than those of our European partners. Foreign investors are warmly welcomed and receive equality of treatment with British-owned firms. Foreign investors discover that we have a skilled and flexible work force, with an industrial relations record in recent years much better than that of many of our European competitors.

Contrary to the remarks by the hon. Member for Gateshead (Ms Quin), the fact that we have not signed up to the ruinous non-wage costs involved in the social chapter produces labour costs that are 40 per cent. lower than Germany; 20 per cent. lower than Italy, France and Japan; and 18 per cent. lower even than low-tax deregulated states. I do not notice my Taiwanese, Japanese and Hong Kong friends telling me that I must sign up to the social chapter.

Mr. Enright: I have heard those statistics before, and I am interested to know the formula by which the hon. Gentleman arrived at them. It is obviously complicated and he may not be able to explain it now, but if he will put the formula in writing to me, I shall be grateful.

Mr. Couchman: I take note of the hon. Gentleman's request and I shall try to oblige.

As the City of London is vital as a financial market and has worldwide links, it is no surprise that foreign-owned companies choose the UK for their European base, but the City alone would not hold them here if we weakened our ties with Europe—let alone attract new investment. Our status as an enthusiastic and aggressive participant within the EU will allow us to attract investment, remain the maker of 50 per cent. of television sets in Europe, become a net exporter again of motor cars and maintain our position as one of the three or four most important research-based pharmaceutical industries in the world.

Our position at the centre of the Union will allow us to remain a great manufacturing and trading nation, whereas sitting on the fringes contemplating our navel clearly would not. My reasons for voting yes in 1975 probably were not so daft. The Opposition had a total lack of credibility. Our membership of the European Union will benefit my children and grandchildren. I should be just as right 20 years on to support our wholehearted membership of the Union in any referendum that might follow the agreements that we hope to be reached at the intergovernmental conference in 1996.

7.18 pm

Mr. Giles Radice (Durham, North): Apart from the remarks by the hon. Member for Gillingham (Mr. Couchman) about the social chapter, I much agreed with his vigorous defence of the European Union. It was somewhat unusual these days, coming as it did from the Conservative Benches, but I welcomed it.

I congratulate my hon. Friend the Member for Rotherham (Mr. MacShane) on his fine, vigorous and—dare I say?—bold speech. I would certainly not have dared to make such a maiden speech. He will not be surprised to learn that I much appreciate the strength of his European

[Mr. Giles Radice]

convictions. That, indeed, is part of the answer to my right hon. Friend the Member for Llanelli (Mr. Davies), who was hoping for a change of fashion in the Labour party. I do not think that he will get it; indeed, I believe that very soon there may be more anti-Europeans in the Privy Council than in the parliamentary Labour party.

I want to devote some of my speech to paying tribute to John Smith, whose tragic death shocked us all, and to his position as a European—for he was indeed a European. I first met him in 1962, at a young Königswinter conference in Berlin a few months after the wall went up. I have a snapshot, taken then, of Smith as a 24-year-old, looking all bright-eyed and bushy-tailed, very much the rising young politician. I remember that we were all extremely impressed by his remarkable self-confidence and maturity. For both of us, Berlin was an important moment: it not only confirmed the evils of totalitarianism, but convinced both of us of the value and strength of the great European project and the necessity for Britain to be part of that project.

John Smith had a fine record as a convinced European. In 1971, he was one of the 69 Labour Members who voted —against the party whip—for British entry. For him that was a very big step, for John Smith was nothing if not a party loyalist. I think that the strength of his European convictions was demonstrated by the fact that, as a very ambitious young politician, he was prepared to put his career on the line.

In the mid-1980s, with my right hon. Friends the Members for Islwyn (Mr. Kinnock) and for Birmingham, Sparkbrook (Mr. Hattersley), John Smith played an important part in Labour's conversion to the main pro-European party in British politics. I might add that yesterday his support for British membership of the exchange rate mechanism, and for the principle of a single currency, was criticised—with his usual impeccable taste —by Lord Tebbit.

I know that John Smith had private doubts about the rate at which we went into the ERM. Certainly he did not discourage me when I said in the House, immediately after the decision, that we had entered at the wrong time, for the wrong reason and at the wrong rate; and when the crisis came in 1992, he put the case for devaluation within the ERM rather than leaving it. It could be argued that that was the wrong choice, given what happened to the ERM in 1993. I note, however—along with, I believe, my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore); certainly it was some anti-European who spoke earlier—that since the introduction of the new flexible bands, the ERM has worked extremely well. I think that John Smith was right to argue for stable exchange rates: they are what business men want, and what my constituents want.

As for the single currency, John Smith saw it as the likely and desirable long-time concomitant of a single market—although not necessarily the inevitable consequence—but did not believe that it would come about without a far greater convergence of the national economies. Certainly it could not come about in the middle of a recession. I think that his position was consistent. All Opposition Members had to congratulate him on his handling of the Maastricht proceedings in the House: he kept his party together and harried the Government, yet —as my right hon. Friend the Member for Bethnal Green and Stepney just complained—he never voted against an issue of principle, with the single exception of the social chapter. In that instance, the Government had opted out of the treaty. It was a very skilled performance by a very skilful politician and political leader.

The principles behind John Smith's stance on Europe can be characterised thus. First, he believed passionately that Britain's destiny lay on the European continent. Britain, he thought, was now a medium-sized post-imperial power, linked to the continent not only by geography, history and culture but by economics, politics and security. More positively, he saw that the common market—the European Community, now the European Union—had made war impossible in our half of the continent.

Some speak as though this were just a question of the age-old quarrel between France and Germany; but next year we shall celebrate the end of the war in which we were involved. Indeed, Britain was involved in two world wars, and Anglo-German antagonism was certainly an underlying factor in the outbreak of the first. I rejoice—both countries rejoice—in the fact that Britain and Germany are now partners in the European Union, and good allies too.

John Smith was also strongly in favour of the prosperity that the European market—the single market and the customs union—has brought to the continent. He thought that we could not afford to be left out of that. Hon. Members may talk of our balance of trade with the rest of the European Community, but the fact is that Germany is now our biggest single trading partner. We cannot be shut out of a market that contains our main partner: that is the reality that John Smith understood so well.

John Smith's second principle was that Britain had to be a positive member of the European Community, not a negative, carping member. He believed that the best way in which to secure British interests was to be positive rather than negative, whole-hearted rather than reluctant. His strategy—the strategy that I think Britain should adopt —was that we must win friends, build coalitions and gain concessions. We need not always opt out, oppose or try to block other countries from taking action, as we have done too often over the past 15 years.

Being positive means accepting, in many cases, that we must co-operate with our partners. A medium-sized European power like Britain cannot go it alone. Over foreign and security policy, we must get together with other countries. All right, Bosnia is a ghastly failure; but that makes the case for better co-operation, rather than the case for no co-operation at all.

In some instances, we must integrate more with our partners. We integrate in the context of trade, competition policy and, for obvious reasons, the environment: the environment is an issue that spills over national boundaries. We also integrate in regard to aspects of social and labour policy, although there is an argument between the two Front Benches, and the two main parties, about the extent to which we should do so. I believe that, eventually, we should also integrate in terms of monetary policy, but that is an argument between a number of us.

We agree that we should have a more democratic European Union, but how we can achieve it is a different matter. We hear from the Conservative party that it is terrified of a centralised federal state, but a federal state is not centralised: that is the whole point. We are talking about power being devolved downwards.

Mr. Shore: And upwards.

Mr. Radice: And outwards, yes.

I think that there should be more powers for the European Parliament, and more effective national scrutiny; but subsidiarity does not stop at national boundary level. As John Smith said so often, power needs to be devolved downwards to the regions. That is a strong case, and the subject of a strong argument between the two Front Benches and the two parties.

Finally, we need a bigger European Union—an enlarged European Union. There is an important question for hon. Members who are always criticising the European Union. It must be a pretty odd club if it is so terrible that everyone wants to join it—four new members are about to do so. I see the hon. Member shaking his head, but he has not yet addressed that argument. I hope that the EFTAns will join us.

Mr. Cash: On a point of order, Mr. Deputy Speaker. At a crucial moment in his speech, the hon. Gentleman appeared to point in my direction—although he may have been pointing at someone else—and to suggest that, somehow or other, my hon. Friends and I oppose enlargement. I have checked and not one of my hon. Friends sitting next to or behind me indicated dissent.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): That is not a point of order for me. I assume that the hon. Member for Durham, North (Mr. Radice) will put the matter right.

Mr. Radice: I was saying not that the hon. Member for Stafford (Mr. Cash) opposes enlargement but that he had not addressed the argument. He criticises the European Union all the time, but it is a club that everyone wants to join.

I hope that enlargement is ensured, although it was endangered by the absurd and appalling diplomatic fiasco caused by the Government's policy on the blocking minority. They almost derailed the enlargement process because the Prime Minister was concerned about Conservative Back Benchers. We must make it our top priority to have Poland, Hungary, the Czech Republic and Slovakia in the European Union. I agree with the hon. Member for Gillingham that that is important.

Enlarging the Community will involve a number of changes, which some people have not faced up to. It will mean more majority voting, because a new Community with more members will work only with more majority voting. Those who argue for enlargement have to face up to that, but they do not.

The Government were right to raise the issue of the weighting of voting, but they chose the wrong time to do it. Again, changes will have to be made to European budgets if those other countries enter the European Union.

In an entirely non-partisan way—in the spirit of this debate—I look forward to the European elections. Having listened to the speech by my hon. Friend the Member for Gateshead, East (Ms Quin), I am very confident that my party will fight the election as the main pro-European party in British politics, presenting a positive agenda agreed with its sister parties in Europe. That is a commendable innovation and I delight and rejoice in it. With respect to the Conservative party, I hope that it will also fight a positive campaign without spending all its time looking over its shoulder at the so-called Euro-sceptics, many of whom are not sceptics but antis.

Mr. Cash: That is totally untrue.

Mr. Radice: That may be untrue of the hon. Gentleman, but a number of his hon. Friends have told me that, once the European elections are over, they will come out in their true colours as anti-Europeans, although I hope that that will not happen.

The case for the European Union needs to be made by both major parties, which, of course, will have differences of emphasis on how the Union will develop. I was glad to hear the hon. Member for Stafford, who fought against me in 1979 in Chester-le-Street, advancing that argument. We cannot afford to be left out, left behind or to become even semi-detached. It is in Britain's interests that we are not only part of the European Union, but a positive part of it, not a reluctant part.

Being positive about the European Union is one of John Smith's legacies to my party. It is something that the Conservatives should heed as well.

7.23pm

Mr. Ray Whitney (Wycombe): In harmony with the spirit of concord that survives in this place following the sad death of John Smith, I say that I am in broad agreement with the hon. Member for Durham, North (Mr. Radice), just as he said that he was in broad agreement with the remarks of my hon. Friend the Member for Gillingham (Mr. Couchman); that is a good place from which to start.

I join those who paid tribute to the impressive maiden speech of the hon. Member for Rotherham (Mr. MacShane). I hope that it will not offend the tradition of gentleness to the hon. Member who makes a maiden speech if I say that I know Rotherham fairly well—my wife's aunt taught Brian O'Malley at Mexborough grammar school—and that I did not recognise one or two of the hon. Gentleman's descriptions of the recent history of Rotherham. Perhaps we can compare notes over a drink on some other occasion.

This is an important juncture at which to consider the affairs of the European Union. We face the elections on 9 June and it is right that the parties, in the spirit of amity that prevails, should set out their stalls and offer to the British electorate their recipes for and concepts of the European Union. My right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) was right: the important thing is a high turnout, although we hope that the high turnout will be on the right side. A significant debate is being held nationally. A high turnout is important not only for the election next month, but so that Britain's contribution to the intergovernmental conference in 1996 may be constructive and profound and may shape the development of the Union as we want it to.

Opinions differ on how we should shape that development. We resile from many elements of the socialist manifesto, which the Labour party has signed. The attitude of the Liberal Democrats has a centralising thrust and deserves to be set before the British people so that they can be clear about it and can make their judgments. Some of the remarks of the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) deserve to be studied carefully and should be compared with those of the leader of his party and the contents of Liberal Democrats'

[Mr. Ray Whitney]

documents. Some interesting lessons may be drawn from that. I doubt whether some of those propositions will prove acceptable to the British electorate.

The Chamber and the nation should be debating those matters, not the two outdated propositions that have been around for two years, on which the debate has centred and which fail to understand what has happened in the world. The first proposition is that Britain should leave the European Community. The second, which is heard more often because there seems to be a reluctance among those who present it to support the first, is that we should form a revised free trade area. That proposition has been tackled by a number of hon. Members on both sides of the House but, for many years, it has not been relevant. As long ago as 1975, Baroness Thatcher said:

"The Community gives us a chance to influence world affairs. Britain's instincts have never been isolationist and membership of the Community enables us to play a full part in the counsels of Europe and a continuing role in the affairs of the world."

That remains true today. As has been said, at a time when the former EFTA countries are clamouring to join the European Union, the idea of Britain moving back, seemingly alone, and re-creating a European free trade area does not bear a moment's examination. It is odd that that proposition should have been considered for more than a moment; in fact, it has received two years' worth of intense attention from the media. It is baffling to people outside this country that two such untenable propositions should have been taken quite so seriously for quite so long, especially by people in the media who take themselves so seriously.

We are accustomed to the fact that some parts of the tabloid press suffer from the little England syndrome, and no one bats an eyelid at that. Most countries have their own home-grown chauvinists, but it is depressing that so much of our serious press has given house room to such outdated —indeed, dead—propositions. They have, of course, come from the stables of two non-British—one is tempted to say "colonial" but that would not be politically correct—newspaper owners, Mr. Murdoch and Mr. Black, who seem to have decided firmly that they do not want Britain to be at the heart of Europe and who use their press influence to that end, aided and abetted by people who I believe should know better, such as the editors of *The Times* and *The Sunday Telegraph*.

In a letter to the editor of *The Times*, whom I used to regard as a friend, I made so bold as to suggest that, since he took up his distinguished chair, he had expressed views that were

"negative, muddled and alarmingly out of touch with current European realities."

The letter was not published; I suffered censorship at the hands of the letters editor. When I protested, I was told that the letter was a personal attack on the editor of *The Times* —which, in view of the usual content of editorials in that and other newspapers, struck me as strange.

The approach that I have outlined may be baffling, but I believe that it explains why two wholly outdated concepts have been given such an airing. I desperately hope that they have come to the end of the road and that we can now seriously debate how Britain should collaborate with our European partners.

The Conservative concept of the European Union is of a grouping of nation states that co-operate and collaborate when it suits their interests to do so. Despite what has happened in the past two years, the latest poll by *The Economist* reveals that, when asked about their attitude to membership of the European Union, the British electorate consider it "a good thing" by a majority of two to one. Interestingly, that is the same result as in 1975, when the electorate voted for continuing membership. If they still hold that view after being subject to a barrage of comment, I am confident that, as we move into what I hope is a more constructive and positive phase of our relationship with our European partners, their understanding of where Britain's national interests lie will deepen.

I ask my hon. Friends and those outside who appear desperately frightened of membership of the European Community to have courage and to believe in this country. Very few people on the continent of Europe fear that they will lose their German-ness or their Frenchness because of their membership of the European Community. Mr. Séguin and Mr. Delors have two very different concepts of how they want the European Union to develop but neither believes that the Frenchness of France will be threatened by France's membership of it and—my goodness—I have not the slightest doubt that our country will preserve the essence of Britishness of which we should all be proud. I therefore call on some of my hon. Friends and other doubters in the two camps that I have described to have more courage and more national self-confidence.

I also remind such people of Britain's role and the contribution that we still have to make, of our long democratic history and our deep sensitivity to and understanding of how the world works. I do not want to make too much of it but I still believe passionately that we have a contribution to make. As the Foreign Secretary is fond of saying, we still have the ability to "punch above our weight", not only in military and defence matters but in diplomacy and world politics. One of the ways in which we have a contribution to make is through our relationship with the United States. I shall not mention the special relationship but it is important none the less.

Ray Seitz, the recently retired American ambassador to Britain, is known to many hon. Members. No one would challenge his commitment to his country or his knowledge of Britain and the world. He said:

"if Britain's voice is less influential in Paris or Bonn, it is likely to be less influential in Washington. So while Britain's role in the Union is indisputably complicating to our relationship, it is also indispensable to the relationship. And this is perhaps truer today than in the past when economic issues have come to define security as much as defense issues."

That, too, is something that we should all ponder.

Let us not deny or challenge the fact that it is right for Britain to be at the heart of Europe. We can now debate legitimately what type of Europe we should fashion. I am sure that the Conservative vision of Europe is the one that will appeal to the British people and respond to their instincts.

7.36 pm

Mr. Derek Enright (Hemsworth): John Smith's is a lively presence here tonight because it has informed much of what has been said. I mention in particular the fact that he was a sea of certainty here when I was beleaguered in Europe. We pro-Europeans in the European parliamentary Labour party felt that we were not wholly isolated at that time because of people such as John and my hon. Friend the Member for Durham, North (Mr. Radice) who spoke so well this evening.

The fact that John cannot pursue what he was doing is a great shame. I regret very much that he cannot finish the series of speeches on which he had embarked and his articles on the reform of international financial institutions and other international bodies, examining them in the context of the European Community. I hope that other members of the party will take up the torch.

Much of what I have to say has already been said supremely well by my hon. Friend the Member for Gateshead, East (Ms Quin) and by the right hon. Member for Old Bexley and Sidcup (Sir E. Heath). I shall recall the roots of the European Community. Let us not forget that a number of fortresses were set up after the 1939-45 war. There was the potential for a huge number of countries —not least this country—to become inward-looking because of severe economic problems. The hon. Member for Chingford (Mr. Duncan Smith) is beginning to look cynical.

Mr. Iain Duncan Smith (Chingford): The hon. Gentleman referred to my looking cynical. The reason is that I seem to have heard this speech endlessly, endlessly, endlessly. I thought that the purpose of this debate was to look forward and to see what was being proposed as the direction for Europe. We endlessly go back to turgid history; whether it is two years ago or 40 years ago, it is endless. When will people get on and discuss what will happen in future?

Mr. Enright: The hon. Member for Chingford must understand his roots. From his many pronouncements, it is clear that he does not, and that he does not know where he is going. He must know where he has come from to know where he is going. He is precisely the sort of person who says, "I would not have started from here." Unfortunately, he did start from there.

It is worth recalling that the continent was starving and that children had rickets at the end of the 1940s. It is worth recalling that we had meat rationing and that we were held to ransom by Argentina in terms of beef sales. It is important to remember that. Some flavour of that was given by the passion of my hon. Friend the Member for Rotherham (Mr. MacShane), who made a very fine maiden speech. I am sure that he will remind the hon. Member for Chingford about the roots and origins of the ethic that brought about Europe.

Neighbour states in Europe that had always been at war were intent on settling their differences. They were intent on doing that even though, most recently, they had grievously wronged each other. That is why they wanted an ever-closer union. That is why they said that they would not have starvation again on this continent and that they would not have war again on this continent. That is why the institutions were started.

It is true to say that we depend on people for what we do. It is also true to say that we depend on institutions to continue the actions of those people. As we know only too well this week, people pass away. It is the institutions that must continue the good that is in them.

The institution that started the European Community was the Coal and Steel Community. As has been said today by my hon. Friend the Member for Gateshead, East, in the middle of that is not just economics.

The hon. Member for Stafford (Mr. Cash) regularly talks about economics; he likes the economics of the marketplace, but he does not like everything that goes with that. He once said in the House that the Single European Act was okay because it was just about the marketplace —that it was not about all the other fripperies. However, if he went back in history and read closely the Coal and Steel Community treaty and the Euratom—European Atomic Energy Community—treaty, he would see that they were about the consumer, the worker and the individual who lives in Europe and is a citizen of Europe. It is from those roots that the present position has grown.

We must not forget the morality of Europe. If Europe is just an economic concept, it is not worth defending. It is more than that. It is an economic, social and spiritual concept; that is what we must decide to follow and cherish. We must decide whether to follow, as the hon. Member for Stafford does with commendable rapidity, whatever Alan Walters says—if the hon. Gentleman has not said it before. We must choose between the sort of Europe that Alan Walters wants and the sort of Europe that St. Francis of Assisi wanted. The hon. Gentleman must decide which side he is fighting on. He should consider St. Ignatius Loyola, who fought valiantly for the rights of working people.

When we discuss the social contract—I think that I can talk about this here without causing a fuss—we are talking about a just wage. The hon. Member for Stafford prefers to call it a minimum wage because he wriggles out of things like that. We are talking about a just wage. A just wage in the European Community is what the Church to which he and I belong has fought for. It has fought that battle for more than a century, going back to Rerum Novarum and Quadragesima Anno, and coming through to encyclicals of this century and the Low Week pastoral, which the conference of Catholic bishops issued. There is support for the social legislation in the European Community.

Mr. John Butterfill (Bournemouth, West): I believe that the hon. Gentleman is right to stress the ethical basis on which the Union was founded; that is important. However, is not it equally important today to resist protectionism, which beggars our neighbours and will diminish the ethical basis on which the Community was founded?

Mr. Enright: The hon. Member is absolutely right. What the European Union has been about, and what it was about as the Coal and Steel Community, was a balance between getting an organisation of Governments and free trade and a free economy. There are all sorts of arguments about how one defines free trade. We can get off the hook of free trade in a number of ways, as the hon. Gentleman knows well. However, we must ensure that that free trade —that free market—is properly regulated so that it behaves in a moral way.

It is not self-evident to me that all businesses behave in a moral fashion—far from it, in fact. We regularly read in the financial pages of the misbehaviour of individuals and of whole firms. Even British firms misbehave on occasions; we are not talking just about these continental chaps who come in from over there.

Trade unionists have told me that they were pleased to be taken over by BMW because they had looked at the agreements in Germany between BMW and its work force. They realised that those agreements were much better than anything that they had had in Britain until now. As has been said, we should remember that all the firms involved in the inward investment that has arrived have lived up to

[Mr. Enright]

the social chapter and beyond it. I challenge any hon. Member to tell me of a firm that has come to this country from outside which has not lived up to the social chapter in its entirety, including consultation with its work force.

My right hon. Friend the Member for Llanelli (Mr. Davies) mentioned IBM. I was sorry that he used IBM as an example, because I believe that he got it wrong. One of the reasons why IBM went under was that it guaranteed a job for life. It said to its people throughout the world, "We will not sack you. We will make sure, as long as you behave and as long as you try to do your best for us, that you have your job." There was real security of tenure there. The company said, "We will make sure that we consult all the work force." Real consultation went on, not always through unions, but in a variety of ways. The result was that some of the small firms and some of the fly-by-night boys pinched part of IBM's market, and the company had to respond.

My right hon. Friend the Member for Llanelli was right to say that the company had to look again at what it was doing and at its policy of no sacking. That no-redundancy policy had to be reviewed. The company had to give up the policy and to say publicly, "We are sorry." After more than 70 years—I do not know how many years exactly—the company gave up that principle. However, it said, "Even though we have given up the principle, in practice we shall try to continue it even though the firms that we oppose are playing fast and loose with their work forces." With voluntary redundancies in this country, IBM has kept its promise and has started to build up again.

My right hon. Friend the Member for Llanelli is right to say that we must review the workings of the European Community from time to time and that we have to ensure that it is ticking over properly. That is precisely what 1996 is about.

Now I shall come to the moment which the hon. Member for Stafford has been sitting on the edge of his seat waiting for—to say the sort of things that should be happening in future, with which, I am sure, he will agree on each occasion. First, the European Parliament must be given more power. There is no doubt about that.

The dreadful phrase "democratic deficit" is terrible, but it means that we are not doing, democratically, what we ought to be doing. What we certainly should be doing, for example, is giving powers of co-decision making to the European Parliament and the Council of Ministers. We have our input into the latter—except that we do not. I am bound to say that, when I was in the European Parliament, I had more control over the Council of Ministers and the Commission than we have in this place. It is quite extraordinary.

We can ask Ministers questions and they can give answers, but we do not know whether their answers are true and we do not know whether what they say in the Council of Ministers is consonant with what they say here. They tell us sometimes that that is so, but they will not open up to us about the debate that goes on, which is extremely important.

That is a reform for which I shall certainly push in 1996, as, indeed, will the European Movement, that dreaded creature of whose board I am proud to be a member. It will be pushing very hard for transparency, to reveal who votes for what and how the argument goes on important legislation.

The European Movement will be pushing for—I am sure that the hon. Member for Stafford will also want it—a constitution for the European Union. On top of that—I am absolutely certain that the hon. Gentleman will agree with me on this point—once we get that constitution, we should go round all the member countries and have a referendum on it. I agree entirely with having a referendum at that point. That is the appropriate point at which to have one.

It is also true that we should have a reduction in the number of members of the Commission with enlargement of the EU, which, please God, will come soon and be confirmed by the peoples of the countries that are applying. With enlargement, the Commission will become too cumbersome and we must work out a new method of appointing Commissioners, to be approved of by the European Parliament, with the Commissioners being appointed, as are candidates from the House, with the approval, perhaps, of the House of Commons. That has never happened before and it is about time that it did. It seems very important that the House should be caught up in that process.

We desperately need before 1996 a reform in the House of the way in which we scrutinise European legislation. The right hon. Member for Guildford (Mr. Howell) is not in his place, but I would have made the following points had he been here. It seems that the Select Committee on Foreign Affairs has been totally the wrong place to examine European policy, and European wrong-doing in some cases. The job would have been done far better by the Select Committee on European Legislation.

Standing Committees A and B on European matters should be given different powers in different forms. We need to consider all those points and ensure that we put our own house in order, instead of sitting upstairs in Committees for a few moments, and then having the Whips on both sides getting together and deciding that an item will be referred to Standing Committee B when we have recommended that it goes somewhere else, or vice versa, or even that it be considered on the Floor of the House. All those reforms should be made.

Of course, as I have already said, we should sign up to the social chapter. We should also certainly sign up to monetary union. I am not in two minds about that. The Benelux countries, Germany and France are going to take the route of a single currency and we have, at the very least, to decide our response to that.

I was greatly encouraged by West Germany when it took on the ostmark. It did it at a blow and it did it at parity. It was a most remarkably courageous act, by a Conservative Chancellor, admittedly. It was rash, but it has come off. It caused real suffering in East and West Germany for a time, but we have now seen the fruits of that daring and constructive move.

You, Mr. Deputy Speaker, know as well as anybody else that I represent an area which has been ravaged by unemployment and has seen its principal industries wiped out at a blow, not by anything done by the European Union, but by the short-term actions of the Government. I should like to take the coal industry as an example of what we should not be doing in relation to Europe and of the positive harm that it does us if we do not take into account the European dimension.

Energy should be at the forefront of our debate in Europe. It is important not only for now or for next year, but for way into the next century. When the Government were allowing the coal industry to go into decline and, in some cases positively destroying it, people in the Commission were asking why we did not put the coal industry into a European energy policy and why we did not ensure that we had the necessary indigenous supplies, which would not leave us to be ransomed by others outside the Community. We did not heed those voices. The result is that many people in my constituency are unemployed and we do not have the security of energy supplies going into the next century. It is those areas of policy that we should start to debate to see how we can put right, in a European framework, what we have hitherto got wrong.

I am optimistic. I hope that people will vote in massive numbers in the European elections, but I shall not say which way I want them to vote, because the debate is bipartisan today.

7.56 pm

Mr. William Cash (Stafford): I am certainly not bipartisan and I sincerely hope that people will vote Conservative in the election.

I enjoyed enormously the maiden speech of the hon. Member for Rotherham (Mr. MacShane), although I think that he may—I hope—in due course, come to refer to those of us who espouse the Euro-realist cause as Euro-realists and not Euro-septics. It was a good speech and I felt very much at home during it because I lived for 25 years very near where the hon. Gentleman comes from, and the experiences of seeing the steel mills of Sheffield being destroyed and the coal industry around that area disintegrating had a powerful impact on bringing me into politics. I took a different route from the hon. Gentleman, but I am sure that he appreciates that we may arrive at different conclusions from similar motives.

With respect to the hon. Member for Hemsworth (Mr. Enright), who spoke about the coal industry, the massive £6 billion subsidy paid to the German coal industry has had a significant knock-on effect, I dare say, in his constituency.

With respect also to the hon. Member for Rotherham, the £25 million fine imposed on British Steel was substantially the result of an increase in the volume of steel available in the Community, as a result of the over-subsidisation in Italy, Spain and other countries. Therefore, from that point of view, I am looking for a constructive and new landscape for Europe.

As my hon. Friend the Member for Chingford (Mr. Duncan Smith) said in an intervention, what we are seeking to do as Euro-realists is bring back into the Community a sense of purpose, which is relevant to the third millennium and not to retread the old, obsolete policies; they were well intentioned, but they were based on the 1950s and 1960s. Certainly, since the wall has come down, those policies have become increasingly irrelevant, not only in terms of the new development in the Pacific rim and the far east, but in respect of eastern and central Europe, because the ball game has changed, as Bosnia and the tragedy that we have witnessed there testifies.

We are looking for a constructive and purposeful European Community. It is with deep regret that I have to say that the Maastricht treaty is part of the background to the debate. The treaty reflects implicity the developments that took place before it was completed and signed, which are within the framework of the White Paper.

There was a great Foreign Secretary in the 19th century —Palmerston—who put British foreign policy in a fine context when he said that it was a narrow policy to suppose that this or that country was to be marked out as the eternal ally or the perpetual enemy of England:

"We have no eternal allies and we have no perpetual enemies. Our interests are eternal . . . and those interests it is our duty to follow."

It is regrettable that the context in which developments have taken place since the 1950s, which have changed the world so much, have taken us to a point where we are locked into a legal framework, which means that we are not able to choose the alliances that we need to establish from time to time to be certain of the degree of stability that is needed for the next millennium.

The failure of the Western European Union, the European Union and the rest in respect of Bosnia is a testament to the overall failure that I have described. The fifth title of the Maastricht treaty, riddled as it is with confusion, will create the foundation for more trouble as we move forward over the next five to 10 years.

The concept of the single currency is already obsolete. It is still being peddled by the CBI, however, as we read in the newspapers today. It is a concept which will destroy the very morality to which the hon. Member for Hemsworth referred, which is based on the freedom of people to vote —the freedom of democracy in their national parliaments and in their nation states. We should be fighting for the sustenance of that morality and the democracy that goes with it.

Mr. Enright: Will the hon. Gentleman give way?

Mr. Cash: I shall not give way, because I know that others wish to speak. I promised that I would not speak for long.

My right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) says continually that he believes that if those of us who are Euro-realists were, as he puts it, to be honest—*[Interruption.]* The hon. Member for Durham, North (Mr. Radice), who is interrupting, has said much the same, but has had to withdraw. My right hon. Friend says that, effectively, the Euro-realists want to leave the European Community. That is entirely untrue. Such a policy would not lead to the stability that we need.

We need to be in both Europe and the world at large. That is the key point. The idea of a single currency, which has been vaunted and advocated by my right hon. Friend the Member for Old Bexley and Sidcup and by the CBI and other organisations, has today been repudiated by the Institute of Directors. From now on, my right hon. Friend will be unable to state that it is the will and the wish of the business men of England, or of the United Kingdom, to have a single currency. It is made clear in the document that I hold before the House that that is no longer the position of the Institute of Directors. Indeed, I do not believe that it ever was.

Against the background of the tragic circumstances of the death of the Leader of the Opposition, the debate has been conducted in more measured terms than I believe the right hon. and learned Gentleman would have expected. We are looking to a new landscape for a new Europe. I am talking not about the brave new Europe that is being devised by the Commission and the adherents of the

[Mr. Cash]

Maastricht treaty but about a new Europe that will involve the renegotiation of the Maastricht treaty, the Single European Act and the treaty of Rome. We must not be negative about the good things that are contained in those documents, but we must make them relevant to the requirements of the new century, to which we should be looking now.

It is a matter of the deepest regret to me that there is so much untruthfulness, as my hon. Friend the Member for Southend, East (Sir T. Taylor) said, and as my right hon. Friend the Member for Old Bexley and Sidcup indicated, that the treaties have passed through the House by stealth. People have not been informed of what they really involve. They have not been told the truth about where they are going.

I should like to see fair and open trading with the European Community that is based on democracy, with the people of this country being given the information that they need so that they can form a judgment. It is because they have not been given that information that I believe that we must have, and will have, a referendum.

8.5 pm

Mr. John D. Taylor (Strangford): I begin by congratulating the hon. Member for Rotherham (Mr. MacShane) on his excellent maiden speech. The confidence and fluency that he displayed was a credit to any new Member. He has certainly launched himself well in his political career in the parliamentary Labour party.

This weekend, ex-service men recalled the battle of Monte Cassino in Italy. I had occasion—I do not know whether the hon. Member for Hemsworth (Mr. Enright) was with me at the time, when we were both Members of the European Parliament—to visit the British Commonwealth cemetery at Monte Cassino. I am not known as a person with great emotions but I was moved on that occasion to see the acres of headstones.

It was especially moving for me, coming as I do from Northern Ireland, because as I entered the cemetery I saw that all the headstones in the immediate area were for soldiers in regiments from Northern Ireland. At the entrance are the headstones of members of families that are well known throughout County Fermanagh, such as the Wests, the Cathcarts, the Wilsons and the Farrells, who were all members of the Royal Inniskilling Regiment. It was even more tragic when I read that those who died were 17½ years of age, 18, 19 and so on. They lay there with their colleagues from Scotland, Wales, England and, indeed, the Republic of Ireland. That brought home to me the fact that we are part of Europe in peace and in war.

We in Northern Ireland feel that we are Europeans. The first people who came to live on the island of Ireland were the Picts from Scotland. Sometime later, the Celts arrived. These were the Irish from France. They came in larger numbers, and that has been a problem ever since in the island of Ireland. It was the Ulster people who were there first, but we all came in one way or another from Europe. We feel historically, culturally, religiously and economically part of Europe. We are Europeans. We are certainly not Asians, Americans or Africans.

Being European does not mean, however, that we must automatically accept a united states of Europe. Similarly, it does not mean that we must automatically accept a single currency. It does not mean either that we must accept the transfer of national sovereignty to unelected bodies in Brussels. As we prepare for the 1996 intergovernmental conference, we must be aware of where some people throughout Europe are trying to lead us.

We in the Ulster Unionist party welcome the enlargement of the European Union with the coming of the four new countries—the three Scandinavian countries and Austria. We welcome the Scandinavians because of their close identity with social democracy, their fair interpretation of international agreements and their implementation of those agreements. I am sure that the hon. Member for Hemsworth would agree that their Protestant work ethic will be helpful in establishing a balance in the European Union between the south and north of Europe.

We look forward to future enlargement of the Union —the Minister referred to the possibility of Malta and Cyprus becoming members. The membership of Cyprus intrigues me because it is an island that is now made up of two states and two Governments. There is no free movement of people, trade or services within it. It is therefore difficult to understand how it could become part of the European Union until its internal problems are overcome.

If the Minister watched the recent Eurovision song contest he will know that the only country that gave Cyprus the maximum 12 points was Greece and that the only country that gave Greece the maximum 12 points was Greek Cyprus. If Cyprus became a member of the Union we could end up with two Greeks on the Council of Ministers rather than one. Terry Wogan himself pointed that out during the television coverage of the Eurovision song contest.

In the next few years, the issue of a single currency will be further debated, as it must, in the House. We already have a single currency in Luxembourg and Belgium and its use may be extended to cover the Netherlands, France and Germany. They could go it alone. If we have a single currency for all Europe, the ecu, it will still have to have an exchange rate against other external currencies such as the Japanese yen and the American dollar. The value of the ecu in the international exchange markets will have to be supported by the central authorities in Europe.

That means that those authorities will have to introduce greater uniformity in the taxation systems throughout the 12, soon to be 16, members of the European Union. Those authorities will also have to exercise some control over public expenditure within those 16 nations, in the same way as the United Kingdom Government controls the public expenditure of local government. Brussels will also have to impose some restrictions on the public sector borrowing requirement of the 16 member nations. All that suggests that, by necessity, government will have to be transferred from London to those central authorities in Brussels.

The hon. Member for Hemsworth said that he did not like the phrase "democratic deficit", but I believe that it speaks for itself. There is a lack of democracy within the European Community's institutions; I am thinking not just of the Commission but of the European Parliament, of which we were both Members. People speak about giving greater powers to that Parliament, but we must first ensure that it is a democratic institution.

Oh yes, people may vote, but they do not do so in a uniform electoral system. A system of one man, one vote may operate, but one vote is more equal than another,

because the member countries are not fairly represented within that Parliament. It is weighted in favour of the smaller countries and against larger ones, such as the United Kingdom and Germany. Countries of that size do not have a fair say in that Parliament, because it is not democratically elected on the basis of one man, one vote of equal value.

The Minister may be unable to reply to the comments that I wish to make about Northern Ireland, but I want to place them on the record. In the early 1970s, when we were negotiating membership of the European Community, the then Northern Ireland Government at Stormont were involved in discussions with the Home Office and the Foreign Office in London to ensure that certain matters relating to Northern Ireland were taken into account before the Act of accession.

One of the things on which an understanding was reached was that a civil servant from the Northern Ireland civil service would be a member of the United Kingdom representation in Brussels—the UKREP. For many years, there was a civil servant from England, one from Wales, one from Scotland and, until recently, one from Northern Ireland at the UKREP. That helped to ensure that matters particular to Northern Ireland were not overlooked when the United Kingdom negotiated certain matters in its relationship with the EC.

A Northern Ireland civil servant no longer serves on the UKREP and recently we have observed that, when decisions have been made in negotiation between the United Kingdom and the Commission, the special problems of Northern Ireland have been overlooked. I shall give three examples, the first of which relates to the beef processing industry.

The EC Commission has now introduced a scheme called the de-seasonalisation scheme. It has created a situation within the island of Ireland whereby the dead meat plants in the Republic of Ireland are able to give £56 more per animal than the dead meat plants in Northern Ireland. As a result, there is now a massive flow of beef cattle, store cattle and even calves from Northern Ireland to the Republic. Cattle from Great Britain are also moved through Northern Ireland down to the Republic to be killed in the southern Irish dead meat plants.

Apart from the incentive of £56 per animal, a further attraction of the Republic of Ireland is that it sells beef to certain countries in north Africa, such as Libya, and in the middle east, with which the United Kingdom does not trade. The scheme is causing serious problems for the dead meat plants of Northern Ireland, the throughput of which has declined month by month. The employment of many workers in our dead meat plants is now under serious threat because the implementation of de-seasonalisation scheme in the Republic is proving disadvantageous to the beef industry of Northern Ireland.

My second example also relates to agriculture. I will not go into great detail on the EC cereal compensation regime except to say that, once again, it works against the interests of Northern Ireland. They may well have been overlooked when the scheme was negotiated by the Government. The cereal aid in 1994 will be as follows: in England, £191 per hectare, in Scotland, £182 per hectare, in Wales, £167 per hectare and in Northern Ireland, £152 per hectare. I know that people in Wales share our great dissatisfaction with the present scheme. We recommend that England, Wales and Northern Ireland should be treated as one region. That would mean that everyone would benefit from the European cereal aids compensation scheme in the same way, and we would all get £190 per hectare.

My final example of the way in which Northern Ireland has been treated disadvantageously because our problems have been overlooked within the EC relates to education. The EC has understandably agreed to a system whereby those in university education receive the same grant in the country in which they are studying as that which that country gives its own undergraduates. That seems reasonable. If a few thousand students from France go to Germany, they receive the German university grant, and if a few thousand Germans go to France, they receive the French university grant.

That system is okay where countries pay grants to their university students, and everyone agreed to it in the Council of Ministers, but what happens if one country does not pay grants to its university students? Such a country is the Republic of Ireland. All the students in the Republic of Ireland quickly caught on to that wonderful system. If one goes to the United Kingdom, one immediately qualifies for university grants from the United Kingdom Government and the education authorities. Now, people are even qualifying for the student loans scheme. That is okay for Great Britain—not many Republic of Ireland students will go there—but it is creating a serious problem for Northern Ireland, especially for the poorer section of our community, which is often the Catholic section.

I shall tell you how it works, Mr. Deputy Speaker. We have only two universities in Northern Ireland and several colleges of further education. In the two universities alone, there are more than 3,000 students from the Republic of Ireland, and the number increases by the year. They all receive that grant from the Government, and every student at university in Northern Ireland costs Her Majesty's Government £5,500 per annum. That scheme therefore costs the United Kingdom Government about £15 million per year—British taxpayers' money being used to educate southern Irish students. However, if British students, especially in Northern Ireland, go to the Republic, they do not receive a grant because there is no grants system in the Republic. It is a one-way traffic.

Why do I say that it is hurting the Catholic community? My argument is supported by facts. Traditionally, Protestant undergraduates looked towards Great Britain because they felt British. Traditionally, most Catholic students stayed in Northern Ireland or went to the Republic. Now, as a result of the competition from the southern Irish students pouring in, taking advantage of the European Community scheme and obtaining grants from the United Kingdom Government, they cannot obtain places in Northern Ireland to the same extent as previously. The result is that, although in 1971 only 3 per cent. of Catholic students left Northern Ireland to go to England, Scotland and Wales, by 1991, the percentage had increased to 30 per cent. Catholic students are having to leave Northern Ireland because they cannot obtain places in the Northern Ireland universities.

I conclude with another short argument. We speak about a single currency. I have given three examples of ways in which the European Community, by ignoring the special problems of Northern Ireland, is creating an imbalance or unfair competition or distorting the market. Given the single currency that already exists in Belgium and Luxembourg, is it not time for Her Majesty's Government once again to consider, in consultation with the

[Mr. John D. Taylor]

Government of the Republic of Ireland, having a single market—a single currency—and the fair implementation of common policies such as the common fisheries policy and the common agricultural policy in the British Isles as a unit?

There was a time when we had a single currency in the British Isles. As we progress in Europe, step by step, we should, in the context of the British Isles, begin to think in terms of all the islands being one country again—in the Community, naturally. They would be sovereign states none the less—I am not suggesting the abolition of the Republic of Ireland. If we had a common currency, greater uniformity of tax systems in the British Isles and fairer administration of the common European Community policies, the disparities and the unfair competition across the border within the island of Ireland to which I have referred would be overcome overnight.

8.23 pm

Mr. Quentin Davies (Stamford and Spalding): I should like to add my own congratulations to the many congratulations that the hon. Member for Rotherham (Mr. MacShane) has received on his maiden speech, and to give him my best wishes—at least, personally—for his continuing career in the House.

It is always a pleasure to follow the right hon. Member for Strangford (Mr. Taylor), who speaks with the greatest lucidity and mastery of his brief whenever he speaks on behalf of his constituency and his Province, as was the case tonight. He persuaded me, at least at first sight or at first hearing—this was my first knowledge of the existence of the problem—that there might well be a case for having a permanent representative of the Northern Ireland Office in UKREP, and I shall listen with interest to the reply that he will no doubt receive later to that question.

I did not agree with the right hon. Member for Strangford in the rest of his analysis. I found it slightly surprising that the right hon. Gentleman, of all people, should suggest that the establishment of a single currency in the European Union would subvert the political independence of the individual members of that Union. As the right hon. Gentleman said, a good example of a single currency area is the one that existed, for the 50 or 60 years following 1922, between the Republic of Ireland and the United Kingdom. We in the United Kingdom were certainly not governed from Dublin during that period and I do not suppose that the right hon. Gentleman seriously would suggest that the Republic was governed from London during it. He adduced an interesting example which, I am afraid, runs counter to the conclusions that he wished to draw from it.

I should like to mention two arguments which have been central to the debate and which have formed a major part of the discussion in the country; then I shall refer to two issues which, remarkably, have not featured in this debate or in other recent debates on the European Union and which have also been strikingly and, I think, unfortunately, absent from the general public discussion of European matters.

A great deal has been said about the single currency. My reaction is that more has been said on the subject than it is worth while to say at the present juncture, given that, during the intergovernmental negotiations that led up to the treaty of Maastricht, the Prime Minister negotiated an option for this country—the option to join a single currency if we wished and if our economy met the convergence criteria, which is an objective that we are pursuing for its own sake anyway. Unlike the other members of the Union, we have no obligation to join that currency automatically after the turn of the century, even if our economy meets the convergence criteria.

In politics, as in other areas of human life, a free option is a valuable instrument and no one in his right mind should throw it away by determining in advance whether or not he will exercise it. Many people—some, I fear, in the House and some, I fear, in the media—have reasons for not wishing to draw attention to the fact that the Prime Minister scored a remarkable diplomatic success, extraordinary by historical standards, in enabling us alone of the members of the Union to enjoy that option.

As we have that valuable asset, which has been handed to us by the Government and by the efforts of the Prime Minister, why throw it away? Discussion of the subject should properly wait until the time when we have to decide whether to exercise the option. Obviously, we shall do so in the light of the circumstances prevailing at the time; and in any case we shall need to consider the matter only if a single currency has emerged on the continent.

A second theme that ran through the debate was perhaps the most striking one of all because it was mentioned not only on both sides of the House but on both sides of the European controversy—if I may call it that—within the two major parties and by the Liberal Democrats. It was mentioned by the hon. Member for Hemsworth (Mr. Enright), by my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) and in remarkably similar terms by the right hon. Member for Bethnal Green and Stepney (Mr. Shore) and the hon. Member for Southend, East (Sir T. Taylor). It was mentioned by the hon. Member for Durham, North (Mr. Radice) and by many other hon. Members on both sides of the House.

It is the fact that the European Union, as it exists, is insufficiently democratic and unsufficiently accountable and therefore is insufficiently understood. Given the great importance of decisions taken in that context, the public do not follow them thoroughly enough. That is unsatisfactory.

I hope that all hon. Members can agree on these matters, and also that we can agree with our European partners, because the fundamental impetus behind the establishment of the European Economic Community, as it then was, was the desire to create a vehicle to nurture and defend democracy. Democracy is the great principle that has emerged from centuries of European political traditions, which we all share; yet we have created institutions within the European Union which, in many ways, remain a travesty of democracy.

Until the Maastricht treaty, exclusive rights of initiative were in the hands of the unelected Commission. That was an affront to every principle of democratic legitimacy and electoral accountability and represented the essentially technocratic nature of the original European institutions when they were created back in the 1950s. I am glad to say that the Maastricht treaty made some inroads into the monopoly of initiative held by the Commission; and at the Edinburgh summit, which followed the signing of the Maastricht treaty, we made considerable progress—at the behest and initiative of the British Government, let it not be forgotten—in opening up the Council of Ministers. For example, we can now see the voting record on legislative

decisions taken in the Council of Ministers, which is extremely welcome. Nevertheless, a large part of the Council of Ministers' activities takes place behind closed doors. It is like being back in the 18th-century world with Ministers meeting in cabal behind the green-baize door, then coming out and telling the people what has been decided on their behalf.

Unless those doors are opened, we shall never have the democratic accountability in the Community or the public participation in the detail of debates to which all hon. Members, to judge by this debate, clearly aspire. We need to know not only who voted how on the relatively unusual occasions when votes are taken, but what arguments were adduced, by whom they were put forward, and what alliances were forged. Ministers who take decisions in the Council of Ministers on behalf of the peoples of Europe owe that elementary duty of accountability and transparency to their electorates, and I hope that we shall achieve a measure of those values in any constitutional changes in 1996.

We still suffer from a lack of transparency and accountability, despite the improvements to which I have already paid tribute, which make it impossible for the public to exercise their function as a democratic electorate. I must emphasise that it is equally impossible for national Parliaments to fulfil the function, which all of us would like to fulfil, of holding our Ministers accountable for what they do in Brussels. Unless we know the detail of what they are doing, the arguments that they are putting forward and what has taken place on our behalf, the whole structure of scrutiny of Brussels in this place and the rhetoric about democratic legitimacy and national parliamentary sovereignty will remain hollow.

I said that I wished to touch on two subjects that had not been mentioned in this debate and which had been unduly neglected in the public discussion: they have in common the fact that they involve a profound British interest in ensuring that the European Community moves forward in a positive direction. First, we need to complete the single market. It is a major national priority and should be a major political priority.

Someone is bound to say, "We have already completed the single market. We got the 300 directives through by 1 January 1993, so what is he talking about?" But the single market has not penetrated three extremely important areas —areas where we may as well not have had those 300 directives. What is particularly galling and should attract the attention of the House is the fact that, in those three areas, British industry has the greatest contribution to make and stands to gain most from opening up a single market. The three areas are energy, telecommunications and airlines.

Everyone who has read the papers in the past few days knows about the airline problem. I pay tribute to my right hon. Friend the Secretary of State for Transport who, after tremendously hard work, subtle diplomacy and sheer persistence—persistence was vital in making progress—has made a significant breakthrough. But we need to go further and open up the airline market in the European Union. We need a genuine single market there.

Individual Governments should not be able to subsidise lame-duck airlines, as far too many of our European partners have done and as the French propose to do to the tune of 20 billion francs in the case of Air France. That is a distortion of resources and competition; it is a weakening and a distortion—indeed, it is a travesty—of the single market; and it is not even in the interests of French taxpayers, because that money will be drawn from taxation from other more productive sectors of the French economy and disbursed on the loss-making bureaucracy that calls itself Air France.

Had the French had the courageous deregulation policies that the British Government have had the guts to put through in the past few years, there is no reason why Air France could not have been the shining success story that British Airways has been. Inherently, in terms of its route structure, Air France began with all the same advantages, possibly even more.

Privatisation and deregulation have created in this country not only an extremely successful British Gas, which is now a major player in the world energy markets, but independent gas companies. So far, we have deregulated the gas market. Above an annual consumption of 2,500 therms, customers can contract with any gas supplier they wish. We are now moving towards complete deregulation. On the continent, however, nothing has happened.

When will British Gas or the independent gas companies be able to contract with customers elsewhere in the single market? What does a single market mean if they cannot do that? When will we stand up to those monopolies, which are often state-owned, such as Gaz de France, Ruhrgas and Gasunie, which consistently and resolutely decline to open up their distribution networks to competitive suppliers on an arm's-length basis? The interests of important British industries are at stake and we should take the single market to its logical conclusion.

The same applies to telecommunications, where we have not only the successful BT and Mercury that emerged from privatisation, but the world's most successful and competitive cable industry—more successful and competitive even than similar industries in Japan or the United States. Those companies, too, should be allowed to ply their trade on the continent and, if they have the makings of a sector of industry that can become a power throughout the European Union and the single market, they should have every opportunity to achieve that. I hope that the Government will continue to pursue those objectives. I am grateful for the progress that they have made but they must continue to pursue the objectives with the greatest possible vigour and forcefulness. They can be confident that they will have everybody—at least, all Conservative Members —thoroughly behind them when they do so.

Extraordinarily, defence has been a great lacuna in our debates. It is in defence perhaps more than in any other area that it is vital that we make progress with implementing the Maastricht treaty, particularly with regard to the development of effective common defence policies.

There are two central impulses for that: one is the increasingly insistent American pressure for the European allies, as they call them, to develop a viable pillar to the Atlantic alliance. That pressure is being diplomatically and often subtly delivered, but it is unmistakeable. The Americans have made it explicitly clear that they envisage that situations will arise in future close to Europe in which they will expect the European allies to take either the great bulk of or all the responsibility for physical and military intervention—if that is decided upon—while they give full diplomatic and political support. Frankly, that is the world in which we shall be living in the 21st century.

The other impetus that lies behind the need to put some content into the provisions of the Maastricht treaty is that

[Mr. Quentin Davies]

we live in what is clearly—it has become almost a cliché to say it—an increasingly dangerous and unpredictable world. We are all concerned about the instability of eastern Europe and the Balkans. We all realise that we must take seriously the prospect of Russian revanchism under Vladimir Zhirinovsky, Rutskoi or whoever. That might lead to attempts to take back the Crimea, to a war with the Ukraine or to attempts to subvert the Baltic republics, which we never recognised as being part of the Soviet Union, even when they were occupied by it.

We all share the concern about the instability in the Maghreb, and about the destabilisation of Algeria and, potentially, of Egypt. Those countries are pretty close to home. Most of all, the House should be profoundly concerned at the prospective breakdown of non-proliferation after 20 years. It is all too likely that, at the turn of the century, there will be six, seven or perhaps eight new countries around the world with nuclear weapons. Libya, Syria, possibly Iraq—despite our best efforts—Iran, Pakistan, India, Israel and North Korea. Some of those countries—particularly those in the middle east and the Maghreb—are uncomfortably close to us.

Against that background, it is becoming increasingly difficult on economic grounds for us to maintain a full-range independent defence capability. It is becoming increasingly difficult for us even to maintain the reduced defence establishment which resulted from the original "Options For Change" cuts. There is continual pressure from the Treasury for further effective cuts.

During the past year, it has been announced that several weapons programmes have been abandoned, including the tactical air-to-surface missile for the RAF and the MSAM system. We are told that there is a whole range of very desirable capabilities, such as attack helicopters, which we simply cannot afford.

We shall have to take difficult decisions as we go into the new century, as will the French, about the future of our nuclear deterrence. Are we to abandon it in a world in which there is not only increasing instability but an increasingly wide availability of nuclear weapons? Are we to renew them and to maintain their operability? Will we go for a fourth generation nuclear deterrent?

Frankly, it seems extremely unlikely that the taxpayers of Britain alone, or of France alone, will be prepared to carry those burdens. There is already legitimate concern about our conventional defence capability. People are saying that perhaps we no longer have the means available to us to launch another Falklands campaign or to take part in another Gulf war. I hope that that is not the case, and the Government have given reassurances on that point.

Whether or not that is the case now, it is clear that it will be difficult for us alone to provide the kind of defence capability which all of us—at least those on this side of the House—set store by maintaining. Therefore, economic logic as well as geopolitical logic leads towards the only possible alternative—increasing defence co-operation and integration with our partners in the European Union.

As a first step, I hope that we can go further than the individual procurement co-operation that has yielded such excellent results as Jaguar, Tornado and now the European fighter aircraft. I hope that the Government will take up the possibility of extending to defence procurement the public procurement directive. That seems once again to be in the interests of the whole Union, but particularly in the interests of this country. The Union would gain lower procurement costs as a result of the competition which would flow from that and, since we have probably the strongest defence industry in the European Union—the French, I know, have a strong one, but ours has been rather more succesful recently—we have a disproportionate amount to gain industrially.

Beyond that, we cannot put off for very long the need to contemplate a very real degree of defence specialisation and therefore to look at the co-ordination of policies which will be required if we go down that route. This is all about what it has been all about all along: it is about creating a framework in which we can preserve democracy, prosperity, freedom and hope for the future of our civilisation in this part of the globe, not only in the next few months or years but well into the next century and beyond.

8.46 pm

Mr. Dafydd Wigley (Caernarfon): I was not fortunate enough to be in the Chamber on Thursday, and I am glad of the opportunity to express my great sadness at the loss of John Smith and to express to his Labour colleagues and to his family every condolence. May I also take the opportunity to congratulate the hon. Member for Rotherham (Mr. MacShane) on his excellent maiden speech, which now seems several hours ago?

I would like to go straight into the main theme of this debate. I have always been a believer in a united Europe; not for economic reasons, but for political reasons. Twice this century, this continent has torn itself apart, and people who say that that could never happen again need only look and see what is happening in Yugoslavia after structures disappeared.

I want to see a united Europe, and a Europe of the people which recognises the rich variety of cultures and languages within the continent. I want to see a Europe which has a stronger social dimension. It is a scandal that 25 per cent. of the poor people of Europe live here in the United Kingdom. We want to see a Europe united in its diversity. The last thing we want is a centralised and monolithic European Union, and we need to strengthen mechanisms to protect decentralisation.

That takes me on to the question of subsidiarity, and the papers which we have before us. Subsidiarity came into force on 1 November, and it is something that we welcome. But the Maastricht treaty talked about taking decisions as close as possible to the people they affect. Several hon. Members have referred to the fact that subsidiarity should not be a dipole between Brussels and Strasbourg. It should be a process which goes throughout the whole community so that decisions are taken as close as possible to the people.

Decisions should be taken at district or county level, and should not be taken at an all-Wales level or an English regional level. If the decision can be taken in Cardiff, it should not be taken in London and certainly not in Brussels or Strasbourg. We want to see the strengthening of local government side by side with the development of the concept of subsidiarity. We believe that that should involve the creation of a democratic tier of government on a regional level in England and, of course, in Wales, Scotland and Northern Ireland.

Constitutional developments are now taking place which have a considerable significance for the future. The European Committee of the Regions had its first meeting in March. I was lucky enough to be there as a guest witness of the first session. I would like to see that body developed into a second chamber of the European Parliament, analogous, perhaps, to the structure in Germany where the upper chamber representing the Länder can act as a block on the centralising tendencies of the first chamber. That argument is bound to be heard very much over the coming years.

On the question of the Committee of the Regions, I would be grateful if the Minister could clarify what will be the position of the councillors who lost their seats in the local elections. Will they continue be able to sit as representatives, deputies or alternates on the Committee? Sadly, that incidence arises in Wales. Mr. Bill Hughes, who is an ex-councillor in Swansea, is in that position. Although I disagree with his politics, I have a lot of respect for him as an individual. That matter needs to be cleared up.

We welcome the extension of the European Union. The Scandinavian countries and Austria will undoubtedly strengthen the social dimension. But as Europe grows, so must there be a question as to the appropriate structures for Europe. Will Malta have a Commissioner and a seat on the Council of Ministers? If Malta can have one, why not Wales and Scotland? If Luxembourg has a voice on the Council, with a population the size of that of the county of Clwyd, surely Wales is entitled to a seat as well. A moment ago, the right hon. Member for Strangford (Mr. Taylor) referred to discrepancies in the way in which the European Parliament is comprised. Ireland, with about the same population as Wales, has 15 seats in the European Parliament; Wales has five. Clearly, we need a root and branch review.

I shall refer to regional policy for a moment. Clearly, if we are moving towards a common currency, there must be a much stronger regional policy; otherwise, one of the tools that is available to fine tune the economy between the areas of depression and the areas which are very successful will disappear. That will have to be made up by a stronger regional policy.

If we look at last year's changes in the structural funds, Wales did not do quite so well as some other areas—the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) mentioned that earlier. The highlands and islands of Scotland were lucky in getting objective 1 status. Northern Ireland and Merseyside have objective 1 status, but Wales missed out. We did not even succeed in holding on to our objective 2 status in north east Wales shortly before Christmas when the review took place. As a result, resources that could have helped in vital infrastructure development have been lost, and that makes the competition against neighbouring Merseyside even more difficult. We want to ensure that we have regional policy that works effectively for Wales.

I shall turn for a moment to objective 5b and put a point to the Minister. Objective 5b is important for rural Wales. But what is the timescale for the resources from this tranche of objective 5b to come on stream? Originally, it was meant to be on 1 January 1994; clearly, we missed that. I believe that the Welsh Office strategy was not available until April, and it will take about six months for the Commission to respond to it. In other words, it will be October before we get any semblance of objective 5b funds coming through. That will virtually sterilise the fund for 1994.

There are many valid and valuable projects waiting to take advantage of the funds. Many of them are training projects. I believe that unemployed people, and the development of the economy in those areas that are justified in having objective 5b money under the criteria laid down by the Community, should certainly be getting the funds quicker. I hope that the Government can do something to speed that up.

There is also the question of the regional challenge. I refer to a reply that I received last week from the Secretary of State for Wales. The regional challenge approach, with a top slicing of objective 5b resources, seemed to be singularly inappropriate for rural Wales. There is a danger of having only a few large schemes, ignoring the needs of many areas that have valid smaller projects that would come under objective 5b. It is a constant complaint that the Development Board for Rural Wales and the Welsh Development Agency have a tendency to go for flagship projects and the small projects—the few thousand pounds here and there—which could help small businesses and help to overcome problems in the local environment are ignored. I hope that top slicing will not lead to that.

I hope for clarification about who will be taking decisions on the regulations. The Secretary of State's stance is directly contrary to the regulation which states that the partners should decide on these matters. The Secretary of State has taken the decision himself. The public bodies should have been involved in that. That matter needs to be cleared up as well. The Government believe that there can be some leverage with the big boys investing, but that is unlikely in areas such as rural Wales. I urge the Government to think again. It may be appropriate for urban areas but it is certainly not appropriate for our type of areas.

I also draw attention to the question of objective 4. What is happening with the new objective 4? Will the resources that are available under objective 4 be used by the Government? Will they be used to adapt to industrial change and changes in production systems? That could enable many small companies to improve their performance. It could improve relationships between suppliers and the forces of demand. It could improve partnerships between large companies and subcontractors. They are important aspects. I should like to know the Government's latest position vis-à-vis objective 4. Are they persisting in not implementing objective 4 fully in the United Kingdom? Do they not accept that objective 4 funds could be valuable in reskilling the work force—something that is very important?

I shall touch on agriculture. Clearly, farmers in Wales depend on the support that comes from the European Community. They are worried about the effects of GATT and future changes to the common agriculture policy. Welsh family farms are especially dependent on getting appropriate support, and rural Wales depends on family farms. If agricultural support is not related to production in the future, I hope that it will be replaced by a relationship to agri-environmental projects. After all, farmers are the custodians of our rural environment and they need to be given the resources to maintain their livelihood.

There are questions arising which relate to the GATT agreement. Can the Government say what will be the effect of GATT on United Kingdom agriculture, especially on

[Mr. Dafydd Wigley]

upland farmers and on the livestock and dairy sectors? Can the Minister tell the House whether the House of Commons or the European Parliament will ratify the agreement? That is an important question. I am interested to know whether there is any indication of the thinking of the European Court of Justice on this matter, which I believe is currently under consideration. If there is to be a new world trade organisation, we must ensure that it does not become a super-quango but has some answerability, and not only answerability to the forces of supranational corporations.

Fishing is important in many areas around our coastlines. It is not as large an industry as it used to be in Wales but it is still important in some parts. We are concerned about the lack of transparency at Fisheries Council meetings which has led, frankly, to a loss of confidence in the procedures of the Council. No one seems to know what is being argued on behalf of our fishermen, and communities where the economic welfare depends on fishermen, such as parts of north-east Scotland and areas like Milford Haven, want to know what is happening.

If I understand it correctly, the next Fisheries Council meeting is in June. Can we have a clear statement on the accession of Spanish and Portuguese fishermen to British fishing waters? Our fishermen deserve that and need it. Perhaps the Government could clarify whether there is a need for an adjustment or amendment to the treaty to safeguard the position of fishermen. Have they clarified the position in relation to that?

The trans-European networks are important. They designate the route Dublin-Holyhead-Birmingham-Felixstowe-Harwich-Benelux. That is one of the main routes that needs priority. I press for the resources available through trans-European networks to be available to upgrade the A5 across the island of Anglesey. That is part of the Welsh Office rolling programme, but it needs to be treated with greater urgency.

In the trans-European network exemplifications given in the document before us, I note that a large proportion of the projects are railway projects. I certainly support, as does my party, projects which aim to move freight from road to the railways. I believe that the trans-European road network needs to be sensitive to environmental factors. I note that chapter 3 of the White Paper says:

"Only projects that have passed the environmental impact scrutiny are eligible."

I hope that that will be borne out in practise.

On electricity networks, I see that reference is made to the possibility of connections between the UK and Ireland. I ask whether an interconnector could be built on the Gwynedd or Dyfed coast. I imagine that Gwynedd is the closest to Dublin and would be a singularly appropriate place for that to happen.

The UK was found guilty by the European Court of Justice of failing to comply with the bathing water directive in regard to Blackpool and Southport. I understand that the 10-year period of compliance runs from the date of notification. That might cause bigger problems. Clearly, there is a major cost implication of upgrading and maintaining environmental standards, but I feel that it is wrong that that burden should fall on the water rate payers in those maritime areas. It should come in its entirety out of central Government funds, or it will be greatly unfair.

I am delighted that progress has been made in ensuring that the links between Wales and Ireland will be eligible for Interreg funds, not only between Holyhead and Dublin, but between Pembrokeshire and south-east Ireland. I hope that the Government will give some idea of the time scale for the funds becoming available. Will they issue guidelines on the type of projects that will be appropriate? Who will be able to make applications? What will be the mechanism for doing that?

We are looking forward to a Europe that is progressively more united. We are determined that it should be a Europe that is as close as possible to the people and fully democratic. Wales is comfortable in a European setting. When we have our own Parliament to enable us to play an even fuller part in the debates in Europe, that link will be even stronger. In the meantime, we must make the most of the opportunities available to us. I hope that everyone in Wales intends to do so on 9 June.

9.1 pm

Mr. Iain Duncan Smith (Chingford): I am grateful for catching your eye at this stage, Madam Deputy Speaker. I was not expecting to do so right now.

I join hon. Members from both sides of the House who, since Thursday's sad events, have said that the loss of John Smith from this House is a sad loss. As a believer in the style of politics in the House, I believe that it is important to be able to listen and disagree with people's opinions and ideas while still appreciating the style, intelligence and wit with which they are delivered. In John Smith that was very much the case. It was always rather galling to watch him at the Dispatch Box, while making a point with which one disagreed, twisting the knife while making one laugh at the same time. That was a great skill.

I welcome the hon. Member for Rotherham (Mr. MacShane) and congratulate him on his well-delivered maiden speech. I also give him a small warning. Some two years ago, I made my maiden speech in a similar debate, and the path that I chose has allowed me to part company with the Government on one particular subject. My warning to the hon. Gentleman is that I read the treaty of Maastricht, which caused me all these problems. I suggest that, if he does not read anything, he will be an extremely compliant Back-Bencher and do very well in the future.

Tonight's debate is important. I am fully aware of the time and therefore will hurry my speech a little. As I listened to all the speeches tonight, it occurred to me, and it became quite aggravating in a sense, that so much is constantly about regurgitating vision after vision—competing visions, historical visions. That is the problem. The whole thing seems to be a mess as people try to vie with each other for a bigger or wider view of what the world should have been, or what it will be, while never wanting to differ from what was said 20 or 30 years ago.

I agreed very much with some of the points that the right hon. Member for Llanelli (Mr. Davies) made about power blocks and a smaller and smaller global trading market. I believe that the world is shrinking at an extremely rapid rate. In the past six or seven years, we have seen so many developments out there that for us constantly to harp on about the way that Europe develops is immutable is to fly in the face of events: the cold war has ended; we have seen massive change across eastern Europe, with the Berlin wall coming down, changes in the relationship across the Atlantic, changing trading patterns, and a massively growing power base in trade in the far east. To reject all

those and continue saying that what was laid down as structures in the European Community would therefore deny the possibilities that come out of all of that change.

In some ways Britain is pivotal in Europe. We have a foot in both camps because we are a part of Europe and have a part to play in the rest of the trading and economic world. Historically we have been global and European traders for the past 300 or 400 years. It is in our interests to ensure that developments in Europe and in the rest of the world do not affect our stance on either position to such a degree that it is difficult for our business men and traders who operate successfully in all markets to proceed in that at which they excel—trading and exporting.

More than half our trade is with the rest of the world, and 45 per cent. of it is with Europe. More and more business men are choosing to take advantage of developing markets in the far east and the United States. Those markets have consistently been growing faster than markets in Europe and have shown less concern for massive over-heavy social protection. The absence of such protection gives a competitive edge. We must pay heed to that and try to ensure that that of which we are a part is shaped accordingly.

Too often in the debate it has been said that there is only one alternative to being absolutely compliant—to be absolutely out of the European Community or Union. I reject that view of how things will be in 10 or 15 years. I do not know exactly what position we will be in 15 or more years from now, but we are a part of Europe and want to continue to be part of Europe as long as it benefits us to be so. If it did not so benefit us, the arguments would be wholly against Britain being a member. The arguments for being as much a part of the rest of the world in a global trading sense are powerful.

Our businesses may end up strapped by higher and higher social costs and heavier protection inside Europe and may be unable to take advantage of developing markets. We must fight against that. The main question in the debate is what we do in 1996 because all else pales into insignificance in the intervening period. That is the crucial point at which the Community has to decide where it wants to be, whether it wants to continue to take a shrinking share of world trade or to make sure that its markets are deregulated and open to competition, giving businesses across Europe the opportunity to trade.

The European Community needs some major reforms, and I shall skip through them quickly. First, we must look carefully at Community social policy. The whole concept of a level playing field in social policy is absolutely mad. We should be united in understanding that the constant drive for a uniform level of social protection will not protect those who are holding down jobs but will make it more difficult for them to remain in employment.

Governments who are elected on whatever platform, whether socialist or Conservative, must decide on the level of social protection and must balance it against the costs and burdens to industry and the effect on their competitiveness in Europe and worldwide. We must try to repatriate that social area back to national Governments for decision. A legitimate way to compete is to balance all those costs against the trading environment, and we should do that as co-operating nation states within Europe.

There is no question but that the common agricultural policy is in huge need of revitalisation and reform. We cannot go beyond 1996 without any plan to change it. Much has been said about the CAP, but few proposals have been made. We must strive to abolish subsidies on agricultural production and put subsidies—if any—on income, and eventually phase those out. That can legitimately be done within the national framework.

There must be transparency for all who elect Governments throughout Europe. They must be able to identify how much of taxation is spent on all sorts of mechanisms. One should bear in mind the fact that only 40 per cent. of the money ends up with farmers. It must also be madness to have a bureaucracy working almost for its own sake. If we can return to national control under a watchdog within the Community, that should be perfectly acceptable and would make a lot of sense.

As was said by the right hon. Member for Llanelli (Mr. Davies), we must be careful not to obliterate the market in the outside world of 4 billion people by an obsession that only one power bloc of 300 million people exists. We must invite others to compete with us on agriculture and lower the burden of cost on families, who it is estimated pay £1,000 more a year for the agricultural produce that they buy in the shops as a direct result of the CAP. That must be reformed and changed.

Clearly, an important time is ahead—1996 must be about institutional reform and change to the Commission, and trading and social reforms that will make Europe a deregulated, free-trading area governed by co-operating national Governments, but which identify those areas that they can best deal with individually.

I will conclude with the words of Francis Bacon:

"He that builds a fair house upon an ill seat committeth himself to prison."

Rigid structures, lower competitiveness and blanket social provisions across Europe in an attempt to produce a level playing field will destroy the one thing that we seek to achieve—an outward-looking, free-trading Europe of nation states in which all my right hon. and hon. Friends can believe.

9.12 pm

Mr. John Hutton (Barrow and Furness): I add my congratulations to my hon. Friend the Member for Rotherham (Mr. MacShane) on his impressive maiden speech. I look forward to him addressing the House again in future.

I would describe myself as a strong supporter of the European Union. It was a pleasure to hear such strong support for it in tonight's debate. I want the Union to continue to evolve into an effective economic, political and foreign policy entity. I hope that that is also the Government's view as they take us into the 1996 intergovernmental conference.

It is perfectly appropriate for the House to debate the style and kind of European Union that we want, but I suggest that the guiding principles governing the Union's development should be openness, transparency and full commitment to decisions being taken at the appropriate level—be it regional, national or Commission. That is fundamental if the momentum that is building up from the Union's evolution is to be maintained and to continue to enjoy popular support among this country's electorate. That is critical.

In the short time available to me, I make a special plea for two industries that have not been mentioned tonight —shipbuilding and defence, which is critically important. I am glad that the Government have committed themselves in the White Paper to a renewed 7th directive on state aid

[Mr. John Hutton]

to the shipbuilding industry. I urge the Minister and the Government to maintain that support for a renewed eighth directive if, meantime, there is no international agreement on withdrawing all state subsidies for shipbuilding.

It would be suicidal for the Government to withdraw their support for that directive: it would have a devastating impact on the British shipbuilding industry. The directive is an essential life support system for the industry, and I hope that it will be extended beyond the end of the year, because it is important not just to my constituency but to other shipbuilding communities. I particularly urge the Government to maintain their argument with the Commission for the extension of that principle of state aid to the warship yards: that, too, is very important to my constituents.

Secondly, I urge the Government to do all that they can to ensure that the Konver initiative is renewed at the end of the next financial year. We had PERIPHERA last year and Konver this year; together, the schemes have produced £2 million worth of important support for job-creation activity in my constituency and throughout the north-west. It is important that that aid should be maintained, and continued in the future.

I know that the Government have an ideological objection to the whole principle of defence industry diversification, but I think that those two schemes in particular have demonstrated the relevance and appropriateness of Community initiatives at that level. The defence industry simply cannot cope on its own with a sudden reduction in the volume of work that the Government are placing with it. As the Government are the industry's only substantial client, the normal rules of the market place do not apply to it.

I hope that it is common ground between the parties tonight that we are not prepared to sit in the House and allow such a critical and strategic national industry, which supports thousands of communities and hundreds of thousands of skilled engineering workers, to evaporate on the altar of some ideological free market experiment. The defence industry is too important for us to play politics with it. For that reason, I hope that the Minister and the Government will take forward and support the Konver initiative and the PERIPHERA scheme next year.

9.16 pm

Mr. Ian Taylor (Esher): In the time remaining, I cannot make a speech, but I will make a gesture. Let me begin by paying my own tribute to the late John Smith. He and I were both positive about Europe: it meant a lot to him, and it means a lot to me. We were positive in the sense that we did not believe that the interests of the people of this country could be sustained and enlarged by a crabbed and inward-looking attitude, and the pretence that the nation state alone is sufficient.

Of course we differed in our solutions to the problem of achieving the type of Europe that we wanted to develop; that was natural. One of the facts that have emerged over the years is that there is not always a British position in regard to the future of Europe, but there is often a Conservative or socialist position. In forming such attitudes, we may well want to find allies in like-minded parties throughout the Community.

In my few minutes, I want to place something on record. If we are positive about what we can achieve for the British people by active membership of the Community, we shall succeed in ensuring that the British people themselves are enthusiastic about the Community. It is in our interests to have a common foreign policy, with all the uncertainty that surrounds us; it is in our interests for that policy to include a common defence policy involving our building up the Western European Union.

The WEU must, of course, be closely allied to NATO, without which it could not function because of the importance of America. Since the Brussels agreement in January, however, America has accepted that the WEU can use its targeting intelligence and lift capacity without necessarily involving American troops in any particular operation. We are beginning to make enormous progress in that regard.

It is in this country's interests for us to tackle environmental questions across the Community rather than just internally. It is in our interests—I know that people understand this when it is explained to them—for us to tackle crime and drugs on a Community basis. Such issues matter to our constituents; they also have a pan-European implication. Most important, we cannot resolve our economic problems without action across the Community. Member states have the common objective of a low-inflation, high-growth economy. As we have seen during this terrible recession, from which we are now emerging, an economy will not succeed without assistance and reinforcement from success elsewhere.

There must be a common approach on how to achieve low inflation. That is why close co-operation between Finance Ministers is necessary and why, in building a single market without exchange controls, we must develop common policies and share similar goals, without which unemployment will continue to be much higher than it need otherwise be.

Unemployment is the most critical issue in the Community. It is unacceptable that 19 million people are unemployed in the Community. The most positive contribution that the British Government can make is to understand—this understanding is becoming more widespread among European employers federations in many countries, whatever their Government—that they have to get people back to work and increase the competitiveness of European companies to create jobs and economic growth. Britain has contributed to that thinking. We must show the British people that, when we are self-confident and we put our arguments clearly, we can influence others, not by handbagging them but through intellectual argument and by carefully presenting statistics and evidence that an idea is relevant to others.

That is why we can go confidently into the European elections, present our agenda and get the British people on our side and why we can have a European Union that can build on the confidence that we can engender within it. I am glad that I have had four minutes in which to speak in the debate.

9.20 pm

Ms Quin: With the leave of the House, I shall reply. This has been a wide-ranging and, despite some widely differing views, harmonious, good-tempered debate.

It has also been wide-ranging in time. My hon. Friend the Member for Hemsworth (Mr. Enright) took us back to

1940, for which he was subjected to a little criticism from the hon. Members for Stafford (Mr. Cash) and for Chingford (Mr. Duncan Smith), but the hon. Member for Stafford then took us back to Lord Palmerston and gunboat diplomacy.

We heard a tremendous maiden speech from my hon. Friend the Member for Rotherham (Mr. MacShane), who spoke with great confidence and flair. He transported us back to Tom Paine, Wentworth and even Charles I. I join in the tributes that were paid to my hon. Friend. We appreciated his tribute to Jimmy Boyce, who, sadly, served this House for only a short time.

Given my hon. Friend's background and experience, it was highly appropriate that he should make his debut in this debate. I assure him that in no way was I trying to dismiss the old industries as irrelevant. I am all too aware that the contribution that they are capable of making to industrial development has been undervalued, and that new technologies are applied to older industries to make an artificial distinction between old and new industries, which is not viable. I wish my hon. Friend a long and successful career in the House.

Throughout the debate, many fine tributes have been paid to John Smith by many of my hon. Friends who knew him at the beginning of his parliamentary career or even before—my hon. Friend the Member for Durham, North (Mr. Radice) produced a photograph from 1962. There was considerable praise for John Smith's views on Europe and for his consistency. Before attending this debate, I re-read the speech that he made in the momentous debate of July 1971 and found that many of his comments then are highly relevant to today's debate, including, for example, his affirmation that Europe is not only a free trade area and his belief in the regional dimension of Europe.

I welcome the Foreign Secretary who has just joined us. I do not know whether he will be able to give us a graphic blow-by-blow account of his latest skirmish in Brussels or whether he has good news for Euro-sceptics and Euro-enthusiasts alike—perhaps he has already been able to tell the Minister of State.

Clearly, a variety of views have been expressed by Conservative and Labour Members. The hon. Member for Stafford urged us to call Euro-sceptics "Euro-realists", although I am not sure that we would all agree that that was the most suitable term. We also discovered that there are different types of Euro-sceptics, and there has certainly been speculation in the press—although I am not sure how authoritative it is—that some were contemplating urging withdrawal from the European Union. However, Conservative Euro-sceptics assured us that that was not the case.

As usual, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) made a stimulating contribution, which was appreciated to varying degrees by his right hon. and hon. Friends. Whenever I see the right hon. Gentleman speak with conviction but without notes, I am tempted to throw away my Euro-paper mountain; but I do not feel that I have the confidence or perhaps the experience that he has.

There has been comparatively little mention of the Maastricht treaty, for which I think that I am rather grateful. The right hon. Member for Guildford (Mr. Howell) referred to the "high priests of Maastricht". I was a little worried; I am not sure who they are and wondered whether there might be some contenders for the title in the Chamber today. Is it a type of annual award that could be introduced? Perhaps the right hon. Gentleman will explain at a future date.

Many themes have been raised in the debate and I shall mention just a few. The concern that Britain is being isolated in the European Union cropped up several times, and not only in speeches from Opposition Members. It was mentioned by the right hon. Members for Old Bexley and Sidcup and for Horsham (Sir P. Hordern) and by the hon. Member for Wycombe (Mr. Whitney).

The Government face a dilemma: they say that they want to be at the heart of Europe, but some of their actions put us on the periphery, and we cannot be at the heart of Europe and on the periphery at the same time. The fiasco of qualified majority voting of a few weeks ago was mentioned in that connection by the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy).

Mention was also made of the European monetary institute. It appears that one of the reasons why it is sited in Frankfurt is that it would be difficult to have it in a country that has opted out of financial integration as set out under the Maastricht treaty. That impression was reinforced in the German newspapers when the institute was set up: they thanked John Major for allowing Germany a free run.

Our isolation in terms of the social chapter was mentioned by many hon. Members, especially by my hon. Friends. Despite the strong and successful efforts not to have a partisan slanging match, there was much concern about that opt-out and a feeling that a policy of opt-out and veto was a rather negative approach.

That brings me on to the veto itself. Again, there were some claims—thankfully, not as many as we have experienced lately—by Conservative Members that Labour wanted to abandon the veto. That simply is not the case. Any reading of our party documents will show that in foreign policy, in taxation and in some of the areas where there is already a veto, we have no intention of giving up the veto. It seems to us entirely appropriate in those policy areas.

There was a rather humorous piece not long ago in the *Evening Standard* which quoted one Conservative Member, anonymously, as saying that if the Conservatives had to keep claiming that Labour was set on abandoning the national veto, they would have to go to confession twice a day to save their souls. We believe, however, that majority voting is used as a rule in the European Union.

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Douglas Hurd) *indicated dissent.*

Ms Quin: The Foreign Secretary may shake his head. If one considers all the decisions made in 1992, for example, one sees that many thousands did not need to go to a vote and that others were decided by qualified majority voting and not by unanimity. However, we believe that it is important to have the veto in certain areas.

During the debate, the dreaded F-word made its appearance from time to time. As ever, it seemed to be a rather disputed term. Some say that it means a centralised super-state and some talk about the European version of federalism in which there is an emphasis on decentralisation and subsidiarity. We are not in favour of a centralised super-state. Having fought against bureaucratic centralism at home, with the establishment of so many quangos and

[Ms Quin]

the weakening of local government, it is unlikely that we would go on a crusade for bureaucratic centralism in the European Union.

Perhaps it is a question not just of the F-word, but of the E-word. I heard that Conservative canvassers in the local elections were told not to use the dreaded E-word—Europe. It will be extremely difficult to follow that advice in the European elections which will be upon us shortly.

The theme of openness and democracy in Europe was mentioned by hon. Members on both sides and it was one of the factors that provided for some unity in the debate. The hon. Member for Stamford and Spalding (Mr. Davies), for example, complained about secrecy in the Council of Ministers. That sentiment was heard from many Opposition speakers.

I should like to ask the Minister a question that I asked him last week, but to which I have not had an answer. We were disappointed, to put it mildly, that the Government did not back the Dutch Government in supporting the case put forward by *The Guardian*, which complained about the lack of openness in the European Union's deliberations. It might be good to get the Government's view on that when the Minister responds.

Many hon. Members on both sides talked about improved parliamentary scrutiny. That is an important issue. Having been a member of European Standing Committee B, which scrutinises European legislation, I am well aware of the worth of the work of that Committee. None the less, many of us still feel that there are many ways in which scrutiny can and should be improved, not necessarily by duplicating the scrutiny that takes place in the European Parliament, but perhaps by complementing it. In that respect, good relations between Members of Parliament and Members of the European Parliament are important.

I believe that there is not a conflict here between national Parliaments and the European Parliament, with its growing authority and influence. We need a strengthening of the democratic elements in the European Union generally. In that respect, the interests of national parliaments and the European Parliament may, as often as not, go hand in hand.

The issue of subsidiarity was, again not surprisingly, raised at several points during the debate and the importance of allowing the regions and, indeed, local authorities their voice in the European decision-making process was stressed by many hon. Members. The hon. Member for Caernarfon (Mr. Wigley) talked about the Committee of the Regions. One of the things that gave the Opposition much satisfaction was that, as a result of one of the rare victories in the House, we were able to ensure that the representation on the Committee of the Regions would comprise elected local members. That is something that we feel very strongly about.

The idea of a referendum was mentioned in passing, but did not feature greatly in the debate. I seem to remember that when the referendum took place in 1975, the pattern of the result was that the further one got away from London and the south-east, the rather more lukewarm the yes vote was. I have a theory, which I have no way of proving, that if we had a referendum today, the result might turn out to be the other way round. In many ways, Scotland, Wales, the north of England and the other regions of England have seen a European Union which seems to be genuinely interested in regional matters and in decentralisation. That is a very important premise, on which we ought to build for the future.

The intergovernmental conferences, to be held in 1996, were mentioned by many hon. Members, including my right hon. Friends the Members for Bethnal Green and Stepney (Mr. Shore), and for Llanelli (Mr. Davies). Both of them mentioned the debate that we shall no doubt have over the possible progress towards European monetary union. The Labour position is that it wants to see those criteria interpreted flexibly. I very much endorsed what my hon. Friend the Member for Durham, North said of the need for greater convergence, to which I would add the commitment to growth and the commitment to tackling the issue of employment.

Mr. Forman: Will the hon. Lady give way?

Ms Quin: I shall give way once.

Mr. Forman: When the hon. Lady says that her party would like those criteria interpreted flexibly, does that mean that, if a smaller group of countries in the European Union were to press ahead towards full monetary European at an earlier date, she would wish Britain to be part of that smaller group—or would she not?

Ms Quin: We would not like the idea of a two-tier Europe, especially if Britain were to be in the slower lane. When we are talking of flexible interpretation, we are talking of being part of the discussions and trying to consider the criteria flexibly.

I know that some hon. Members felt that, once those criteria were included in the Maastricht treaty, there was nothing to be done about it. However, I must say that, having been in the European Parliament, I am not defeatist about treaties and directives. Directives are frequently amended. In fact, much of our time in the European Parliament was spent looking at amendments to directives. Indeed, the treaty of Rome turned out to be an extremely flexible document. People who would share my persuasion on the left interpreted it and laid the stress on certain paragraphs, and people of a rather different political persuasion argued in relation to other paragraphs. That has always seemed to be part and parcel of the European way of doing things.

The issue of enlargement was mentioned and, again, one other aspect—*[Interruption.]* I shall stick strongly to what I have said, but perhaps we may argue about it on a future occasion.

One of the other subjects on which there was unity in the debate was the fact that we all welcomed the enlargement which, we hope, will take place next year. Other potential applicants were mentioned, such as Malta, Cyprus, and, of course, eastern European countries. Again, there was a strong feeling on both sides of the House that the European Union must not develop at the expense of opening out to the countries of eastern Europe. Having encouraged the transition in those countries, it would be reprehensible for us to be seen to turn our backs on them or, indeed, to be retreating into some kind of narrow-minded protectionism. It is extremely important for the future that we keep their interests very much at heart.

There are clear differences between the two Front Benches on issues that I referred to in my earlier speech. I

shall not discuss them again. In any event, I do not have time to do so. On economic, social, environmental and regional policies, for example, there are considerable differences that will no doubt be aired again, and possibly again and again, in coming weeks.

In the spirit of consensus, I conclude by saying that, as we have all taken part in the debate, we presumably feel united in recognising the importance of Europe. Let us hope that we shall be able to raise public interest in these matters during the forthcoming European election campaign. After all, we are talking about matters that are extremely important for the development and future well-being of our country.

9.40 pm

Mr. Heathcoat-Amory: The debate has revealed a number of rather predictable differences in the House but agreement that the events of the past 12 months have been especially important for Europe. The effect of those events will be long lasting. Four of them stand out: the entry into force of the Maastricht treaty, the successful conclusion of the Uruguay round at GATT, the enlargement negotiations, and a new resolve on the part of the European Union to tackle the underlying causes of unemployment and the loss of competitiveness. All four of those issues have been referred to extensively during the debate.

I, too, welcome the new hon. Member for Rotherham (Mr. MacShane). He impressed us all with his confidence when making his speech. He pleased us as well with his well-phrased tributes both to his predecessor and to the leader of his party, whose sudden death last week so shocked us all.

I am sorry that in the remaining minutes of the debate I shall probably not be able to answer all the questions asked and respond to all the points raised, especially by the right hon. Member for Strangford (Mr. Taylor), who had a long list of questions, and by the hon. Member for Caernarfon (Mr. Wigley), who made several points about Wales. As for the Committee of the Regions, I can give the hon. Member for Caernarfon the assurance that those councillors who lost their seats in the recent election will continue to serve out their term. That was made clear when they were appointed to the committee. I think that it would be wrong so soon into the new term for them to be discharged.

If the economy has not dominated the debate, it has certainly been referred to by many hon. Members. The economies of all member states will face a new challenge when the new world trade liberalisation package comes into effect. The point was well made by the right hon. Member for Llanelli (Mr. Davies), who rightly said that, whether we like it or not, we are facing a global trading environment and we must prepare ourselves for it. The fact that 20 million people are out of work in the European Union is a warning that something is wrong with the European employment model. The United Kingdom is the only major country where unemployment is below 10 per cent.

Over the past 20 years it is striking that similar growth rates in the United States and Europe have delivered over four times as many jobs in the United States as in Europe. That stark fact is telling us something. That is why we as a Government have taken such a prominent part in the debate on growth, competitiveness and employment. That is why we were the first country to submit a document setting out an analysis of the problem and our views on what should be done about it. It is all too easy to diagnose a problem; what is difficult is to prescribe solutions. We are certain that we must not shrink from taking necessary measures to correct what has gone wrong in the European labour market.

That means, at least in part, a move to greater deregulation and the promotion of labour market flexibility. It also means that we must look carefully at social costs and their effect on employment. That has nothing whatever to do with creating a sweatshop economy either in this country or in Europe. That is a scare that we can do without. The Conservative party wants a highly trained, adaptable, well-paid work force, but we know that social protection must be earned.

We believe in investment, in good training and high productivity, but employment is not just about high technology and big firms. It is about what happens to and in small firms and partnerships employing two or three workers, often part time. It is beyond dispute that excessive regulations and high non-wage labour costs have a direct effect on those firms' ability to employ people. That is why we are adamant about preserving and protecting our opt-out from the social chapter. That point was well made by my hon. Friend the Member for Gillingham (Mr. Couchman). That is why, at our insistence, the member states of the Union and the Commission are now studying urgently the relationship between regulations and employment.

We are committed to action. If it can be shown that overregulation is one of the causes of European unemployment, we must insist that something is done about it. If we do not get it right—if we do not get more jobs for each unit of economic growth—not only will the political ambitions of the Union be seen to be increasingly hollow, but the social consequences in member states may be extremely serious.

Questions were asked about the agreement on qualified majority voting reached during the enlargement negotiations. I am somewhat surprised that Opposition Members should be so open in saying that they would not even have tried to stand up for British interests. Of course the result was a compromise—that is often true in negotiations—but the fact that it is so unpopular with a number of other member states and with the Commission shows that we did safeguard our main concerns.

The hon. Member for Gateshead, East (Ms Quin) asked about the legality of the agreement. It is legally binding in the Council of Ministers and it obliges the chairman to take any necessary initiative to achieve a decision on the basis of no more than 23 votes against.

Ms Quin: I asked the Minister whether the agreement was justiciable, as the Prime Minister claimed, in the European Court of Justice.

Mr. Heathcoat-Amory: All matters are justiciable in the European Court of Justice ultimately. What is clear about this decision of the Council is that it is binding on members of the Council of Ministers. The hon. Lady need not just take that from me, because Dr. Kinkel, the German Foreign Minister, said immediately after the agreement was reached:

> "Germany itself will regard the Decision as binding on the Council and has no doubt that all other member states of the Union will also fully respect the procedures foreseen."

The agreement is an interim one and will remain in place

[Mr. Heathcoat-Amory]

until something different is agreed at the next IGC. We also achieved an agreement that the IGC will address the issue of voting strength and the voting thresholds in the Council of Ministers.

The hon. Member for Gateshead, East also asked whether the agreement could be invoked by a single member state. I gave the answer to that question in European Standing Committee B last week, but for the benefit of the House, let me repeat it. Yes, it can. The question of who triggers it does not arise, because there is a clear obligation on the presidency to seek the necessary agreement wherever the necessary minority votes becomes clear.

Like several other hon. Members, the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) mentioned the national veto. He said that he wanted "greater co-operation"—those were his words—in defence and foreign policy. We can all agree with that and there is strong support on the Conservative Benches, notably from my hon. Friend the Member for Stamford and Spalding (Mr. Davies), for making a success of the intergovernmental pillars of the union, especially in foreign and security affairs.

However, the hon. Member for Ross, Cromarty and Skye said that his party would give up the national veto. He could hardly say otherwise, because spokesmen from his party are on record as saying that. He tried to water it down by saying that we should seek allies so that we should never find ourselves in a minority of one. He also said that the qualified majority voting compromise that we had reached should be of assistance in that, and I am grateful for his support.

However, in the hard world of international diplomacy, essential interests have to be protected against any eventuality. It may be impossible to find allies for our cause on some issues. I know that the Liberal Democrats are the innocents abroad, but Conservative Members know that there are aspects in which vital national interests are at stake, and in which the requirements of unanimity must apply.

Mr. Charles Kennedy: I am grateful to the Minister for giving way, and I do not think that he deliberately seeks to misrepresent what I said. He will be aware that I was not describing Liberal Democrat policy. I was making a statement of fact, in terms of the way in which the institutions of the European Union operate, that there would be four additional hurdles involving the Parliament and various other institutions and considerations, before we ever reach the stage at which a proposal coming forward would leave Britain isolated. Is he denying any of those four factual hurdles?

Mr. Heathcoat-Amory: I said that the hon. Gentleman had tried to water it down. He has now invented some procedural hurdles which, he says, will prevent us ever being in the position of having to invoke the national veto. I was arguing that there are eventualities that we must foresee. It is not always possible to find allies to support essential national interests—and we are speaking here not simply of foreign affairs and defence but of taxation, immigration policy and changes to the treaty in future.

I therefore envisage a situation in which it may be necessary for Britain to invoke a veto and I am pointing out, for the benefit of the House and the wider public, that the Liberal Democrats have willingly abandoned that national veto, although the hon. Member for Ross, Cromarty and Skye is in good company.

I can help the right hon. Member for Bethnal Green and Stepney (Mr. Shore), who said that he had not heard of the European socialist manifesto. I can enlighten him because, for accuracy, I have brought a copy to the House. I can confirm one surprise. It is called, "The Socialist Manifesto"—surprising, because the Labour party excised the word "socialist" from its last general election manifesto, but it is in the European one. The second fact about it is that the Labour party, the party of which the right hon. Gentleman is a member, is formally signed up to what is in it. All Labour candidates for membership of the European Parliament are fully and explicitly committed to what is in it.

On the subject of the way in which decisions are taken, I remind the House of the following quote:

"We want majority voting in the Council to be the rule."

That means not only that the Labour party is dissatisfied with the present arrangements and wants to go further, but that the rule must be majority voting. The hon. Member for Gateshead, East tried to retreat from that by saying that the Labour party manifesto would make it clear that Labour will retain the national veto. Either the Labour party is saying different things in different documents or it is in a muddle and is trying to reconcile a commitment to phase out the veto with a commitment to retain it.

I shall strike a slightly less partisan note in welcoming the support of the hon. Member for Gateshead, East for enlargement. Hon. Members on both sides of the House support enlargement and welcome the prospect of the four new EFTA states joining the European Union early next year.

Mr. Radice: Will the Minister give way?

Mr. Heathcoat-Amory: I was about to refer to the hon. Gentleman and answer a point that he made in his speech.

Both the hon. Gentleman and the hon. Member for Ross, Cromarty and Skye suggested that the debate about qualified majority voting had endangered enlargement. That is not the case. A number of detailed agricultural drafting points, including the drawing up of the treaty, continued for some time after the qualified majority voting issue had been settled and the European Parliament still had time to scrutinise the treaty and give its assent, by a large majority, earlier this month.

Mr. Radice: On a slightly different point, if the European Union were enlarged to take in the Visigrad countries, would more majority voting be necessary?

Mr. Heathcoat-Amory: That is exactly the sort of issue that we shall discuss in 1996. What we are deciding today and what we have negotiated over the past few months is how to make a success of the current round of enlargement.

Enlargement confirms our vision of the European Union as an outward-looking, diverse and dynamic organisation based, as my right hon. Friend the Member for Guildford (Mr. Howell) said, on the primacy of the nation state. This round of enlargement is also a door to further enlargement to the east. The hon. Member for Durham, North (Mr. Radice) will agree that those will not be easy issues.

Matters for 1996 include not only institutional change but structural funds and the future of the common agricultural policy.

The EFTA states that are applying to join felt that their membership of a free trade zone—the European economic area—was insufficient. Those who want the European Union to be simply a free trade area must face the fact that the experience of those countries led them to believe that their interests were better served within the European Union. They wanted not just to be part of a free trade area but to influence the rules and trade policy of the organisation. They did not wish simply to be spectators from without.

My right hon. Friend the Member for Horsham (Sir P. Hordern) made the good point that the right of British Airways to start an air service between Orly and London airports depends on enforcing trade rules of which we are part. Were we to leave the European Union and become offshore participants, we could not enforce those free trade rules of which we are the beneficiaries.

As for 1996, we cannot look into the future this evening, but we know that the Europe of today is in flux. The end of the cold war has freed the bonds of Europe and the security organisations of the west are still adapting to that change. We have not had an opportunity this evening to discuss the Western European Union or NATO, but those organisations are adapting to the new security outlook in Europe. The Maastricht debate, both here and on the continent, showed that the high water mark of a centralised federalism has passed and the tide has now turned.

The freeing up of world trade, referred to frequently in this debate, poses another challenge to the European Union. It shows again the folly of rigid centralism and too much intervention. The number of unemployed in Europe forces us to look at market structures just as hard as we have looked at political structures.

The prospect of four new member states coming in next year forces us to look at, and to focus attention on, the sort of Europe that we are creating. The prospect of enlarging further to the east raises other questions, not just about the east. The small states of Cyprus and Malta have applied to join. Although we cannot foresee the institutional changes that may be required, we know that the possible accession of so-called micro-states raises questions again about how many Commissioners there should be, and how many votes there should be in the Council of Ministers and how they should be organised. We clearly believe on this side of the House that, if we have the confidence and the determination to play a full part in this European Union, we can build a Union in which this House and this country can feel at home.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

EUROPEAN COMMUNITY DOCUMENT

Motion made, and Question put forthwith, pursuant to Standing Order No. 102 (9) (European Standing Committees).

COURT OF AUDITORS REPORT (ENVIRONMENT)

That this House takes note of European Community Document No. 7909/92, the Court of Auditors Special Report No. 3/92 concerning the environment; welcomes its recommendations as to how the Commission and Member States can pursue Community environmental policy more effectively, with better management and monitoring of the instruments used to put environmental policy into effect; and endorses the Report's call for the objectives of the Structural Funds to be pursued and achieved in compliance with Community environment policy. *—[Mr. Andrew Mitchell.]*

Question agreed to.

EUROPEAN UNION (ENLARGEMENT)

Motion made, and Question put forthwith, pursuant to Standing Order No. 102(9) (European Standing Committees).

That this House takes note of the Presidency Report on the results of negotiations on the accession of Austria, Finland, Norway and Sweden to the European Union; warmly welcomes the successful conclusion of negotiations with these countries; and looks forward to their accession to the European Union on 1st January 1995.*—[Mr. Andrew Mitchell.]*

Question agreed to.

10.1 pm

Mr. Nigel Spearing (Newham, South): On a point of order, Madam Speaker. In respect of motion No. 3, you may be aware that, coming under the Standing Order, the matter of treaty accession was discussed upstairs in Standing Committee B last Tuesday. However, you and the House may not know that the Select Committee on EC legislation unanimously recommended to the Leader of the House that the important matter of enlargement be debated on the Floor of the House. The Government did not agree to that.

You may also be aware that, in matters of statutory instruments, there is often "tagging" about observations from such Committees. Is there any Standing Order preventing such "tagging" informing the House of consequences or actions such as those that I have described?

Madam Speaker: There is no such Standing Order that would prohibit such a note on the Order Paper. The authorities of the House consider submissions for an informative note of that kind when they are made on behalf of Ministers, whose business this is. The hon. Gentleman may like to pursue his ideas with the Leader of the House.

PETITION

Child Support Agency

10.2 pm

Mr. John Heppell (Nottingham, East): I beg leave to present a petition from a group called the supporters of absent parents asking for reasonable treatment, in Nottingham.

They wish to declare that

"the Child Support Act and the administration thereof is deemed to be grossly unfair in respect to 'Absent Parents'."

The petition was presented to me today by seven people who had walked from the city of Nottingham to Westminster to draw attention to their plight.

The petition therefore requests the House of Commons immediately to review the system concentrating on the following points, which I shall summarise. The group is asking for some flexibility in the system which is presently in force and, more importantly, for some appeal mechanism so that people who feel that they have been treated unfairly can ensure that there is someone to listen to their justified complaint.

To lie upon the Table.

Commonwealth War Graves Commission

Motion made, and Question proposed,
That this House do now adjourn.—*[Mr. Andrew Mitchell.]*

10.3 pm

Mrs. Llin Golding (Newcastle-under-Lyme): How contemptible and disgraceful it is of the Government to have so dishonoured those service men and women who lost their lives in two world wars in defence of our freedom by denying the Commonwealth War Graves Commission the money it needs to maintain memorial cemeteries and records, records which enable people to trace the resting place of service men and women whose memory they cherish. I know from so many people what comfort they have received from visiting the graves and memorials and finding them so carefully tended. The Government have not only dishonoured our dead; they are guilty of insulting the families, friends and those who served alongside them.

I am a member of the Commonwealth War Graves Commission. I have watched with dismay the disgraceful penny-pinching activities of the Government at first hand. The Commonwealth War Graves Commission was established by royal charter during the first world war to honour and remember those who gave their lives in defence of freedom. It includes representatives from Australia, Britain, Canada, India, New Zealand and South Africa. It is funded by each of those countries by grant in aid in proportion to the number of their graves. The major contribution, of course—77.81 per cent.—comes from Britain. A cut in funding by Britain is automatically followed by a cut from the other countries.

The commission maintains war graves and memorials in 145 countries, with 23,097 cemeteries and burial places for the 1,694,947 service men and women who gave their lives in defence of our freedom in two world wars.

Before 1988, the grant in aid was made by Her Majesty's Treasury. In that year, responsibility was passed to the Ministry of Defence. At the time, because the commissioners were concerned that their budget might be subject to defence cuts, an assurance was given that it was a purely technical matter and that the British contribution would not be subject to arbitrary cuts. Sadly, those assurances have proved worthless.

In October, Moray Stewart, the second permanent under-secretary at the Ministry of Defence, wrote to the vice-chairman of the commission drawing attention to the enormous pressure that was bearing down on public expenditure generally and the Ministry of Defence in particular for next year. Those of us on the commission were shocked when he continued by informing us that he was sure that, in the circumstances, we would agree that it was simply not realistic to assume that the United Kingdom contribution to the Commonwealth War Graves Commission could be shielded entirely from that pressure.

After mentioning the so-called underspend, which I shall return to later, he added that he might well have to seek to limit the United Kingdom share of the commission's budget for next year to the order of £20 million. He understood that that would be some £1 million to £2 million below the level which the commission's staff were currently seeking. A reduction of that sort would be in line with that which was made last year.

At the finance committee meeting on 27 October, the MOD representative reported that the MOD was looking for a funding requirement of 10 per cent. less than what was requested by the commission. On 13 December, the dreaded Moray Stewart wrote to say that he had no alternative but to seek a reduction of £1.2 million for next year. When the commission met on 15 December, Moray Stewart reported that, although the commission had reduced its requirements by £650,000—he should have said £630,000—it was still necessary for him to seek further reductions. He suggested that the increase in the working balance could be deferred, there could be a further £100,000 cut in staff and further savings of about £500,000 made in other areas to be left to the discretion of the commission's staff.

The Secretary of State has been as harsh and unfeeling. On 21 February, he told Sir Joseph Gilbert that, compared to the cuts that everybody else was taking, the £700,000 proposed was very modest, and it was difficult to believe that it could not be absorbed. That, then, is the truth of the matter—a cut of £700,000 from the British Government. When the automatic change in contributions from the other Commonwealth countries is taken into account, the figure becomes £900,000—a cut of £900,000 over and above the reduction already made by the commission.

What a mean, shabby, vicious act on the part of the Secretary of State. We have a defence budget of about £23 billion, yet the Minister cannot find all the £20,738,675 —less than 0.1 per cent. of the total defence budget—that the commission has requested to care for the memory of those who died so that we might live. Those brave men and women gave their lives and would expect us to treat them with honour. What would they have thought if they had known that their sacrifice was to be repaid by that miserable, nasty, pernicious cut of £700,000 in the British grant in aid to the Commonwealth War Graves Commission?

What is the Secretary of State's tawdry defence? In a written reply to me on 3 May, the Minister of State for the Armed Forces stated:

"The commission has confirmed that it has no plans to cut any projects or commitments as a result."—[*Official Report*, 3 May 1994; Vol. 242, c. *475.*]

Additionally, the Secretary of State, during the debate on the Army on 4 May, and responding to fears expressed about the commission's cut in funding, stated that he had been given

"a categorical assurance that there would be no effect whatever on the maintenance work or on the projects that the commission wishes to implement."—[*Official Report*, 4 May 1994; Vol. 242, c. 787.]

Let us put the record straight. The commission has been treated extremely shabbily by the Government. It has been felt by the commissioners—again, the Minister will know this—that the attitude of the Government has been, "This is what you will get, and if you do not like it, tough." The commission felt that it had little alternative but to accept the reduction in financial provision, but registered its strong disapproval of what had happened.

Although the commissioners accepted the level of funding allocated, they feared that the reduction exposed them to the possibility that, as the year progressed, some projects might be put at risk. They do not at this stage plan to make any specific cuts to their programme, but they have expressed grave concern about their ability to discharge their unchanging duties effectively if similar reductions are imposed in future.

The Minister must know that the vice-chairman of the commission put it very clearly to the Secretary of State that reductions on the scale proposed would put at serious risk

the ability of the commission to perform its charter duties. Those cuts can threaten many matters, including staffing standards; irrigation programmes; provision of adequate depots; deferrals in structural maintenance—for example, the Menin gate ceiling needs repairing; horticultural supplies and equipment; and new and replacement vehicles.

I expect tonight that the Minister will merely regurgitate the bogus arguments produced by his so-called civil servant, Moray Stewart, some of which have been included in an amendment tabled by a group of compliant Tory Members of Parliament to my early-day motion 1152.

In defence of the indefensible, the Government and their lapdogs say that contributions to the budget have increased by 50 per cent. in cash terms over the past five years. Given the sacrifice of those service men and women, if those contributions had been in real terms, they would not have been out of place. Remember, they gave their lives. But the truth is that the budget has not been increased in real terms by 50 per cent., and the Minister knows that very well.

If the Minister has allowed Moray Stewart to write it into his speech, he should take his pencil and cross it out now. That would be the honest thing to do, because a fall in the value of sterling added approximately 20 per cent. to costs in this period and the increase in inflation—32.3 per cent. in Britain alone—has accounted for the rest. The civil servants know that, and it may even be understood by Ministers, but they still try to throw a smokescreen over the truth. Perhaps at last they are becoming ashamed of what they have done.

Another red herring that is bound to be dragged out is that a substantial surplus of £1,700,000 was carried forward from the previous year and that, because of that, no hardship will be incurred. That has been answered by the commission over and over again. When will Ministers understand that, as 65 per cent. of all transactions are incurred outside the UK in foreign currency, the commission has to be prepared to cope with fluctuations in exchange rates, wage rates and health and safety requirements?

As the commission operates in 145 countries, many factors outside its control can affect its planned programme. Therefore, it is essential that the commission retains the provision whereby it is allowed to carry forward funds and projects from one year to another. Of the £1.7 million, £1.1 million was identified before the budget was presented in December. Therefore, that sum was already taken into account in the funding sought from the member Governments for 1994-95, and their requirement was reduced by that amount. After the budget was agreed in December, a further £600,000 was identified, but £500,000 of that was committed to work which was being carried forward from 1993-94 into 1994-95.

The Minister is prepared to resort to any dodge, any manipulation of figures, to try to cover up what the Government have done. For example, when the Minister replied to my written question on 3 May he added the recoverable VAT figure to the grant-in-aid figure even though it had already been taken into account in the request for funding, as had also the amount of money available for carry forward.

The Government can juggle the figures as much as they like, but people will still recognise them for what they are —Ministers caught in a shameful act who will do anything, whether honourable or not, to escape from justified blame. Let them make no mistake about this: people outside the House firmly believe that what the Government are doing is dishonourable.

The people of this country know that they owe those who died a tremendous debt, and the last thing that they can stomach is the penny-pinching attitude of the Ministry of Defence towards the memorials and cemeteries cared for by the Commonwealth War Graves Commission. They and I want to see the Secretary of State for Defence showing some courage and admitting that he has acted badly.

On D-day, he—unlike most of us—will have the power to do something tangible to honour those who sacrificed their lives for us. He should use that power to undo the great harm that he has done. The Secretary of State should agree immediately, as part of the D-day commemoration, to restore the £700,000 withheld from the Commonwealth War Graves Commission and allow us all to escape from the shame that he has brought on our country.

10.18 pm

The Minister of State for the Armed Forces (Mr. Jeremy Hanley): It is conventional to congratulate an hon. Member on securing an Adjournment debate, and I pay tribute to the hon. Member for Newcastle-under-Lyme (Mrs. Golding) for her remarkable persistence in pursuing the subject—and so she should. As she mentioned, she is a member of the Commonwealth War Graves Commission. The hon. Lady has raised a range of parliamentary questions in recent days, and she referred to some of them this evening; she has also tabled the early-day motion that she mentioned and secured this debate.

One reason why I find the hon. Lady's persistence so remarkable is that, as a commissioner of the Commonwealth War Graves Commission, she should be well placed to answer many of her own questions. Perhaps she should not have taken this opportunity to try to exploit a situation. Frankly, I think that she went way over the top in her language and accusations. I regret that, especially from the hon. Lady.

I am, however, grateful for this opportunity to set the record straight on the British Government's funding contribution to the commission in the current financial year. I hope that anybody taking sound bites of this debate will not do so without taking the balancing truth. Of course we respect the sacrifice of those who died for us. Of course we respect the misery of those who loved and lost them.

I will begin with a little history of the commission. In 1917, the Commonwealth War Graves Commission—then known as the Imperial War Graves Commission—was established by royal charter. It marks and maintains the graves of members of the armed forces of the Commonwealth who died as a result of action in the two world wars, maintains memorials to all those whose graves are unknown, and keeps records and registers.

This very House played a vital part in the establishment of the principles for which the commission is renowned —that the dead be individually commemorated by name, either on the headstone on the grave or by an inscription on a memorial; that headstones and memorials be permanent; that headstones be uniform; and that there should be no differences on account of rank, race or creed.

A great and moving debate on those principles took place in 1920. Burdett-Coutts, then Member of Parliament

[Mr. Jeremy Hanley]

for Westminster, argued for them with—Gallery correspondents noted—a rare passion. He described how, after the Passchendaele offensive, an officer had shown the commission's proposals to those in his unit. The officer recalled that

"the uniformity of design was what appealed most strongly to all. That the fellowship of the war should be perpetuated in death . . . was the unanimous and emphatic desire of everyone, officer and man."

Coutts painted two scenes:

"On the one hand, a cemetery, we will say, of 50 graves with half-a-dozen of these special monuments standing up conspicuous among the rest . . . On the other hand, there is the picture that portrays all alike—great and lowly, peer and peasant, rich and poor, learned and ignorant, raised to one supreme level in death by common sacrifice for a common cause. I cannot doubt which of those two pictures you will choose."

Not all agreed. Some advocated that those who had the means should be able to repatriate the remains of their kin or erect memorials and headstones of their own choosing to them in situ. It was, fittingly, Winston Churchill who closed the debate, with a ringing appeal for the principles of the commission's work.

Those principles won the day and have given us the commission's characteristic cemeteries of lawn and trees, with rows of headstones in narrow, planted borders. It is hardly surprising that the subject of the commemoration of our dead of two world wars remains charged with emotion. Let me say at this stage, for the avoidance of any doubt—even that which may be occasionally maliciously engendered—that for more than 70 years and another world war on, the British Government remain as committed as ever to funding the magnificent work of the Commonwealth War Graves Commission, which now extends to graves and memorials in 145 countries, covering well over 1.5 million individual commemorations.

I turn now to the funding arrangements for the commission, which is, after all, the principal reason for the debate. Funding is, in the main, provided by member nations—Australia, Canada, India, New Zealand and South Africa—in addition to the United Kingdom. It is based on the respective number of war dead, so the United Kingdom pays almost 80 per cent. of those national contributions. I believe that that arrangement is totally fair and has stood well the test of time. I can confirm—again, for the avoidance of any doubt—that the British Government have no wish to change the formula.

The United Kingdom's contribution is made in the form of a grant in aid which, since 1988, has been funded from the defence budget. Previously, the grant was made directly from the Treasury. Over the past five years, to the end of the financial year 1993-94, the commission's total budget, and therefore the United Kingdom's percentage contribution to that budget, has—as the hon. Lady said—increased in cash terms by 50 per cent., from £20 million to £30 million.

I stress the words "in cash terms", as the hon. Lady did. She, however, then tried to confuse the issue by using the phrase "real terms". I do not say "real terms"; I suggest that there is no prima facie case of persistent and chronic underfunding, even if we take foreign exchange rates or inflation into account.

The Ministry of Defence is, of course, accountable to Parliament for the determination and payment of the grant in aid, for the conditions attaching to that aid, for maintaining the commission's observance of those conditions and for the steps taken to satisfy itself that the commission's system of financial management and control is sufficient to safeguard public funds. In that connection, it may be appropriate to mention—I know that the hon. Lady has done so elsewhere—the review of the commission conducted by the MOD's management services organisation—its team of internal consultants—in 1993.

The terms of reference for the review were drawn up in consultation with the commission. The review is a regular affair undertaken about once every five years, and is fully provided for in the financial memorandum agreed between the Department and the commission which governs the payment of the grant in aid. The review team interviewed staff from the commission and spoke to commissioners, including those from contributing nations or their representatives. The team discussed its findings, as they emerged, with representatives of the nations, whom they found very supportive.

Not surprisingly, the team's report concluded that the operational aspects of the commission's work were extremely well run. Cemeteries are maintained efficiently and effectively, and efficiencies have been achieved through improved technology and working practices. In dealing with the commission's head office, however, the report drew attention to—among other matters—the scope for greater use of office technology, more efficient working practices, less hierarchical staffing procedures and a financial programming system that would be more responsive to the requirements of the commission. The recommendations concerning financial planning drew on the best of current management thinking, and, I am sure, could not be considered unreasonable or radical.

The commissioners themselves have a duty to be satisfied that the commission's management systems and administration are efficient and robust enough to ensure that the funds provided by member Governments are used to good effect. The review was certainly acknowledged by most commissioners—especially those from contributing member Governments—to have been very useful in providing the necessary reassurance that the commission's operational activities are carried out in a way that gives value for money.

The hon. Lady's main concern was the commission's funding in the current financial year. The financial memorandum agreed between the commission and the MOD states that each year the commission will provide draft estimates for the forthcoming year, in sufficient detail to ensure that the commission is managing its resources efficiently, effectively and economically.

In considering grant in aid for 1994-95, the MOD had to take into account—among other things—the record of the commission's administration in the spending of funds that had been allocated to it year on year. It also had to examine the grant in aid arrangements, and ensure that they allowed for funds not spent in one year to be carried forward to the next. In recent years, there has been a tendency for the surplus carried forward at the end of each year to be larger than that predicted at an earlier point in the year, when the following year's contribution must be finalised. Of course that must be taken into account. Let me give an example: when the budget for 1994-95 was first considered, a surplus carry forward of some £900,000 at the end of 1993-94 was predicted; that has since almost doubled.

In saying that, I make no criticism of the commission's staff. These are, by their very nature, difficult matters to judge and to estimate, but my Department, in allocating funds, must take account of consistent patterns and trends of this kind to ensure the most cost-effective use of its resources.

I can certainly understand the comfort that a substantial cushion of funding, carried forward from one year to another, gives the commission's staff in managing its programme of work. It is quite another matter, however, to justify such a cushion in terms of fair and equitable public expenditure.

I have tried to explain this in detail to set out the proper context for the figures that appear in the defence supply estimates showing a reduction in the UK's contribution to the Commonwealth War Graves Commission from £21.4 million in 1993-94 to £20.5 million in 1994-95.

It is easy to exploit that reduction, and the hon. Lady has tried her hardest to do so tonight, but these matters were discussed between Ministry of Defence officials and the staff of the commission from last October onwards. Again, some detail may suffice to refute an allegation that there has been a lack of consultation or that Ministry officials have acted in an arbitrary fashion.

An informal meeting was held between commission and Ministry of Defence officials last October, which was followed by the meeting of the commission's finance committee, on which representatives of all contributing nations sit, at the end of that month. That was followed in turn by a commission meeting in December, which discussed funding for 1994-95. Between those meetings, there was a certain amount of correspondence, which set out the Ministry's views in full and could hardly be construed as acting in a stealthy or pre-emptive manner.

The main meeting on which I wish to dwell, however, is one that the vice-chairman of the commission, Sir Joseph Gilbert, and others sought with the Secretary of State earlier this year. At that meeting, my right hon. and learned Friend examined in the greatest detail the effect that any reduced funding would have on the work and standards of the commission, taking into account the surplus being brought forward. He made it clear that it would be quite unacceptable to him personally if damage were done to the splendid work of the commission by his Department's funding proposals. He was assured that the commission did not plan to cut projects or reduce commitments. For the future, my right hon. and learned Friend made it perfectly clear that he would not accept any reductions that would damage the commission's work.

It was those assurances to which my right hon. and learned Friend referred in his powerful intervention in the Army debate on 4 May—an intervention which, had the hon. Lady been present to hear it, would have been judged to be as genuine as it was intended to be. The hon. Lady might then have concluded that this debate was unnecessary.

I understand that, at the March meeting of the commission, the hon. Member asked about the effects of the funding level for 1994-95 and was told that no cuts in the programme were planned, which she accepted. The hon. Lady was not only at that meeting but was provided with a detailed record of the meeting between Sir Joseph Gilbert and the Secretary of State in February. I wonder what her motives are in persisting with these arguments.

In conclusion, and in the hope that this time the hon. Members who signed the hon. Lady's early-day motion will listen, hear and understand, I state categorically that the Government will continue to honour fully their obligation to fund the splendid work of the Commonwealth War Graves Commission in maintaining the war graves and memorials of the British and other Commonwealth dead of two world wars to the very high standard that they deserve.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes to Eleven o'clock.

House of Commons

Tuesday 17 May 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

NEW WRITS

For Eastleigh, in the room of the Stephen David Wyatt Milligan Esquire, deceased.—[*Mr. Sydney Chapman.*]

For Barking, in the room of the Josephine Richardson, deceased.

For Bradford, South, in the room of the George Robert Cryer Esquire, deceased.

For Dagenham, in the room of the Bryan Charles Gould Esquire. [Manor of Northstead]

For Newham, North-East, in the room of the Ronald Leighton Esquire, deceased.—[*Mr. Derek Foster.*]

PRIVATE BUSINESS

GREATER MANCHESTER (LIGHT RAPID TRANSIT SYSTEM) BILL [*Lords*]

Read the Third time, and passed, with amendments.

Oral Answers to Questions

EMPLOYMENT

Employment, Warwickshire

1. **Mr. Pawsey:** To ask the Secretary of State for Employment how many people are employed in the Warwickshire travel-to-work area currently; and what was the figure in 1990-91.

The Parliamentary Under-Secretary of State for Employment (Miss Ann Widdecombe): The latest available estimates are for September 1991, when there were 77,200 employees in the Warwick travel-to-work area.

Mr. Pawsey: I thank my hon. Friend for that extremely helpful reply. Does she agree that one of the reasons why the Warwick and, indeed, Warwickshire figures are so good is the highly motivated, well-trained and adaptable work force? That applies especially to the constituency of Rugby and Kenilworth, as my hon. Friends will know. Does my hon. Friend agree that the Rugby and Kenilworth area is part of the midlands golden triangle and attracts a steady stream of new employers, creating new wealth and new employment? *[Interruption.]*

Madam Speaker: Order. That is setting a rather bad pace for questions.

Miss Widdecombe: I have pleasure in confirming each one of my hon. Friend's statements. I also have pleasure in confirming his comments on Rugby and Kenilworth, where unemployment has fallen by 12 per cent. over the past year.

Mr. Oliver: Would it not have been a more honest question and a more honest answer if the hon. Member for Rugby and Kenilworth (Mr. Pawsey) had gone back to 1979 figures and if, in speaking up for the skills of the work force in the Coventry and Warwickshire area, he had mentioned that that area has been decimated by the Government's inability to have a manufacturing policy?

Miss Widdecombe: I am sure that, in this period of peace between our parties, the hon. Gentleman will wish me to give him good news on which he can then congratulate the Government. May I first point out that fair comparisons between work forces in employment should be from peak to peak or trough to trough and not from the one to the other? Secondly, may I give the hon. Gentleman the good news about the creation of new jobs by Jaguar, Peugeot and Land-Rover and the jobs that that has brought to the hon. Gentleman's region? In this new period of peace, I look forward to the hon. Gentleman congratulating us on that.

Employment Statistics

2. **Mr. Flynn:** To ask the Secretary of State for Employment what new proposals he has to improve the accuracy of employment statistics.

The Minister of State, Department of Employment (Mr. Michael Forsyth): Government statisticians have taken a number of initiatives in recent years, but I am not aware of any new proposals.

Mr. Flynn: Does the Minister recall that at the last Employment Question Time, in answer to a similar question, I was told that the Minister agreed with paragraph 78 of the Select Committee's report of 10 February which concerned my question, as though every hon. Member could be expected to know every sentence of every paragraph of every Select Committee report? Will the Minister lead by example today and tell me whether he agrees with the final sentence of paragraph 112 of the same report?

Mr. Forsyth: The hon. Gentleman knows the answer to that question as well as I do.

Sir Donald Thompson: Does my hon. Friend agree that when there are more people unemployed there are more people on the register and when there are fewer people unemployed there are fewer people on the register, that that is an accurate reflection and that ours are by far the best figures in Europe?

Mr. Forsyth: My hon. Friend is absolutely right. The good news is that, however we measure unemployment, it is falling in Europe in only one other country apart from the United Kingdom. The United Kingdom has led the way because of the success of the supply side reforms that the Government have carried out, though not always with the support of Opposition Members.

Mr. Barron: Will the Minister confirm that his Department's labour force survey shows that the total number of people who want a job is really 5 million if one uses a four-week test? In view of the difference between

that view and the official claimant counts which are published on a monthly basis, is the Minister prepared to co-operate fully with the inquiry set up by the president of the Royal Statistical Society and to agree, as Labour will, with the recommendations so that we can have a fair account of unemployment in this country rather than the fiddled figures that we get each month?

Mr. Forsyth: I am disappointed that the hon. Gentleman should take that view. He will know that we measure unemployment in two ways. The first relates to people claiming benefit, which is the unemployment count. The other is the internationally recognised International Labour Organisation definition. Both figures are broadly the same. If the hon. Gentleman is going to talk about 5 million unemployed, I wonder whether that is official Opposition policy. In the unlikely event of a Labour Government, are they likely to be announcing on their first day in office that there are 5 million unemployed? I think not. Other Opposition Members have accepted the ILO figures. It would be better to recognise that the figures are correct and to concentrate on the good news that unemployment is falling.

Training

3. **Mr. Colin Shepherd:** To ask the Secretary of State for Employment what steps he is taking to develop further training opportunities for young people.

The Secretary of State for Employment (Mr. David Hunt): The introduction of a new modern apprenticeship scheme and other measures.

Mr. Shepherd: I thank my right hon. Friend for that brief answer. Does he recognise that the concept of apprenticeships is often thought of as purely a matter for the mechanical and engineering sectors whereas there are many other sectors to which it could be applied? Will my right hon. Friend stress that fact in his development of the concept?

Mr. Hunt: Yes, I will. In fact, my hon. Friend's own training and enterprise council—Hawtec—is, among other training and enterprise councils, involved in the preparation of a prototype for the retail industry. There are a number of other prototyping arrangements for modern apprenticeships, including information technology, plumbing and marine engineering. Those sectors cover a range of new areas which have not hitherto had apprenticeships.

Mr. Alex Carlile: What fresh proposals does the Secretary of State have for the many new graduates who will emerge from university in a few weeks, young and eager to work?

Mr. Hunt: I am delighted that between 1990 and 1996 the number of individuals graduating from our universities will double. I also take pride in the fact that the rate of unemployment among graduates is half the national average. The United Kingdom has one of the lowest rates in Europe. There will be increasing opportunities for our graduates, who will share in the increasing growth in the economy.

Mr. Alan Howarth: Is my right hon. Friend aware that his decision that equal opportunities for disabled people —and, most importantly, young disabled people—should be on the agenda for his meetings with training and enterprise councils has been extensively welcomed? Is he further aware that the Employers Forum on Disability and the Confederation of British Industry are looking forward to consultations with him on policies to end discrimination in training and employment and that they want the Government to take the lead in updating the legislation in that area? Will he press forward with that process?

Mr. Hunt: I agree that the present quota system is not effective in removing discrimination against disabled people. We are introducing a new access to work scheme, but we must go further and introduce proposals to end discrimination where it affects disabled people.

Mr. Tony Lloyd: Will the right hon. Gentleman confirm that £103 million has been cut from the budget for adult and youth training? Given the Government's record of shoddy, low-cost training which has failed the nation in the past, why should we believe that the modern apprenticeships will be any different?

Mr. Hunt: The hon. Gentleman is about the only person to have voiced that view. I have been overwhelmed with favourable responses to the new modern apprenticeship scheme. In fact, the hon. Gentleman was quoting a significant underspend in youth training. The introduction of a new modern apprenticeship scheme and the credits that accompany it, together with a budget of £1.25 billion over the next three years, means that we have the potential to fill the skills gap in the economy at the much-needed technician, craft and supervisory levels.

Mr. Brandreth: Can my right hon. Friend confirm that the Government are currently spending about £2.8 billion per year on training and enterprise—two and a half times the amount spent in 1979 in real terms? Is that not one reason why last year some 1.4 million people were able to return to work, 24 per cent. of whom had been unemployed for more than six months?

Mr. Hunt: My hon. Friend quotes a number of very important statistics. We are spending much more now in real terms than was spent under the Labour Government in 1979. The important thing is to ensure that that spending is properly targeted. That is why we are introducing new measures which I believe are capturing the support of a wide cross-section of the community. I very much hope that the hon. Member for Stretford (Mr. Lloyd) will rethink his position.

4. **Mr. Barnes:** To ask the Secretary of State for Employment what percentage of youth training and training for work trainees found work on completion of their courses at the latest date for which figures are available.

Miss Widdecombe: Sixty-six per cent. of youth training and 36 per cent. of training for work trainees were in employment after completing their training.

Mr. Barnes: Why do so many young people go straight from inadequate training courses to the dole without decent qualifications or credits? Should there not be investment in skills training, together with temporary employment subsidies to promote the creation of jobs? It is not only the young people who suffer—the whole economy suffers by not being able to use their talents.

Miss Widdecombe: Some 66 per cent. of those who complete youth training gain a qualification or a credit. It

does not follow that those who do not do so necessarily go into unemployment. Some go on to further training and others to further education. Those facts must be remembered. On the hon. Gentleman's point about spending on youth training, it is worth spelling out that the forthcoming budget actually includes a higher spend than currently, despite the fact that larger numbers of young people stay on at school.

Mrs. Angela Knight: Will my hon. Friend confirm that in the east midlands region unemployment is falling and vacancies are increasing, bringing real hope to young people looking for jobs? Is she aware that in the Southern Derbyshire training and enterprise council area, which covers my constituency of Erewash, young people eligible for youth training schemes are getting a place without waiting?

Miss Widdecombe: I am delighted to confirm my hon. Friend's latter point. Not only is it true in her constituency; it is now true in the vast majority of TEC areas. The number waiting more than eight weeks for a YT place has dropped from just under 5,000 last year to 138.

Mr. Campbell-Savours: Is not the problem questionable certification? I have yet another falsified national vocational qualifications certificate fraudulently produced by JHP Training. May we now have the National Audit Office independent inquiry for which I have repeatedly called and to which I have offered to provide evidence, as against the in-house inquiry that the hon. Lady wants to set up when clearly her own Department has been totally discredited?

Miss Widdecombe: The hon. Gentleman knows the answer to his question because he came to see me yesterday and I explained it to him then. I explained clearly to him yesterday that it is the view of the National Audit Office that it is appropriate for us to conduct an internal inquiry. That inquiry would be greatly assisted if the hon. Gentleman would make the evidence available to us, as he said in an early-day motion that he would.

Modern Apprenticeship Scheme

5. **Mr. Duncan:** To ask the Secretary of State for Employment what representations he has received from industry and trade unions in support of the proposed modern apprenticeship scheme.

Mr. David Hunt: Many messages of support.

Mr. Duncan: Can my right hon. Friend confirm that in his discussions with the trade unions they have indicated that their demand for a minimum wage would not extend to this scheme if it were implemented? Does that not show that the trade unions know that a minimum wage would destroy jobs in the way that the trade union movement destroyed apprenticeships in the 1960s and 1970s, and that the minimum wage, as the policy of the Labour party, should best be dropped altogether?

Mr. Hunt: There is an atmosphere of lack of enthusiasm for any proposals for a statutory minimum wage, even extending to our colleagues on the Labour Benches, who have understood that such an idea would not be popular at present. I do not believe that it would be popular because it would strike at the heart of a scheme such as the new modern apprenticeship scheme. Moreover, in the past 15 years young people's earnings have increased in real terms right across the spectrum.

Mr. Robert Ainsworth: In the many messages that the Secretary of State has received from employers, what exactly has the Engineering Employers Federation said to him about the new modern apprenticeship scheme? When we spoke to the EEF the other day, it was markedly lukewarm, feeling that we were probably going down the road towards yet another underfunded gimmick. What exactly is the view of the Engineering Employers Federation to the proposed new apprenticeship scheme?

Mr. Hunt: When I met the EEF on Monday, its view was very positive. I hope that the view expressed by the hon. Gentleman is not widely held in the EEF. It is now very much up to employers to develop the scheme. We have not laid down a statutory Government scheme: we have asked employers to come forward with prototypes that they believe will be successful in delivering at NVQ level 3—equivalent to two A-Levels—the skills that they believe are necessary in their industries. In my experience, the engineering industry is one of the most important sectors behind the new modern apprenticeship scheme so far.

Mrs. Ann Winterton: Is my right hon. Friend aware that much of industry is enthusiastic about the scheme, believing that the only way forward to provide the skilled craftspeople of the future is through apprenticeship schemes? Is he aware of the importance of electrical skills to the film industry, for example? An example of that industry's excellence is the lighting provided at the Palace of Westminster for the state opening of Parliament.

Mr. Hunt: I am happy to endorse what my hon. Friend has said. One of the prototypes for the new modern apprenticeship scheme is coming from the electrical installation engineering sector and I am delighted about that.

Mr. Prescott: Does the Secretary of State accept that the result of the Government's scrapping of the 20 statutory training boards and their statutory levies was a reduction of more than 150,000 apprenticeships? Industry did not invest in apprentices. Has not the time arrived to adopt the principle of a statutory training levy? Has not the problem with training in Britain been the lack of adequate finances to produce the skills required, as industry does not do this voluntarily?

Mr. Hunt: I hope that when the hon. Gentleman looks at the statistics he will recognise that one good feature of a pretty tough recession has been the way in which expenditure on training by employers has held up extremely well. Employers now invest some £20,000 million on training.I agree with the hon. Gentleman that we have a particular problem—although I disagree with him about its causes—in filling the much-needed skills level at NVQ level 3 through a new modern apprenticeship system. I very much hope that the hon. Gentleman will let me have his thoughts about how the new prototypes can be developed, since I am open to argument as to how best the scheme can be taken forward.

Mr. Ian Bruce: Does my right hon. Friend agree that, with the enormous increase in spending on academic training through the Department for Education, the balance

must be redressed by putting more money into training for work, particularly in counties such as Liberal Democrat-controlled Dorset, where the council has slashed the discretionary grant for people going on to schemes which are job related?

Mr. Hunt: I agree with my hon. Friend. I should like to see a substantial increase in workplace training. We must deliver opportunities to young people leaving school not just to go down the traditional academic route, but to see exciting opportunities in the new modern apprenticeship scheme. I very much hope that there will be successful vocational training, particularly in specific new areas and in new industries, to deliver those much-needed skills in the future.

Labour Statistics

6. **Mr. Win Griffiths:** To ask the Secretary of State for Employment if he will list the changes in the number of men employed in each standard planning region since June 1979.

Mr. Michael Forsyth: With permission, Madam Speaker, I will arrange for the table of information requested to be published in the *Official Report*.

Mr. Griffiths: I am sorry that the Minister could not see fit to give figures which have been given on previous occasions when I have been lucky enough to ask this question.

May I draw attention to the figures for Wales, which have prompted me to ask about the United Kingdom? There has been a reduction in the number of jobs for men in Wales from 618,000 to 583,000, including 53,000 part-time jobs. That is a reduction of more than 20 per cent. When does the Minister expect to get back to the figures for employment for men that we had when Labour was last in power?

Mr. Forsyth: If the hon. Gentleman looks at his question, he will find that he asked for the figures for each region of the United Kingdom, not for the United Kingdom. He is right about Wales, but he could have pointed to East Anglia where employment figures have gone up. I should have thought that the hon. Gentleman and others would welcome the fact that employment is rising and that in Britain we have a higher percentage of our population in work than most other European countries.

Mr. Mans: In the context of the figures, does my hon. Friend agree that the situation is very good indeed in the north-west? Does that not show that this recovery, unlike previous ones, is manufacturing and export-led, rather than consumer and service-led?

Mr. Forsyth: My hon. Friend is right to point out that in recent months unemployment has been falling in every region of the United Kingdom. That is good news, and it is because of the success of the Government's policies of getting inflation down and creating conditions in which business can thrive and prosper.

Following is the information:

Civilian work force in employment[1]

thousands

Standard regions	*Male all June 1979*	*Male all December 1993*	*Change*
South East	4,884	4,368	−516
East Anglia	485	511	+26
South West	1,053	1,118	+65
West Midlands	1,464	1,238	−226
East Midlands	1,012	927	−85
Yorkshire and Humberside	1,305	1,113	−192
North West	1,714	1,410	−304
North	807	661	−146
Wales	721	627	−95
Scotland	1,323	1,173	−150
Great Britain	14,769	13,147	−1,622

[1] The civilian work force in employment comprises employees in employment, the self-employed and participants in work-related Government training programmes. Figures are not seasonally adjusted.

Modern Apprenticeships

8. **Dr. Spink:** To ask the Secretary of State for Employment what estimate he has made of the number of people who will be able to benefit from the new apprenticeship scheme in each of its first three years.

Mr. David Hunt: More than 40,000 a year.

Dr. Spink: I thank my right hon. Friend for that excellent news. Will modern apprenticeship scheme places be available in smaller firms such as Mechtric Engineering, which employs 20 highly skilled engineers, designers and technicians in Castle Point? Would apprenticeship places be appropriate in a company such as Mechtric, bearing in mind that this week it celebrates its silver jubilee, the award of its BS 5750 certificate and the fact that it exports the world-beating 7150 material testing machine?

Mr. Hunt: I join my hon. Friend in congratulating Mechtric Engineering on the trio of achievements that he set out. He is right that engineering is one of the key areas. I am delighted to say that I have already been made aware that there are advanced arrangements for prototypes not only in electrical installation engineering, but in engineering construction and manufacture and marine engineering. Many other sectors are already lining up to start the new modern apprenticeship scheme next year and I am delighted about that.

Mr. Clapham: Is the Secretary of State aware that President Clinton and his advisers are looking not to Britain as the model to follow, but to the Germans, because they believe that the German universal apprenticeship scheme will provide the necessary platform for a modern economy? What steps is he taking to link national vocational qualifications to a more universal apprenticeship scheme?

Mr. Hunt: On the first point, when I attended the recent jobs conference in Detroit I found considerable interest, not only on the part of the United States but on that of our German colleagues in G7, in our new modern apprenticeship scheme.

On the second point, we are linking the new modern apprenticeship scheme, as I said, to NVQ level 3 because

we believe that that is where the skills gap exists which we must fill. The hon. Gentleman will also be aware of our plans for linking training much more to output and especially linking it much more to the opportunities that the new NVQ system offers to every member of the population.

Unemployment

9. **Mr. John Marshall:** To ask the Secretary of State for Employment how the rate of unemployment has changed since January 1993.

Mr. Michael Forsyth: Unemployment has fallen by 240,000 or 0.8 percentage points since January 1993.

Mr. Marshall: Can any other European country boast such a record? Is the rate of unemployment in Britain lower or higher than the European average? Are not there more people at work in Britain than in Germany, France, Spain or Italy? Does not that record reflect on Government—

Madam Speaker: Order. I am empowered to ask the Minister to answer only one question. I hope that hon. Members will take that to heart. Perhaps the Secretary of State can have a stab at answering a couple of those questions—sorry, the Minister of State.

Mr. Forsyth: My hon. Friend will have to make do with me, but I can confirm that he has answered all his questions and has brought good news to the House. The record on jobs in Britain is very good indeed.

Mr. Skinner: Why on earth should anyone in Britain believe those figures when more than 500,000 young people on slave labour schemes are not counted, more than 500,000 women are not registered and more than 100,000 ex-miners are not registered for unemployment? In pit villages in Bolsover more than 50 per cent. are unemployed and that is true of every coalfield in the country. What a pack of lies.

Madam Speaker: Did I hear the hon. Gentleman correctly? Did he say it was "a pack of lies"?

Mr. Skinner: I was using the collective noun.

Mr. Forsyth: I thought that the hon. Gentleman was making an assessment of his own question. According to the internationally recognised definition by the International Labour Organisation—an organisation which I should have thought the hon. Gentleman would support—Britain is leading the way in Europe with falling unemployment and in creating new employment opportunities, which I accept are required in communities that have been affected by the consequences of closures in the coal industry.

Mr. Anthony Coombs: Will my hon. Friend confirm that not only does Britain have a higher proportion of people in work than any other country in Europe, but last year saw unemployment in the west midlands fall by no fewer than 73,000 people? Does my hon. Friend also agree that inward investment has protected some 76,000 jobs in the west midlands and that that inward investment would undoubtedly be jeopardised if we adopted the social chapter of which the Labour party is so fond?

Mr. Forsyth: My hon. Friend is right to look to the future and to emphasise the importance of new jobs which come from inward investment. He also highlights the importance of having flexibility in the labour market which enables employers to respond to the needs of the marketplace in order to create future employment. That is why the Prime Minister's opt-out from the social chapter was so important in helping to create inward investment opportunities.

Mr. Prescott: Does the Minister accept that, according to his own labour force survey, another 2.2 million people are looking for work and available for work? If that information is true and he accepts it—giving a total of nearly 5 million unemployed—is that another example of, "If it's not hurting, it's not working"?

Mr. Forsyth: The hon. Gentleman seems to live by the code that one shoots the messenger when he brings good news, not bad news. The fact is that it is good news about employment. If the hon. Gentleman wants to claim that there are 5 million people unemployed, may we hear from the Opposition that they would accept that figure if they were in government? I think that the hon. Gentleman will find that, by any accepted criteria, the ILO figures are the figures which he should look to and which are consistent with those achieved by measuring the unemployment count.

Mr. David Nicholson: Does my hon. Friend agree that the fall in unemployment that he described is more than paralleled in the south-west region? Will he urge his right hon. Friends to continue to resist measures of regulation, taxation burdens and political correctness which, contrary to the advice of the hon. Member for Bolsover (Mr. Skinner), will damage job creation?

Mr. Forsyth: I agree with my hon. Friend—in fact, about 250,000 extra jobs have been created in the south-west in the past 10 years. My hon. Friend is absolutely right to emphasise the importance of the Prime Minister's deregulation initiative and the attempt to reduce the burden on businesses from red tape and regulations. It is undoubtedly true that the jobs of the future will come from small and medium-sized enterprises which must be encouraged to thrive and prosper.

Senior Managers

10. **Mrs. Anne Campbell:** To ask the Secretary of State for Employment what proportion of senior managers were women in each of the last three years for which figures are available.

Miss Widdecombe: The labour force survey shows that, in the autumn of 1993, 31 per cent. of corporate managers or administrators were women. The equivalent figures for 1991 and 1992 were 29 per cent. and 31 per cent.

Mrs. Campbell: Has the Minister taken the time to study the report entitled "The Rising Tide" published by the Office of Science and Technology? Is she aware that one of the key recommendations of the report asks Government Departments to set a target that women will fill at least 25 per cent. of public appointments and senior manager positions by the year 2000?

Miss Widdecombe: Indeed, and because of the prime ministerial initiative announced in 1991 there has already been a rise from 23 per cent. to 28 per cent. of women in public appointments. Because of the initiative of Opportunity 2000, 25 per cent. of the work force are now covered by employers who are committed to those objectives.

Mr. Bill Walker: Does my hon. Friend agree that the most important senior manager's post that any woman can aspire to is to run her home effectively and well, particularly where children are involved, because that is of enormous benefit to the nation?

Miss Widdecombe: It is extremely important that we value properly those women who choose to run homes. That is why there are special exemptions for women returners in our training programmes; that is why my right hon. Friend introduced accredited prior learning and applied it also to those on career breaks; and that is why we have tried to make that choice available as widely as possible.

Mrs. Clwyd: Does the Minister agree, however, that under the Government of whom she is a member, women are still treated as second-class workers and that only in Ireland and Luxembourg, in the European Union, are women's average earnings lower, as a proportion of men's, than in Britain?

Miss Widdecombe: The hon. Lady completely misunderstands the position of women in this country. Under the Government, there has been an increase in the number of women in the work force. If the hon. Lady wants European comparisons, I am delighted to give them to her. We have the second greatest proportion of women in work in the European Union. We are also the only country in which female unemployment is less than that of men. The hon. Lady should be congratulating the Government and it is the tone of her question which sorely tempts me to be less moderate than I am generally trying to be today.

Mr. Ian Taylor: Will my hon. Friend confirm that if 31 per cent. of all senior managers are women, presumably the rest of them are men? In those circumstances, will she also confirm that the criteria of qualification for the job count most, rather than the attempt to get sexual equality into every aspect of our business life?

Miss Widdecombe: It can scarcely be doubted that, if 31 per cent. are women, the rest must be men. I agree with my hon. Friend about that. I would, however, point him to the initiative, "Fair Play for Women", and to what that has already achieved in Wales and what we expect it to achieve now that we have launched it in England, in terms of making women more valued in the workplace, better qualified, better trained and giving them more opportunities generally. That has remained a consistent objective of the Government.

Trade Unions

11. **Mr. McAllion:** To ask the Secretary of State for Employment when he last met the TUC to discuss matters relating to the right to belong to trade unions.

Mr. Michael Forsyth: I met Mr. John Monks on 29 November last year.

Mr. McAllion: Does the Minister accept that, by banning trade unions at GCHQ, the Government are denying those workers their democratic right of freedom of association? Will he try to understand that a Government who deny democratic rights to their citizens, and who arm dictators around the world who genuinely threaten this country's security, are in no position to lecture GCHQ trade unionists about disloyalty or national security?

Mr. Forsyth: Workers at GCHQ are able to join a staff association, as the hon. Gentleman knows. It is the Conservative Government who have given everyone the right to join a trade union of their choice—something which Opposition Members have opposed.

Mr. Jenkin: At his meeting with Mr. John Monks, did my hon. Friend obtain an explanation as to which unions oppose a national minimum wage?

Hon. Members: No.

Mr. Forsyth: Oddly enough, that was not a subject for conversation, but my hon. Friend is right to point out that there are some people in the trade union movement whose concern for jobs makes them oppose a minimum wage, unlike some Opposition Members, whose concern for dogma perhaps gives jobs second priority.

Mr. Janner: Does the Minister accept that in a decent democratic country, workers should have the right to be represented by the unions of their choice?

Mr. Forsyth: This is a decent democratic country. It is the Conservative Government who have given workers the right to join a trade union of their choice, and it is the Conservative Government who got rid of the wicked closed shop legislation, which prevented people from working when they did not wish to join a trade union.

12. **Mr. Streeter:** To ask the Secretary of State for Employment what assessment his Department has made of the effects of trade union legislation since 1979.

Mr. David Hunt: The legislation has transformed industrial relations.

Mr. Streeter: Does my right hon. Friend agree that, freed from trade union shackles, British workers now produce more and compete better than many of our overseas counterparts? Is not it true that, in the 1990s, as a result of Conservative trade union legislation, many American and Japanese companies, which would not have touched us with a bargepole in the 1970s, bring to the country new investment, new factories and new jobs?

Mr. Hunt: I agree with my hon. Friend. It is a stark set of facts that productivity growth in the UK is higher today and was higher in the 1980s than productivity growth in Japan and that the UK strike rate is now lower than in Germany. So not only is the United Kingdom leading Europe through recovery into a sustained period of non-inflationary growth, but it is leading the way in putting harmony in place of strife and increasing the growth in productivity.

Ms Eagle: Will the Secretary of State give the House the answer which the Minister did not give to the question of my hon. and learned Friend the Member for Leicester, West (Mr. Janner)? Does he believe that, in a democratic society, an employee has the right to be represented at work by the union of his or her choice?

Mr. Hunt: We have just answered the point by making it clear that we believe in a free democratic society. Employers should not be compelled to accept a negotiator who may not necessarily be the representative of the work force. It is very much up to trade unions to earn an increasing membership by appealing to their members and by selling their services to them. I take great pride in the fact that days lost through industrial action are now 20 times fewer than the average in the 1970s.

PRIME MINISTER

Engagements

Q1. **Mr. Dunnachie:** To ask the Prime Minister if he will list his official engagements for Tuesday 17 May.

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further meetings later today.

Mr. Dunnachie: Will the Prime Minister agree to scrap the Child Support Agency in its present form and go back to the drawing board to produce a more efficient and fair method of supporting children of lone parents?

The Prime Minister: I think that children are entitled to be supported by their own parents and that taxpayers should help only to the extent that parents do not have the means to do so. As the hon. Gentleman knows, in February we made some changes to the Child Support Agency and I repeat what I have said to the House on previous occasions: we shall continue to keep it under review and, if further changes are necessary, we shall make them.

Q2. **Mr. Lidington:** To ask the Prime Minister if he will list his official engagements for Tuesday 17 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Lidington: Is my right hon. Friend aware that last week's decision by the Select Committee on the Crossrail Bill has caused immense dismay among my constituents in Aylesbury and among many other people in London and south-east England? Will he assure the House that the Government will look urgently at other ways in which that project might be taken forward?

The Prime Minister: I share the disappointment that the Select Committee has rejected the Crossrail Bill. We have consistently made clear our commitment to the project and I am pleased to tell the House that that commitment remains. The promoters are now urgently considering the position and we are in discussion with them on how to proceed.

Mrs. Beckett: When does the Prime Minister expect to publish the Department of Transport's report on the technical and legal aspects of fitting seat belts in minibuses and coaches, especially in view of the fact that the Government have been saying since January that that research would be published "in a few weeks' time"?

The Prime Minister: I hope that it will not be very long before we are able to publish it. The report has now been delivered to Ministers and I hope that they will be able to announce their conclusions shortly.

Mrs. Beckett: Could I urge the Prime Minister to make that very shortly indeed, as the report has been in preparation for some time and safety organisations, coach operators and the general public have been calling for a measure along those lines for a considerable time?

The Prime Minister: We are looking at a range of things. The Department of Transport has been conducting a full review of the technical and cost implications of fitting seat belts to both minibuses and coaches. We also wish to take into account the circumstances of the minibus accident last Sunday and the vehicles in that respect are still being examined by the Vehicle Inspectorate. It is right that we examine all the circumstances. As soon as we are ready, we shall bring forward our conclusions.

Mrs. Beckett: Can the Prime Minister give us an assurance that when the Government have looked at this report they will be prepared to introduce legislation as a matter of urgency? I believe that the amendment paper contains an amendment in the name of my hon. Friend the Member for Clydesdale (Mr. Hood) which might make possible the adoption of a decision in principle as early as tomorrow night. I repeat the offer of all-party talks which was made by my hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson) as long ago as December, with a view to ironing out the difficulties regarding such legislation. I assure the Prime Minister that, subject to proper scrutiny, the Opposition would certainly give any legislation a speedy passage.

The Prime Minister: We wish to conclude our examination of this matter before deciding what is the right way to proceed. Increasingly a number of minibus manufacturers are fitting seat belts as a matter of course. That is a decision for them. It is also open to potential customers, when making coach or minibus bookings, to ask whether belts are fitted. I do not wish to give any indication of the outcome of the review until we have had time to study the conclusions and to reach a decision based on all the evidence that is available.

Mr. Couchman: Is my right hon. Friend aware that, while regretting the need for such a course, the House will back the decision of the Commissioner of Police of the Metropolis to increase the number of armed response units?

The Prime Minister: There is a feeling—in the House and across the country, I suspect—that people certainly do not wish the police to be armed as a matter of course. This is a very limited measure and I believe that it is justifiable. Of course, the number of armed policemen will be very small—about 50. These officers are highly trained in the use of firearms and they will be called only to incidents where firearms might be needed.

Mr. Ghazanfer Ali

Q3. **Mr. Madden:** To ask the Prime Minister what representations he had made to the Government of Pakistan to secure the release of Mr. Ghazanfer Ali from prison in Mirpur.

The Prime Minister: Although Mr. Ali is not a British citizen, our high commissioner in Islamabad has followed this matter closely on a humanitarian basis. We are

concerned that Mr. Ali's case keeps being adjourned. Officials at the Foreign Office are arranging to meet his son to discuss future courses of action.

Mr. Madden: I thank the Prime Minister, on behalf of Mr. Ali's wife and family, for his past efforts on this man's behalf. As the right hon. Gentleman knows, Mr. Ali has been held without proper trial for the past four years. I urge him to make further representations to the Prime Minister of Pakistan and to the Prime Minister of Azad Kashmir, who will be visiting Britain and calling at the House of Commons later this week.

The Prime Minister: I know that the hon. Gentleman has taken a very great interest in the matter. So far, we have pursued it on a humanitarian basis. Given the length of time that Mr. Ali has been detained without trial, I shall consider raising his case again with the Pakistani authorities. The hon. Gentleman knows that as Mr. Ali is not a British national we cannot assist specifically with consular advice. However, on a humanitarian basis, it is right that we should again raise with the Pakistani authorities the question of his lengthy detention without trial.

Engagements

Q4. **Dr. Spink:** To ask the Prime Minister if he will list his official engagements for Tuesday 17 May.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Dr. Spink: Is my right hon. Friend aware of the breast cancer lobby that is taking place at the House of Commons today? Did he have time to read the report on the subject in *The Daily Telegraph* today? Will he draw its importance to the attention of my right hon. Friend the Secretary of State for Health?

The Prime Minister: I think my right hon. Friend will have heard my hon. Friend's question. I am very pleased that the Macmillan Fund for Cancer Relief survey shows that there was a high degree of satisfaction with the treatment that women had received from the national health service. That was particularly marked among those who had received treatment more recently. I understand that the Chief Medical Officers of England and Wales will publish tomorrow their consultative report on the provision of cancer services. I believe that it will have far-reaching consequences for the services provided for patients with cancer.

Q5. **Mr. Grocott:** To ask the Prime Minister if he will list his official engagements for Tuesday 17 May.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Grocott: Is not it salutary for the international community to note that in Rwanda more people have been killed in the past six weeks—one estimate puts the figure at 500,000—than were killed in the former Yugoslavia in the whole of the past three years? Is not it vital that the United Nations, the European Community and other international agencies ensure that the time, energy and effort that they devote to the solution of crises worldwide are at least in some way proportionate to the degree of suffering on the ground?

The Prime Minister: There are many people who feel as the hon. Gentleman clearly does about the dreadful bloodshed in Rwanda. It is clearly a bitter civil war and some of the atrocities that have taken place are unforgivable by any rational judgment. The United Nations Security Council has unanimously adopted resolutions calling for a ceasefire. I agree with the hon. Gentleman that it is necessary to assist where practicable. The mandate is primarily humanitarian, contributing to the security and the protection of refugees and civilians at risk. The resolution also imposes an arms embargo.

Mr. Bowden: As we approach the 50th anniversary of D-day, will my right hon. Friend give some thought to the war widows whose husbands made the supreme sacrifice, to see whether there is some way in which he can ensure that additional recognition is given to that sacrifice this year by some form of financial payment?

The Prime Minister: I know that my hon. Friend is a doughty fighter for pensioners generally, and war widows in particular, and I am sure that my right hon. and learned Friend the Chancellor will have heard what he has to say. My hon. Friend will agree that, over the years, we have taken great care to recognise the remarkable sacrifice made by many widows whose husbands were killed in the war and most people will consider it right of us to have done so.

Q6. **Mr. Foulkes:** To ask the Prime Minister if he will list his official engagements for Tuesday 17 May.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Foulkes: If the economy is on the mend, as the Prime Minister keeps claiming, instead of increasing VAT on fuel to 17.5 per cent. in April, will he consider getting rid of it altogether?

The Prime Minister: I do not think that many people doubt that the economy is on the mend. All the indicators show that that is certainly the case. Not every single indicator in the months ahead may be as good as we would wish, but the overall trend is undoubted. One of the reasons why the economy is moving ahead is that we have taken the tax measures necessary to improve our public finances.

Economy

Q7. **Mr. Luff:** To ask the Prime Minister if he will make a statement on the prospects for economic growth and inflation in the United Kingdom.

The Prime Minister: The prospects for the economy are extremely good—*[Interruption.]*—and not only that, this year the United Kingdom is set to be the fastest-growing major European economy for the second year running. Underlying inflation is under control, at its lowest for 25 years and well within its target range. I shall spare Opposition Members all the rest that it says here.

Mr. Luff: I thank my right hon. Friend for that answer. Does he agree that one of the hardest lessons we have to relearn as a country is that British manufacturing industry can prosper only if it is competitive? Against that background, will he join me in welcoming yesterday's news that factory gate inflation is at a low level not seen in Britain for a generation?

The Prime Minister: My hon. Friend is quite right about competitiveness. The more competitive we are, the more we will sell and the more jobs we will be able to create in this country. The figures on factory gate prices are extremely good—better than we have seen for many years. One of the reasons why we are competitive and will remain so is that we have no intention of saddling our companies with the social on-costs that so many in Europe have now undertaken and which so many in the House would be prepared to undertake.

Mr. Purchase: Will the Prime Minister contrast the sweeping victories of many Labour groups in the local elections recently—

Madam Speaker: Order. I am listening carefully because the hon. Gentleman's question has to be tied to the question on the Order Paper on prospects for economic growth and inflation.

Mr. Purchase: Indeed, Madam Speaker. Will the Prime Minister compare that record with the awful record of the Black Country development corporation on economic development in the black country? In the light of that comparison, would he care to give back to Labour authorities the money taken from them for that economic development?

The Prime Minister: I do not agree with the hon. Gentleman about the record of the Black Country development corporation. It is clear that right across the black country and the country as a whole the prospects for manufacturing industry and other industries are rapidly improving. That is self-evident in the growth seen in the past 12 months, the growth that we are seeing now and the growth that we can safely anticipate in the future.

Engagements

Q8. **Mr. Richards:** To ask the Prime Minister if he will list his official engagements for Tuesday 17 May.

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Richards: Does my right hon. Friend agree that sharpening the skills of our schoolchildren will improve the competitive edge of the economy in the future? Does he welcome the recently announced statistics showing that more of our schoolchildren are staying on at school than ever before?

The Prime Minister: I do welcome that, just as I welcome the fact that the number of people who are unemployed is falling and has been consistently for 15 months. Some years ago, about one in eight of young people went on to further education; that figure is now one in three. Some 70 per cent. of our 16-year-olds are now in full-time education. I am sure that that trend is right and I thoroughly welcome it.

Merchant Shipping (Donaldson Report)

3.30 pm

The Secretary of State for Transport (Mr. John MacGregor): With permission, Madam Speaker, I should like to make a statement on the report of Lord Donaldson's inquiry into the prevention of pollution from merchant shipping. The report, "Safer Ships, Cleaner Seas", is published today, and copies have been placed in the Library of the House and are available in the Vote Office.

The marine accident investigation branch has already reported on the loss of the Braer, and we also look forward to receiving very shortly the report of Professor Ritchie's steering group on the assessment of its ecological effects. I asked Lord Donaldson to undertake a wide-ranging inquiry following that incident—not confined to the Braer—including considering what steps could be taken to minimise the risk of any similar incident and to reduce the risk of pollution at sea.

The House will wish to join me in warmly thanking Lord Donaldson, his colleagues Professor Alasdair McIntyre and John Rendle, and all those involved with the inquiry for the diligence, high quality and comprehensive nature of their work. Many of the solutions that the inquiry has recommended can be achieved effectively only by international action. I welcome Lord Donaldson's agreement to present the report to the International Maritime Organisation on Friday.

The Government accept the thrust of Lord Donaldson's recommendations, many of which are in line with the approach and actions that the Government have been pursuing in recent years. I shall now be considering them in detail. To assist in this, the Government will welcome comments from those interested. I shall make further reports to the House in due course on the progress made in implementing individual recommendations.

Lord Donaldson has emphasised the importance of effective port state control. As long as some flag states do not enforce the agreed international standards on their ships, our marine surveyors will ensure effective inspections of foreign-flagged ships visiting our ports; we already inspect one in three. But Lord Donaldson considers that we should improve targeting in order to provide as effective a deterrent as possible to the sub-standard ship. The owner or operator of a sub-standard ship must know that his ship is certain to be inspected and that if it is found to be defective it will be detained.

To be fully effective, port state control has to operate on an international regional basis. That is particularly important for the United Kingdom as many of the ships passing our coasts do not call at our ports. We have already taken action to increase European co-operation on port state control and we shall pursue Lord Donaldson's further recommendations with our partners in Europe. We shall also continue to work in the International Maritime Organisation to improve the performance of flag states.

If we are to eliminate substandard ships, an effective exchange of information is essential, although the inquiry recognises some of the difficulties in obtaining commercially sensitive information. Nevertheless, I have decided that, in future, we will publish monthly the full details of the ships that we detain, their defects, their flags, their owners and those who operate or certify them. Such public exposure will mean that unsafe operators and ineffective flag states will not be able to hide their identities.

The report correctly identifies the importance of crew training and standards; some 80 per cent. of marine accidents result directly from human error. Along with a number of like-minded states, we persuaded the IMO to use an accelerated procedure to enhance the standards and competence of the world's seafarers. The recommendations in the report will act as a further impetus to the necessary amendment next year by the IMO of the convention on standards of training, certification and watchkeeping. Along with our partners in Europe, we are paying particular attention to crew competence during port state control inspections.

There must be adequate and accessible waste reception facilities in port if waste disposal by ships at sea is to be controlled or reduced. We view with concern the report's findings on the adequacy of existing facilities at UK ports. I have asked the Marine Safety Agency to undertake an urgent survey of the facilities that are available and their use. In parallel with that survey, I will discuss with port, shipping and waste disposal authority representatives the inquiry's recommendations on the future provision, funding and certification of waste reception facilities.

Immediately following the loss of the Braer, my Department, with the Chamber of Shipping, prepared proposals for additional voluntary routeing and reporting measures around our coast, including extended "areas to be avoided" around Orkney and Shetland. Those measures were adopted with commendable speed by the IMO. Lord Donaldson has endorsed the measures that we took, and proposes further action. We will take them forward in consultation with local and shipping interests.

Lord Donaldson recommends that marine environmental high-risk areas should be identified around our coasts to protect areas that combine the highest degree of environmental sensitivity and the greatest degree of risk from shipping. Entry by ships could be either restricted or prohibited. However, as the right of a coastal state to interfere with ships on innocent passage is restricted by international law, any prohibitions or restrictions will have to be submitted to the IMO for its endorsement.

We propose that Government Departments, in consultation with the statutory bodies that advise us on environmental and conservation matters, should identify possible marine environmental high-risk areas. Lord Donaldson envisages a limited number of marine environmental high-risk areas, because he believes that excessive numbers of such areas would devalue their effectiveness and put their international acceptance at risk. The Government agree.

Lord Donaldson also makes recommendations about reporting by ships. If the IMO's maritime safety committee decides that coastal states should be authorised to require all ships to report to it, we will propose locations where such mandatory reporting would be appropriate. Mandatory reporting by vessels in transit is also being discussed within the European Union.

Lord Donaldson recommends that the Government should consider the enhancement of salvage capacity around our coast, and in particular the early provision of three salvage tugs covering the Dover strait, the south-western approaches and north-west Scotland. The

inquiry considers how those tugs could be provided and funded, and discusses offsetting their costs by using them for other Government or commercial purposes.

I have instructed the Coastguard Agency to consider urgently the report's recommendation on the three tugs and to provide a detailed analysis of their likely costs and benefits. The agency will need to consider how the tugs could be funded in both the short and the long term, the appropriate role of the private sector, the scope for using them for other purposes and the possibility of co-operation with other states.

The inquiry has endorsed aerial spraying of dispersants, in appropriate circumstances, to combat oil pollution. Lord Donaldson's findings and those of the review of the testing, approval and use of oil dispersants by the Ministry of Agriculture, Fisheries and Food will be taken into account in my Department's submission to the Public Accounts Committee following its request for a reappraisal of our aerial spraying policy. In the meantime, we will maintain our aerial spraying capability.

Last winter, serious problems were encountered with fish factory ships off the Shetland Islands. Such ships play an important role in providing a market for United Kingdom fish, but it is essential that they do so safely. Lord Donaldson has endorsed the steps that we have already taken to reduce the risk of any recurrence of last winter's problems, and has made recommendations for further action. We shall be considering those recommendations urgently so that we have appropriate measures in place before the klondyker fleet returns.

Lord Donaldson was requested to take into account the economic consequences of his recommendations. We are grateful to him for doing so. He supports the principle that the polluter, or potential polluter, should pay. The Government endorse that approach. He recognises that charges on shipping for port state control and other anti-pollution measures would best be levied on a north-west European basis, thus avoiding the potential distortions of trade that could result from their application in the United Kingdom alone. We shall take those recommendations forward in consultation with our European partners and with commercial interests.

In the time available, I have been able to touch only on the report's key points—particularly port state control, routeing, salvage and future funding. We warmly welcome the report, which will be regarded as a significant milestone, nationally and internationally, in achieving the aim of the report's title—"Safer Ships, Cleaner Seas". I repeat my gratitude to Lord Donaldson and his colleagues for the excellent work that they have done.

Mr. Frank Dobson (Holborn and St. Pancras): We welcome Lord Donaldson's report, which is thorough, comprehensive and heavy on technical evidence. It requires detailed consideration and careful consultation, and, I believe, merits a full debate in due course. What is needed now, however, is new, comprehensive legislation covering the whole field of marine safety and pollution.

Lord Donaldson's report is an almost endless indictment of the failure of the Government and international bodies to prevent the loss of ships and seafarers' lives, and to protect Britain's shores from avoidable damage and pollution. The report shows that, by accident or design, ships discharge oil, chemicals, explosives, garbage and micro-organisms into the seas around our shores. They poison fish, kill birds and foul our beaches.

The report shows that the system is a direct product of unregulated competition between ship owners who cut costs by sending out ships that are unseaworthy, with inadequate and badly trained crews, in the charge of officers of doubtful competence—sometimes incapable of communicating with other ships, the shore or, in some cases, even their own crews. In the crowded waters of the English channel and the North sea, dangerous practices remain lawful, and negligence goes unpunished because it is undetected.

Does the Secretary of State accept Lord Donaldson's view that, with so many irresponsible ship owners and operators, we cannot depend on the necessary action being taken by the states whose flags they fly? Action must be taken by the states whose ports they visit, and it must be taken now.

Britain, and the other states whose shores touch on those crowded waters of the English channel and the North sea, must make it clear to the International Maritime Organisation that we will no longer tolerate their endless delays. We are in a strong position: between us, the North sea states—Britain, Ireland, Norway, Sweden, Denmark, Germany, Holland, Belgium and France—are responsible for more than a third of the world's trade. On our narrow seas, all the nations of the earth must come to trade, and they should be allowed to do so only on our terms, with safe ships with well-trained crews and responsible officers.

Will the Secretary of State confirm that what we need are tough new regulations, rigorously enforced by Britain, our European partners and international bodies? No longer must reputable ship owners in well-found ships with well-trained crews be put at a disadvantage and forced into cut-throat competition with ships that are cheap and nasty —ships that are cheap because they are nasty.

We welcome in particular Lord Donaldson's proposals for action to improve waste reception facilities and crew standards, to require ship routeing and reporting, to strengthen checks on vessels and to improve salvage arrangements. Does the Secretary of State accept that that will call for extra work to be done, and will he now therefore cancel the proposed cuts in the staff and budget of the Marine Safety Agency?

Does the right hon. Gentleman agree that, without tough new regulations and the staff to enforce them, the hopes raised by the establishment of the Donaldson inquiry will not be fulfilled and accidents and pollution will continue? Will the Secretary of State accept my assurance of Labour's support for effective legislation, if he brings it before the House, to put things right?

Mr. MacGregor: Lord Donaldson's report is a good deal more balanced than the hon. Gentleman's observations on it at the beginning of his remarks, as right hon. and hon. Members will see when they read the report. It is not an endless indictment of the United Kingdom's failure to act. In fact, Lord Donaldson commented:

> "We believe that the United Kingdom's performance as a Flag State . . . compares very favourably with that of most other Flag States but there is no room for complacency".

That is precisely my position—I agree that there is no room for complacency. Ever since I have been Secretary of State for Transport, I have sought to take forward action at every

[Mr. MacGregor]

level to deal with sub-standard ships and sub-standard crews. I agree with the hon. Gentleman that that is where the real danger lies.

The hon. Gentleman must accept that the matter cannot be tackled by the United Kingdom or by UK legislation alone. As he knows, only a comparatively small number of proposals are for UK legislation—a tiny proportion of the total. The majority of the action must be taken either through the IMO—and there are many recommendations for that—or, since that is sometimes slow-moving and does not completely deal with the issue of sub-standard crews and sub-standard ships, in the European Union and in the Paris memorandum of understanding group. That is precisely what I have been doing for the past two years —urgently pursuing within the European Union that the Transport Council takes steps to deal with all those issues.

Three matters will come before the Transport Council at its meeting in June, and port state control—which, like Lord Donaldson, I regard as a key—will come before it shortly thereafter.

I assure the hon. Gentleman and the House that I will take every possible step to follow up the Donaldson report. After all, I asked him to examine the whole issue in the most comprehensive way, taking into account the international aspect. I will do so particularly within the European Union, because that is where we get effective action on port state control—as I showed in my statement. I will make sure that we do everything that we possibly can, but we must recognise that this is an international business and that we need the co-operation of those not only in the European Union but in the IMO.

Mr. David Harris (St. Ives): As president of the Sea Safety Group (United Kingdom), and as someone whose constituency unfortunately saw both the Penlee lifeboat disaster and the Torrey Canyon environmental tragedy, I warmly welcome Lord Donaldson's report and my right hon. Friend's reaction to it.

As to the designation of marine environmental high-risk areas, which will be particularly welcome to the Isles of Scilly in my constituency, I urge my right hon. Friend to go one step further and ensure that those areas have statutory backing and do not rely merely on voluntary controls. I also ask my right hon. Friend and other Ministers to take the lead in the International Maritime Organisation. It needs a political impetus to ensure that all those desirable steps are taken as quickly as possible on an international front.

Mr. MacGregor: I am grateful to my hon. Friend. I repeat that we are taking the lead, and have done so for some time, in the IMO with others. However, because I recognise that the IMO takes time, it is important to take action earlier within the European Union and the Paris memorandum of understanding group. I repeat, because it is important, that that is where can get effective action to deal through port state control not only with sub-standard ships and sub-standard crews but with the point made by the hon. Member for Holborn and St. Pancras (Mr. Dobson), which I have also made frequently. That will also help to deal with unfair competition from such ships and crews, which is every bit as bad as competition through unfair state aids. I assure my hon. Friend that I will certainly do that.

As to MEHRAs, as I believe they will come to be called, they do not require statutory backing at this stage. Lord Donaldson recommends that we identify and promulgate those routes but that if that does not lead to their effective observance we should consider through the IMO—and that is where it must be done—how to get sanctions to ensure compliance with MEHRA requirements.

My hon. Friend will notice that the inquiry recognised that the Isles of Scilly are both ecologically sensitive and at a busy shipping crossroads. The inquiry recommended that the Department of Transport should review the case for areas to be avoided or other means of enhanced protection and should consider the scope for setting up a voluntary system for the reporting of tankers similar to that in the Minch. I shall be following that up very shortly.

Mr. James Wallace (Orkney and Shetland): I warmly congratulate Lord Donaldson on producing a very comprehensive report, which, I am sure, will take a lot of digestion in the weeks and months ahead. Many of the points that he makes—he does not pull his punches—were identified by many of us before and it is regrettable that it took an incident such as the Braer to produce such a report. Nevertheless, it is important that we learn the lessons and take action at Government level, at European level and, indeed, at international level.

I endorse what the Secretary of State says about the need for a sense of urgency. For example, on the question of satellite tracking, which Lord Donaldson identifies as being important, between 1988 and 1993 there were only four meetings of the sub-committee. Will the Secretary of State say what more is being done to speed that up? Will there be more Department of Transport surveyors to undertake port state inspections? Is it true that there is to be a 30 per cent. efficiency reduction in staff and expenditure in the coastguard and in the Marine Safety Agency and, if so, how will that impact on the responsibilities which they will have to carry out to give meat and substance to implementing the recommendations?

Mr. MacGregor: I am grateful to the hon. Gentleman for his general approach. He is right in saying that Lord Donaldson has done the job most comprehensively and that there is a great deal to be digested. In particular, Lord Donaldson has brought forward some very interesting ideas on port state control, which I am anxious to pursue in the European Union context because we have a draft Commission proposal coming forward on that. Lord Donaldson has been very imaginative in the way in which he has approached that matter and I am very attracted to it.

On the question of surveillance, Lord Donaldson has made a number of points. As the hon. Gentleman will see, Lord Donaldson has rejected the idea of radar all round our coasts and, in a good analysis, has put forward the reasons for that. He has especially placed emphasis on transponders, which, I believe, must be the only sure-fire way to move ahead—at least as sure-fire as we can make it. I shall therefore be anxious to pursue that as quickly as we can.

Several hon. Members *rose—*

Madam Speaker: I hope that hon. Members will resist the temptation to make long statements. I have to safeguard the remainder of this day's business. A number of hon.

Members hope to be called. They will not all be called unless the Secretary of State is asked direct questions and the House receives direct answers.

Mr. David Shaw (Dover): Will my right hon. Friend assure the House that one of the ways in which safety can be increased is to employ British officers and crews? Will he also give assurances to my constituents in Dover and Deal that the English channel will be a much safer place for shipping and for people whose homes are in towns alongside it as a result of the Government accepting the recommendations in the report?

Mr. MacGregor: If we can secure the action that I shall be seeking both at European and IMO level, undoubtedly the recommendations in the report, which follow up, as I have said, the approaches that we have already been making, they will greatly assist my hon. Friend's constituents in seeing that the Dover straits are a safer place for shipping. The report also makes specific recommendations about the Dover straits, which we shall be following up as well.

Of course, it is necessary for our ships to be competitive and flexible in their manning arrangements, but some of the policies that I have pursued recently, with assistance for the training of crews and so on, will certainly help to ensure that British crews play a prominent part.

Mr. Calum Macdonald (Western Isles): On the need to back up the voluntary arrangements with compulsory sanctions, a matter which has already been raised by the question asked by the hon. Member for St. Ives (Mr. Harris), does the Secretary of State accept that the arrangement in the Minches is not working at present? The deep water route west of the Hebrides is not being followed and ships are going through the Minches. It would take only one of those ships to have an accident for there to be an environmental disaster.

Does the Secretary of State also accept that what was needed from him was not a cost-benefit analysis of the need for a tug on the north-west coast, but a decision to install a tug there to safeguard against a future disaster?

Mr. MacGregor: On the hon. Gentleman's second point, Lord Donaldson, as he does in many of the recommendations, urges that we consider the cost benefits first, and that is what I shall be doing. I have said that I intend to move ahead with that swiftly. I am asking the Coastguard Agency to do that first analysis.

The report acknowledges the strong local objections to the passage of oil tankers through the Minch. It concludes that large merchant ships of all types should use the deep water route to the west of Harris and Lewis as a matter of routine, but that they should retain the option of using the Minch when exceptional weather or other conditions make it safer for them to do so. The Government endorse that view and will pursue the inquiry's recommendations on monitoring traffic in the Minch. The inquiry also proposes that the deep water route should be extended and we will take that proposal forward.

Mr. Barry Field (Isle of Wight): Is not Great Britain a giant roundabout for most of the world's shipping? It is not our own house which needs to be put in order, but the traffic that passes our doorstep. After the great debate about traffic separation from Ushant past Cap de le Hague through the Dover strait, which most people now agree has worked well, why can we not have black-box technology on ships, particularly on oil tankers, which want to use the channel and require them to give a sample of their cargo so that we can discover and prosecute the culprits when they pump out and cleanse their tanks at sea?

Mr. MacGregor: My hon. Friend will find that Lord Donaldson makes some comments and recommendations in that area. However, my hon. Friend's first point was important. A great deal of shipping passes our coast—we have one of the longest coastlines in the world—which does not come to our ports. Therefore, there must be action at international level. That is why I place such strong emphasis on tightening port state control throughout our northern European waters.

Mr. Tam Dalyell (Linlithgow): Do the Government look favourably on the proposals of the Greek shipowner, George Livanos, that there should be a register of all major accidents, the lessons to be drawn from them and the facts about them? Also, will there be an undertaking for at least a 10-year study of the benthic consequences of what happens to the ocean floor after an accident like this and how the fauna are affected?

Mr. MacGregor: If by "an accident like this" the hon. Gentleman means the Braer, he will know that the study into the ecological consequences produced an interim report and we expect the final report next month. That will certainly give us some guidance, and I will bear in mind the hon. Gentleman's point.

On the hon. Gentleman's first point, it is important to collect information from inquiry reports such as that of the marine accident investigation branch and to use that in international action. That is what we do. We have already followed up all the MAIB recommendations on the Braer.

Mr. George Kynoch (Kincardine and Deeside): I especially welcome my right hon. Friend's proposals with regard to tightening up in-port inspections with particular reference to co-operation and targeted co-operation between European Union states. However, how quickly does my right hon. Friend expect that targeted co-ordination to get under way?

Mr. MacGregor: I wish I could say "immediately", but in international matters it sometimes takes some time. However, the Commission report on port state control will come to the Transport Council in due course. That is the peg that we can use to take forward Lord Donaldson's recommendations. I have today sent a copy of Lord Donaldson's report to the Commissioner and to all my European colleagues. I shall be raising the subject with them—I have given them notice of this—at the Transport Council in June.

Dr. Norman A. Godman (Greenock and Port Glasgow): May I remind the Secretary of State that some of the recommendations in the report are as important to seafarers and maritime communities as some of the recommendations in the Cullen report? Can we expect early legislation to implement those recommendations, particularly recommendation 23.111, which relates to fish factory ships and the problems and dangers that they cause? Only an amendment to section 4 of the Fisheries Act 1967 is required to bring those vessels up to standard. Surely a quick Bill is needed.

Mr. MacGregor: The House knows that I cannot commit the Government to legislation. That is a matter for

[Mr. MacGregor]

the usual way of working out what the Government's legislative programme should be. On the other hand, if I recollect correctly, the particular recommendation to which the hon. Gentleman referred, while indicating that legislative change is ultimately desired, suggests that we can in the short term achieve the same objective through conditions attached to the licences for the klondykers. I will certainly be pursuing that matter with my right hon. Friend the Secretary of State for Scotland.

Mr. Edward Leigh (Gainsborough and Horncastle): The owners of the Braer are members of Intertanko—the International Association of Independent Tanker Owners—to which I am parliamentary consultant. Does my right hon. Friend accept that international organisations such as Intertanko recognise that sub-standard tankers have to be rooted out? While measures such as local traffic schemes can improve matters, increase salvage and so on, what will really count in future is the speedy implementation of the International Maritime Organisation agreements, especially the Marpol agreements on improving tanker safety.

Does my right hon. Friend further accept that, while we all recognise the importance of collisions and other incidents, they must be put in perspective? Some 60 per cent. of world crude oil goes by sea and 98.98 per cent. of it arrives safely. Accidental discharge is less than operational discharge, which has declined by 85 per cent. over the past 20 years. Therefore, tanker owners are doing their best to provide safe, economic and environmentally—

Madam Speaker: Order. I have appealed for short questions. I will have to bring questions on the statement to a close unless hon. Members co-operate. A number of hon. Members have a direct interest in the statement and I want to call them. I can do that only if hon. Members ask one question. From now on, I want only one question and no statements; otherwise, hon. Members will be asked to resume their seats.

Mr. MacGregor: I agree with my hon. Friend about the importance of action through the IMO. I also agree that it is important to concentrate on dealing with sub-standard ships and crews, which is what I intend to do.

Mr. Phil Gallie (Ayr): I welcome the fact that inspection of foreign vessels by UK marine surveyors will be extended, but can my right hon. Friend assure me that the cost of it will be met by the foreign owners?

Mr. MacGregor: The Donaldson report recommends—and this is an important principle—that the polluter pays. Therefore, those who use sub-standard crews and ships should also pay. It should not be a burden on the taxpayer. I shall now pursue with my European colleagues the way in which that approach can be implemented.

Mr. Nick Ainger (Pembroke): Does the Secretary of State accept that paragraph 14.70 of the Donaldson report specifically states that the area between Grassholm and Skomer, off the coast of my constituency, should be made a marine environmental high-risk area? Will he ensure that that happens as soon as possible? Will he also change, again as soon as possible, the current voluntary code in that area to a compulsory one stating that the area is to be avoided? When will he introduce legislation to that effect?

Mr. MacGregor: I do not think that such action involves legislation, but I shall certainly follow up the Donaldson recommendation.

Mr. Andrew Welsh (Angus, East): Have not the Government undermined the Donaldson report by their cuts in search and rescue and coastguard services? Does the right hon. Gentleman accept that, if Donaldson is to be fully implemented, efficiency savings will not be enough and that new resources will be required? Will he provide them?

Mr. MacGregor: I want to be quite clear that I am seeking overall savings of 20 per cent. over two years in my Department. However, I give the assurance that that will not put at risk any approach to safety, including in this area. On the question of funding, I recommend hon. Members to read the interesting chapter 22 in the Donaldson report. It goes into financing and suggests that either charges or levies should be the main way of meeting the costs of his recommendations. I shall follow that up.

Mr. Nigel Waterson (Eastbourne): Does my right hon. Friend agree that the greatest risk of a disaster is still in the English channel? Is he aware that my constituents in Eastbourne and those of other towns along the south coast will, in particular, warmly welcome his support for more systematic inspections, especially in close co-operation with our European partners and other like-minded nations in the IMO?

Mr. MacGregor: I am grateful to my hon. Friend, and I agree with him.

Mr. Eric Clarke (Midlothian): I seek an assurance from the Secretary of State. The international salvage convention, to which we were a party five years ago, spelled out many of the aspects that we are discussing. However, the Government did not endorse it. I welcome the Donaldson report, but I am worried that the Government will delay, hiding behind the so-called difficulty about obtaining international agreement. I remind the right hon. Gentleman that other countries endorsed the convention. Is he sincere about moving forward on Donaldson's recommendations as soon as possible?

Mr. MacGregor: If the hon. Gentleman is talking about ratifying conventions, he will know that currently going through Parliament—indeed, it is now in another place—is the Merchant Shipping (Salvage and Pollution) Bill. I pay a warm tribute to my hon. Friend the Member for St. Ives (Mr. Harris) for providing Parliament with the opportunity to debate a private Member's Bill. The Government were wholly behind the Bill and were anxious to find an opportunity to implement it. I am glad to see that Lord Donaldson is taking it through another place.

Mr. Matthew Banks (Southport): While welcoming the Donaldson report, and in particular its underlining of the importance of the direction that Government policy has been following for some time in this area, does my right hon. Friend agree that one of the most important suggestions in the report is that the potential polluter should pay rather than a disproportionate and unfair burden falling on the British taxpayer as a whole?

Mr. MacGregor: Yes, I agree with my hon. Friend. As I said earlier, the chapter on that subject is extremely well

argued—indeed, the argument about the polluter or the potential polluter paying runs through the report in many places. I commend to the House study of what the Donaldson report says on that.

Mr. Brian Wilson (Cunninghame, North): Will the Secretary of State finally repudiate the despicable Tebbit doctrine that,

"If British shipowners find it more profitable to flag out to flags of convenience, then that it is precisely what they should do"?

That is at the root of the virtual disappearance of the red ensign from the waterways of the world and the loss of tens of thousands of British seafarer jobs. Will the Secretary of State now repudiate that doctrine? If so, will he do something about the North sea where the encroachment of flags of convenience and cheap foreign labour are having exactly the same effect on the remaining rump of the British merchant navy as the Government have done to the rest of the British merchant navy?

Mr. MacGregor: As always, the hon. Gentleman goes right over the top and gets his analysis completely wrong. That is not what has been happening recently. It is important for United Kingdom shipowners, as for those throughout the European Community and elsewhere, to retain competitiveness. The key here is to ensure that it is not sub-standard crews and sub-standard ships which are providing that competitiveness. That is why, throughout my time as Secretary of State, I have strongly supported that approach. Nor is it just a blanket condemnation of flags of convenience. I commend the hon. Gentleman to read the Donaldson report; he will see that Lord Donaldson makes that very clear, not least with regard to the Braer.

Mr. Tim Devlin (Stockton, South): On behalf of Teesport, which moves more hazardous cargo than any other port in the country, may I ask my right hon. Friend to take steps at the Council of Ministers in June to ensure that some form of Europe-wide navigation Act is put into force so that all ships trading into the single market are brought up to standard, which makes it pointless for them to be flagged out to a flag of convenience?

Mr. MacGregor: I agree with the objectives behind what my hon. Friend says. I am not sure that a navigation Act as such is necessary. The right approach is to ensure that we get the widespread tightening of port state control to achieve what he wants to see and what I want to see.

Mr. Paul Flynn (Newport, West): Is the Secretary of State alarmed that, even in an area such as the English channel, the report says that it is not possible to guarantee that a tug could reach the scene of an accident within 12 hours, but things are even worse in areas such as the Bristol channel? As it is a matter of enormous importance for the tug to get to the scene—an incident might well turn into a disaster if the tug cannot get there in time—what guarantee can the Secretary of State give that he will improve the present situation and give proper protection to the coastal areas of wildlife in the Bristol channel?

Mr. MacGregor: The report makes a realistic and balanced analysis of the whole question of tugs, their costs and their cost effectiveness. When it comes to the recommendations, they include a salvage tug in the south-west. I have already said that I have asked the Coastguard Agency to do an analysis of that speedily, and we will then decide what action to take on the Donaldson recommendation.

Mr. Richard Ottaway (Croydon, South): My right hon. Friend has already made it clear that the safe routeing of ships is paramount, and obviously that is to be welcomed. With that in mind, does he agree that the proposal for the mandatory reporting of the position of ships, similar to air traffic control, is an excellent idea? Will he do his best to ensure a speedy passage of that proposal through the IMO and the European Union?

Mr. MacGregor: Without going into detail, because there are some complications, I have said that we are prepared to follow that up, and we will be doing so in both the European Union, where we will have recommendations on ships' reporting coming to us fairly soon, and the IMO. The ideal answer which currently can be achieved is the recommendation on transponders, and that is why I am keen to follow that.

Mr. John McFall (Dumbarton): Does the Secretary of State accept that those affected by the Braer disaster will find little comfort in the recommendation for voluntary routeing? The reason why tankers go through the Minch is to save many hours on their journeys and many thousands of pounds. Without sanctions, that will be no use. Will the right hon. Gentleman give an undertaking to consider a statutory framework for that recommendation?

Mr. MacGregor: I have stated that the right approach is to undertake to follow what Lord Donaldson recommends in that regard.

Ms Joan Walley (Stoke-on-Trent, North): Given that the report is such a weighty volume, is the Secretary of State now prepared to go through it line by line and to allow a full debate? That would enable us to see what can be done in United Kingdom legislation and through European operations and the IMO. We need an annual report to see what progress is being made in shipping.

In view of all the work of those people who are absolutely committed to making sure that a disaster such as the Braer never happens again, and in view of what Donaldson says about transponders and the present anonymity of ships, is the Secretary of State prepared to fund a proposal from the Shetland Islands council to have radar—in the short term at least—until the long-term solutions can be considered? Will he also take on board the issue of flags of convenience?

Mr. MacGregor: I should be happy to have a debate when everyone has had a chance to digest the voluminous report. I agree with the hon. Lady on that, but that is not a matter for me. One of the recommendations in the report is for an annual report, and we will now be looking at that.

The hon. Lady mentions giving guidance line by line on where action is required in the United Kingdom, the European Union and the IMO. The report itself gives that guidance, and flags clearly where each lies. Responsibility for the majority of all major actions lies with international action rather than with purely domestic action.

There is an interesting recommendation in the report on the anonymity of ships to which I am attracted, and that would also require international agreement. The Donaldson report rejects radar in the Shetland Islands, and finally—[*Interruption.*] The report rejects permanent radar for Shetland.

The action I took with regard to the Braer included not only calling for the marine accident investigation branch report, but asking Lord Donaldson—a noted authority on

[Mr. MacGregor]

these matters, and that authority shines through the report —to undertake the inquiry. I can assure the House that I will now go through the report, not line by line but recommendation by recommendation, to ensure that we take follow-up action. I hope that we will take that action in the vast majority of the areas in which he recommended us to do so.

Homicide (Defence of Provocation)

4.12 pm

Mr. Harry Cohen (Leyton): I beg to move,

That leave be given to bring in a Bill to amend the Homicide Act 1957 in respect of the defence of provocation.

The playwright Edward Bond said:

"You can live without kindness; you can't live without justice".

The injustice that I seek to remove is the blatantly sexist application of the law in homicide cases and the availability of the plea of provocation.

The Townswomen's Guilds recently produced a poster headed "Provocation—a male defence?", which showed a picture of a man, with the caption:

"man strangles nagging wife . . . sentence 18 months suspended."

and a picture of a woman, with the caption:

"after years of violent abuse, woman stabs husband . . . sentence life".

The poster went on to say:

"These are real life cases. Both defendants pleaded provocation. A successful plea reduces the sentence to manslaughter. The man was successful—the women was not."

This is the third time that the House has been asked to consider an amendment to the legal definition of provocation that would allow a woman who has experienced years of fear at the hands of a violent partner to name that as a cause if, driven beyond all endurance, she kills that partner.

I bring the Bill before the House because the plea of provocation is without doubt more easily available to men than to women. That perceived injustice does not concern only those of us in the House who share the belief that the law treats men and women differently. The Townswomen's Guilds recently presented a 40,000-signature petition to the Home Office, calling for the law to be changed, and that came from right across the political spectrum.

The noble Lord Ashley, then a Member of this place, first introduced a Bill to remove the present injustice in 1989. I presented a Bill last year and I return with it today. Hon. Members should make no mistake about it: this issue will not go away. If the Bill does not become law I, or some other hon. Member, will continue to present it or something similar until the British public are satisfied that justice, in the words of Lord Hewart, is

"manifestly and undoubtedly seen to be done."

Lord Ashley is presenting a similar Bill to the other House next week.

At the heart of the matter is the law that specifies that the conviction of murder carries a mandatory life sentence. It is despicable that a woman who has suffered years of sustained domestic violence and acts out of fear and desperation on behalf of herself and her children should be treated as a common murderer and put away for life. Pleas of diminished responsibility or provocation are the two ways in which a person who is obviously guilty of the crime can be given a lesser sentence. It has been obvious for years that the law operates two different systems when deciding what is provocation for men and what is provocation for women.

Women are always barred from pleading provocation if the death was not the result of an immediate and "sudden loss of control"; that is the language of the law. Part of the argument about why that is discriminatory revolves around the differences between men's and women's reactions. Men act immediately and their physical strength alone can

mean instant death. Women often react more slowly. Inevitably, they must seek a weapon if they are to kill, and their fear may have to grow before they act. At present, however, the law does not recognise that difference. That oversight needs to be corrected.

The existing law and the judicial system that interprets it seem to work on the basic expectation that women must be completely obedient, submissive and subservient to their male partner's every whim. If they react after a sustained period of violence and abuse, or even in response to the threat of more to come, it is not understood or accepted as the reason for killing. The same underlying assumption does not apply to men.

Only in February, Mr. Roy Greech was given a two-year suspended sentence and walked free. The provocation that he had suffered was his wife's adultery—one of the 10 commandments that is broken, I am led to believe, by many people inside and outside this House. In Britain, adultery is not a legal crime and carries no sentence. Mr. Greech stabbed his wife 23 times and left the knife embedded in her throat. The judge told him:

"You have not only been a man of good character, but you are a good man also."

In 1991, Mr. Joseph McGrail killed his common law wife by kicking her in the stomach while she was drunk. The judge expressed his sympathy with Mr. McGrail, saying:

"this lady would have tried the patience of a saint".

Mr. Singh Bisla was given a suspended sentence after he strangled his wife. She had been nagging him and he wanted to shut her up. The judge told Mr. Bisla that he had "suffered".

Time and again the message is clear: it is the age-old message that is used against women whenever men do something violent to them—"She was asking for it." So British justice becomes an ass. Women can be murdered because they have affairs, are drunk or are nags. In some respects we have not moved on from 17th-century witch burnings.

Meanwhile, women like Sara Thornton, Carol Peters and Emma Humphreys still waste in prison. Emma Humphreys has been there for nearly 10 years. All three suffered years of violence and abuse and had been admitted to hospital because of the beatings that they suffered. They have been joined in prison by new women who are at the sharp end of that injustice, such as Josephine Smith. The organisation Justice for Women estimates that between 30 and 50 women are in prison although they have a history of being the victim.

Sara Thornton has been much maligned by the Home Office and some of the tabloid press, yet the police were called on many occasions when she was being assaulted and an Alcoholics Anonymous representative saw her violent husband punch her. A neighbour said that he had witnessed "her husband beat her black and blue" and she was admitted to hospital unconscious. Yet her husband was described as a "happy drunk". In Sara Thornton's case, the judge said that she could have walked out or gone upstairs. Why do judges never say that to people like Joseph McGrail? Where could women like Sara, Carol or Emma go? There is no national provision for women's refuges, and if the Government's current proposals about homelessness are not altered, there will be fewer places in those that exist.

In our society there is still a reluctance to admit that violence is used against women. It is often seen as being the woman's fault and she is given little support. The Select Committee on Home Affairs, Lord Lane and the Law Commission have recommended that the law in relation to homicide be reviewed. Lord Chief Justice Taylor said that it is Parliament's job to review the law. It is obvious that, unless Parliament protects these women by amending the provocation law, the judiciary will continue to hand out uneven and unequal justice.

I stress that the Bill is not a licence for women to commit murder. These organisations, august bodies and personages would not support it if it were. In New South Wales, Australia, where the law has been changed, there is no evidence of any "licence to kill". The Bill proposes a recognition of provocation as a mitigating plea where domestic violence has been endured but it would still be a matter for a judge and jury to decide in all cases. We should recognise that we are legislating for desperate women who are victims of brutality—victims of a domestic war—and they should not be put in prison, especially for life.

I do not stand alone in my attempt to change the law. Apart from my many parliamentary colleagues who support the Bill—I believe, on both sides of the House—I have the privilege of speaking for the majority of women in this country who want to see the law changed. An alliance of women's organisations has been formed to campaign for the changes in my Bill. More than 6 million women are directly represented by groups such as the National Federation of Women's Institutes, the TUC Women's Committee, the Townswomen's Guild, National Women's Aid, Southall Black Sisters, and Women for Justice. All these groups have campaigned for a change in the law.

There is no question but that injustice occurs every time that a man walks free from a murder conviction under the provocation law while women who have suffered years of domestic violence are imprisoned. The question is: does Parliament still have the 17th-century mentality to which I referred, or does it feel that the time has come to change this unjust law? I give Parliament the opportunity to change the law.

Question put and agreed to.

Bill ordered to be brought in by Mr. Harry Cohen, Mrs. Teresa Gorman, Ms Clare Short, Mrs. Barbara Roche, Ms Jean Corston, Mrs. Helen Jackson, Ms Glenda Jackson, Mrs. Llin Golding, Mr. Bruce Grocott, Mr. Ken Livingstone, Mr. Malcolm Chisholm and Mr. Nicholas Winterton.

Homicide (Defence of Provocation)

Mr. Harry Cohen accordingly presented a Bill to amend the Homicide Act 1957 in respect of the defence of provocation: And the same was read the First time; and ordered to be read a Second time upon Friday 17 June and to be printed. [Bill 112.]

Local Government etc. (Scotland) Bill

As amended (in the Standing Committee), considered.

Ordered,

That the Local Government etc. (Scotland) Bill, as amended, be considered in the following order, namely, new Clauses, new Schedules, Amendments relating to Clause 1, Schedule 1, Clauses 2 to 7, Schedule 2, Clauses 8 to 18, Schedule 3, Clauses 19 to 33, Schedule 4, Clauses 34 to 40, Schedule 5, Clauses 41 to 51, Schedule 6, Clauses 52 to 61, Schedules 7 and 8, Clauses 62 to 66, Schedule 9, Clauses 67 to 78, Schedule 10, Clauses 79 to 94, Schedule 11, Clauses 95 to 127, Schedule 12, Clauses 128 to 175, Schedules 13 and 14 and Clauses 176 to 178.—*[Mr. Lang.]*

New clause 21

POWER OF LOCAL AUTHORITIES TO PROVIDE ASSISTANCE TO VOLUNTARY ORGANISATIONS

'. In section 88 of the 1973 Act (provision of information etc. on matters relating to functions of local authority), after subsection (2) there shall be inserted—

"(3) A local authority may assist voluntary organisations to provide for individuals—

(a) information and advice concerning those individuals' rights and obligations; and

(b) assistance, either by the making or receiving of communications or by providing representation to or before any person or body, in asserting those rights or fulfilling those obligations."'.

—[Lord James Douglas-Hamilton.]

Brought up, and read the First time.

4.24 pm

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to take new clause 17—*Voluntary organisations*—

(1) 'Subject to the provisions of this section, the Secretary of State shall establish an interim committee with the power to consider, and as it deems appropriate to approve applications for grant aid from voluntary organisations in good standing funded by existing councils in 1995 whose funding applications to existing councils for the year 1996-97 and/or to new councils for the year 1997-98 have been refused or delayed.

(2) The committee shall number not less than five and not more than seven members chosen from among people with knowledge and experience of the voluntary sector, at least two of which shall be chosen from a list drawn up by the Convention of Scottish Local Authorities and at least one of whom shall be chosen from a list drawn up by the Scottish Council for Voluntary Organisations, with a convener appointed by the Secretary of State.

(3) The committee shall operate from an appropriate date in 1995 to an appropriate date in 1997 as determined by the Secretary of State.'.

Lord James Douglas-Hamilton: In Committee, I undertook to consider an amendment that sought to confer specific powers on authorities to assist voluntary organisations in the provision of information, advice and representation. The original amendment was withdrawn on that basis. New clause 21 has been tabled following our further consideration of the issue. It seeks to amend the Local Government (Scotland) Act 1973 by giving a specific statutory discretion to local authorities to assist voluntary organisations in providing people with an information, advice and representation service. It will give the new Scottish councils the same powers as local councils in England and Wales.

Dr. Norman A. Godman (Greenock and Port Glasgow): I did not think that the Minister would be quite so concise in his presentation. My intervention will literally be an elongated question.

I am being serious and I want a serious answer. Will the new clause allow the representatives of voluntary organisations to intervene in a strategic way in decision making about the disbursement of European structural funds? I remind the Minister that, in relation to structural funds for Northern Ireland, the Minister of State, Northern Ireland Office, the right hon. Member for Westminster, North (Sir J. Wheeler), said at the Dispatch Box no more than two months ago that he could see a role on the monitoring programme committee for representatives of the voluntary organisations. So, with regard to the distribution of structural funds to voluntary organisations in Scotland, will those organisations' representatives be aided and encouraged by the clause to take part, with Scottish Office officials, in determining the way in which such money will be spent?

Lord James Douglas-Hamilton: My understanding is that representatives of voluntary organisations are encouraged to act in partnership. I will inquire whether they are eligible to be appointed in that connection and will write to the hon. Gentleman, but certainly we would want a full input from the voluntary organisations. We would desire maximum continuity.

The hon. Gentleman will be aware of the other commitments given in Committee. We shall give guidance and, what is more, we shall issue directions to the new local authorities in due course, making it clear what assistance has been given to voluntary organisations in the past. We are keen that their interests should be borne in mind.

I will follow up the detailed legal questions that the hon. Gentleman asked.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 22

BYELAWS UNDER SECTION 121 OF THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982

'. In section 121 of the Civic Government (Scotland) Act 1982 (control of the seashore, adjacent waters and inland waters)—

' (a) in subsection (5), for paragraph (b) there shall be substituted—

"(b) the local authority have given notice in writing of their proposal to make byelaws to each person having a proprietorial interest such as is mentioned, in relation to the byelaws, in paragraph (a) above whose identity has been ascertained as mentioned in the said paragraph (a);"

(b) in subsection (6) the words from "and of" to "that proposal" shall cease to have effect; and

(c) in subsection (7)—

(i) the words from "but the" to "his consent"; and

(ii) the word "nevertheless",

shall cease to have effect.'.—*[Mr. Stewart.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Scotland (Mr. Allan Stewart): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to take Government amendments Nos. 194, 147, 214, 152, 216 and 154.

The intention of the new clause and the associated amendments is that they will overcome the current impasse experienced by councils wishing to make byelaws to control activities on the seashore, adjacent waters or inland waters. I believe that—

Dr. Godman: What consultations has the Minister undertaken with the Crown Commissioners concerning the areas in the new clause?

Mr. Stewart: I can assure the hon. Gentleman that the new provisions are, I think, widely acceptable to those concerned, including the Crown Commissioners.

Perhaps I could give an additional answer to the hon. Gentleman's question by spelling out the provisions in more detail. The new clause will remove the arduous requirement for councils to obtain the consent of all those with a proprietorial interest in the waters and replace it with a more realistic round of consultation and consideration of objections. The hon. Member for Dumbarton (Mr. McFall) has been personally involved in these matters in relation to Loch Lomond. I am sure that he will welcome the more realistic proposals that we are now putting forward.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 24

STAFF: APPLICATION OF CHAPTER 2 OF PART I

'.—(1) Sections 8 (except subsections (2A) and (3)), 9 and 12 of this Act shall apply also in relation to the transfer to the Administration of officers appointed under subsection (1) of section 36 of the 1968 Act and staff provided in pursuance of subsection (6) of that section with the following modifications—

(a) references to an existing local authority shall include references to an islands council and references to a new authority shall be construed as references to the Administration; and

(b) the reference in section 12(2)(a) to authorities which cease to exist by virtue of Chapter I of Part I of this Act shall include a reference to authorities which cease to have functions under section 36(1) and (6) of the 1968 Act.

(2) Section 10 of this Act shall, with the modification specified in subsection (3) below, apply in relation to persons ceasing to be officers appointed or staff provided as mentioned in subsection (1) above and being subsequently employed by the Administration as it applies in relation to persons ceasing to be employed by an existing local authority and being subsequently employed by another person.

(3) The modification referred to in subsection (2) above is that references in section 10 of this Act to an existing local authority shall include references to an islands council.

(4) Section 11 of this Act shall apply also in relation to the remuneration of officers appointed and staff provided as mentioned in subsection (1) above with the following modifications—

(a) references to an authority shall be construed as references only to an existing local authority and references to an existing local authority shall include references to an islands council;

(b) the reference in subsection (4) to the Secretary of State consulting associations of local authorities and employees of local authorities shall include a reference to the Secretary of State consulting the Administration; and

(c) the reference in subsection (6) to an authority not having ceased to exist shall include a reference to an authority not having ceased to have functions under section 36(1) and (6) of the 1968 Act.

(5) Section 13 of this Act shall apply in relation to officers appointed or staff provided as mentioned in subsection (1) above with the modification that references in that section to an existing local authority shall include references to an islands council.'.—*[Mr. Stewart.]*

Brought up, and read the First time.

Mr. Stewart: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Janet Fookes): With this it will be convenient to discuss also Government amendments Nos. 176 to 182, 60 to 62 and 185 to 187.

Mr. Stewart: All the amendments in that group are either technical or fulfil commitments made in Committee.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 1

NEW WATER AND SEWERAGE AUTHORITIES

'.—(1) The Secretary of State shall, before 1st April 1996, establish Joint Boards for the Local Government areas comprised in each of the combined areas set out in the Table at the end of this subsection for the provision in the combined area of the services required by the Water (Scotland) Act 1980 and the Sewerage (Scotland) Act 1968.

Grampian	Aberdeenshire, Moray, City of Aberdeen
Tayside	Angus, City of Dundee and Perthshire and Kinross (except for water purposes the former County of Kinross)
Central	Clackmannan and Falkirk, Stirling
Lothian	City of Edinburgh, West Lothian, Mid and East Lothian
Strathclyde	Argyll and Bute, Dumbarton and Clydebank, City of Glasgow, East Dunbartonshire, North Lanarkshire, South Lanarkshire, Renfrewshire, Inverclyde, East Renfrewshire, North Ayrshire, East Ayrshire, South Ayrshire.

(2) The provisions of Sections 62A and 62C of the 1973 Act shall apply to a Joint Board established by an Order made under this Schedule as they apply to a Joint Board established by an order made under the said Section 62A.

(3) The Water and sewerage areas mentioned in subsection (1) above and in column 1 of Schedule (*Water and Sewerage Areas*) to this Act comprise the areas for the time being respectively described in column 2 of that Schedule.'.—*[Mr. George Robertson.]*

Brought up, and read the First time.

4.30 pm

Mr. George Robertson (Hamilton): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this it will be convenient to discuss also the following: Amendment (a), in line 1, leave out 'The Secretary of State' and insert 'The local authorities in the areas concerned'.

Amendment (b), in line 17, at end insert—

'(1A) The members of the Joint Boards shall be elected councillors appointed in accordance with Schedule 7.'.

New clause 15—*New water and sewerage areas*—

'-With effect from 1st April 1996 there shall be established

(a) a body, to be known as the Borders Water Authority, which as from 1st April 1996, shall be—

(i) the water authority for the Borders water area; and

(ii) the sewerage authority for the Borders sewerage area;

(b) a body, to be known as the Central Scotland Water Authority, which as from 1st April 1996, shall be—

(i) the water authority for the Central Scotland water area; and

(ii) the sewerage authority for the Central Scotland sewerage area;

(c) a body, to be known as the Dumfries and Galloway Water Authority, which as from 1st April 1996, shall be—

[Madam Deputy Speaker]

(i) the water authority for the Dumfries and Galloway water area; and
(ii) the sewerage authority for the Dumfries and Galloway sewerage area;
(d) a body, to be known as the Fife Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Fife water area; and
(ii) the sewerage authority for the Fife sewerage area;
(e) a body, to be known as the Grampian Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Grampian water area; and
(ii) the sewerage authority for the Grampian sewerage area;
(f) a body, to be known as the Highland Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Highland water area; and
(ii) the sewerage authority for the Highland sewerage area;
(g) a body, to be known as the Lothian Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Lothian water area; and
(ii) the sewerage authority for the Lothian sewerage area;
(h) a body, to be known as the Strathclyde Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Strathclyde water area; and
(ii) the sewerage authority for the Strathclyde sewerage area;
(i) a body, to be known as the Tayside Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Tayside water area; and
(ii) the sewerage authority for the Tayside sewerage area;
(j) a body, to be known as the Orkney Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Orkney water area; and
(ii) the sewerage authority for the Orkney sewerage area;
(k) a body, to be known as the Shetland Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Shetland water area; and
(ii) the sewerage authority for the Shetland sewerage area; and
(l) a body, to be known as the Western Isles Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Western Isles water area; and
(ii) the sewerage authority for the Western Isles sewerage area.'.

New clause 20—*Constitution and proceedings of water and sewerage authorities*—

'.—(1) Schedule 7 to this Act shall have effect with respect to the constitution and proceedings of, and other matters relating to, each of the bodies established by section (*New water and sewerage authorities*) above (those bodies being, in this Act, collectively referred to as the "new water and sewerage authorities").

(2) The water areas and sewerage areas mentioned in section (*New water and sewerage authorities*) above and in column 1 of Schedule (*Water and Sewerage Areas*) to this Act comprise the areas for the time being respectively described in column 2 of that Schedule.'.

New clause 25—*Water supplied by meter to domestic consumers*—

'Without prejudice to section 41A of the 1980 Act, no meter shall be installed in any domestic premises unless it has been requested by the occupier, and also has been consented to by the owner of the premises.'.

New clause 26—*Determination of disputes*—

'(1) It shall be the duty of the Customers Council to refer to the Secretary of State for determination any complaint which the Customers Council has investigated under section 66(2) above, but is unable to resolve.

(2) The practice and procedure to be followed in connection with the reference to the Secretary of State shall be such as he considers appropriate.

(3) Where the Secretary of State determines any dispute under this section he shall give his reasons for reaching his decision with respect to the dispute.

(4) On making such determination under this section the Secretary of State may make such incidental, supplemental and consequential provision (including provision requiring either party to pay a sum in respect of the costs or expenses incurred by the Secretary of State) as he considers appropriate.

(5) A determination under this section—
(a) shall be final; and
(b) shall be enforceable as if it were a judgement of court in so far as it included such provision as to costs or expenses as is mentioned in subsection (4) above.

(6) The Secretary of State shall not determine any relevant dispute which is the subject of proceedings before, or with respect to which judgement has been given by a court.

(7) In including in any determination under this section any provision as to costs or expenses , the Secretary of State shall have regard to the conduct and means of the parties, and any other relevant circumstances.'.

New clause 30—*New water and sewerage authorities (No. 2)*—

'-(1) There shall be established—
(a) a body, to be known as the Borders Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Borders water area; and
(ii) the sewerage authority for the Borders sewerage area;
(b) a body, to be known as the Central Scotland Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Central Scotland water area; and
(ii) the sewerage authority for the Central Scotland sewerage area;
(c) a body, to be known as the Dumfries and Galloway Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Dumfries and Galloway water area; and
(ii) the sewerage authority for the Dumfries and Galloway sewerage area;
(d) a body, to be known as the Fife Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Fife water area; and
(ii) the sewerage authority for the Fife sewerage area;
(e) a body, to be known as the Grampian Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Grampian water area; and
(ii) the sewerage authority for the Grampian sewerage area;
(f) a body, to be known as the Highland Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Highland water area; and
(ii) the sewerage authority for the Highland sewerage area;
(g) a body, to be known as the Lothian Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Lothian water area; and
(ii) the sewerage authority for the Lothian sewerage area;
(h) a body, to be known as the Strathclyde Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Strathclyde water area; and
(ii) the sewerage authority for the Strathclyde sewerage area;
(i) a body, to be known as the Tayside Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Tayside water area; and
(ii) the sewerage authority for the Tayside sewerage area;
(j) a body, to be known as the Orkney Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Orkney water area; and
(ii) the sewerage authority for the Orkney sewerage area;

(k) a body, to be known as the Shetland Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Shetland water area; and
(ii) the sewerage authority for the Shetland sewerage area; and
(l) a body, to be known as the Western Isles Water Authority, which as from 1st April 1996, shall be—
(i) the water authority for the Western Isles water area; and
(ii) the sewerage authority for the Western Isles sewerage area;

(2) The Secretary of State shall, before 1st April 1996, establish Joint Boards for the Local Government areas in each of the combined areas set out in the following table:

Grampian	Aberdeenshire, Moray, City of Aberdeen
Tayside	Angus, City of Dundee and Perthshire and Kinross
Central Scotland	Clackmannan and Falkirk, Stirling
Lothian	City of Edinburgh, West Lothian, Mid and East Lothian
Strathclyde	Argyll and Bute, Dumbarton and Clydebank, City of Glasgow, East Dunbartonshire, North Lanarkshire, South Lanarkshire, Renfrewshire, Inverclyde, East Renfrewshire, North Ayrshire, East Ayrshire, South Ayrshire.

(3) The Water and Sewerage areas mentioned in subsection (1) above and in column 1 of Schedule (Water and Sewerage Areas) to this Act comprise the areas for the time being respectively described in column 2 of that Schedule.'.

No. 1, a new schedule—'Water and Sewerage Areas'—

Water or Sewerage Area	*Area by reference to existing or former administrative areas*
Borders Water Area	Borders Region
Borders Sewerage Area	Borders Region
Central Scotland Water Area	Central Region The former county of Kinross
Central Scotland Sewerage Area	Central Region
Dumfries and Galloway Water Area	Dumfries and Galloway Region
Dumfries and Galloway Sewerage Area	Dumfries and Galloway Region
Fife Water Area	Fife Region
Fife Sewerage Area	Fife Region
Grampian Water Area	Grampian Region
Grampian Sewerage Area	Grampian Region
Highland Water Area	Highland Region
Highland Sewerage Area	Highland Region
Lothian Water Area	Lothian Region
Lothian Sewerage Area	Lothian Region
Strathclyde Water Area	Strathclyde Region
Strathclyde Sewerage Area	Strathclyde Region
Tayside Water Area	Tayside Region except the former county of Kinross
Tayside Sewerage Area	Tayside Region
Orkney Water Area	Orkney Islands
Orkney Sewerage Area	Orkney Islands
Shetland Water Area	Shetland Islands
Shetland Sewerage Area	Shetland Islands
Western Isles Water Area	Western Isles
Western Isles Sewerage Area	Western Isles'.

No. 24, in page 53, line 32, clause 61, leave out from beginning to end of line 11 on page 54.

No. 260, in page 53, line 41, leave out 'and'.

No. 263, in page 54, line 1, at end insert—
'(d) a body, to be known as the Orkney Water Authority which, as from that date, shall be—
(i) the water authority for the Orkney Islands water area; and
(ii) the sewerage authority for the Orkney Islands sewerage area;
(e) a body, to be known as the Shetland Water Authority which, as from that date, shall be—
(i) the water authority of the Shetland Islands water area; and
(ii) the sewerage authority of the Shetland Islands sewerage area; and
(f) a body, to be known as the Western Isles Water Authority which, as from that date shall be—
(i) the water authority of the Western Isles water area; and
(ii) the sewerage authority of the Western Isles sewerage area; '.

No. 274, in page 138, line 17, schedule 7, leave out lines 17 to 23 and insert—'*Membership of Water and Sewerage Authorities*

3. The members of an authority shall be—
(a) elected councillors from the Joint Board area reflecting the votes cast for each political party or independent grouping at the most recent local government elections.
(b) appointed by those councils (hereafter referred to as the "appointing authorities") within the area of the Water and Sewerage Authorities.
(c) such number of elected councillors as the councils in the area covered by the authority shall by agreement determine.'.

No. 10, in page 138, leave out lines 18 to 23 and insert—
'3. The members of an authority shall be—
(a) such number of elected councillors as the councils in the area covered by the authority shall by agreement determine and shall be appointed by those councils (in this schedule referred to as the "appointing authorities"),
(b) the person who is for the time being the chief executive of the authority.'.

No. 259, in page 138, line 22, after 'authority', insert 'provided that in making appointments to the North of Scotland Water Authority, he shall appoint at least one person who appears to him to have knowledge or experience specifically relevant to the discharge of the Authority's functions in the Islands Area;'.

No. 11, in page 138, leave out line 24 and insert—
'4. The appointing authority shall be satisfied-'.

No. 12, in page 138, line 25, leave out 'he' and insert 'it'.

No. 257, in page 138, line 29, at end add—
'(c) before the appointment of any person under paragraph 3(a) above comes into effect, that the person has declared in a form which the Secretary of State shall prescribe and make public, current membership of any political party, and details of any financial contribution to a political party in the previous five years;
(d) from time to time, and at no longer than yearly intervals, that each person so appointed has updated the declaration of party political interests required in sub-paragraph (c) above.'.

No. 13, in page 138, line 30, leave out 'Secretary of State' and insert 'appointing authority'.

No. 14, in page 138, line 31, leave out 'Secretary of State' and insert 'appointing authority'.

No. 15, in page 138, line 32, leave out 'Secretary of State' and insert 'appointing authority'.

No. 16, in page 138, line 33, leave out 'Secretary of State' and insert 'appointing authority'.

No. 17, in page 138, line 38, leave out 'Secretary of State' and insert 'appointing authority'.

No. 18, in page 139, line 1, leave out 'Secretary of State' and insert 'appointing authority'.

No. 19, in page 139, leave out lines 13 to 18 and insert—
'8.—(1) The members of an authority shall appoint one of their number, other than their chief executive, to be chairman and may appoint another to be deputy chairman; and a chairman, or as the case may be deputy chairman, shall hold and vacate the office in question in accordance with the terms under which he is appointed to that office.'.

No. 279, in page 139, line 13, leave out

[Madam Deputy Speaker]

'The Secretary of State shall appoint one of the members of an authority, other than their chief executive,' and insert

'Water Authorities shall appoint one of their members'.

No. 20, in page 139, line 20, leave out 'Secretary of State' and insert 'authority'.

No. 21, in page 139, line 24, leave out 'Secretary of State may vary the terms of the instrument' and insert

'the authority may vary the terms'.

No. 23, in page 140, leave out lines 2 to 9 and insert—

'11. An Authority shall appoint its Chief Executive on such terms and conditions as it may determine; and the authority may make subsequent appointments to the office of Chief Executive on such terms and conditions as they may determine.'.

No. 22, in page 140, line 34, after 'committees' insert

'comprising solely of persons who have been elected to serve as councillors in local authorities which lie within the geographical area of the water authority.'.

No. 243, in page 141, line 32, at end insert—

'17A (1) All Water Authority meetings shall be held in public with the exception of confidential items agreed by a majority of Board Members, with suitable notice and publicity given to them and minutes of meetings shall be available on request and at reasonable cost to members of the public,

(2) Water authorities shall prepare and publish annual plans and arrange for public consultation on them.'.

No. 9, in page 142, schedule 8, leave out lines 1 to 42.

No. 261, in page 142, line 38, leave out 'The Islands Area'.

No 262, in page 142, line 42 , leave out 'The Islands Area', and insert—

'Orkney Water Area	Orkney Islands
Orkney Sewerage Area	Orkney Islands
Shetland Water Area	Shetland Islands
Shetland Sewerage Area	Shetland Islands
Western Isles Water Area	Western Isles
Western Isles Sewerage Area	Western Isles.'.

No. 82, in page 56, line 2, clause 64, after 'access' insert

'(including access for recreational purposes)'.

No. 266, in page 56, line 11, at end insert—

'(3) The new water and sewerage authorities shall consult the Customers Council established under section 66 below on such matters as appear to effect the interests of the customers or potential customers of that authority.'.

No. 267, in page 86, line 33, clause 65, at end insert—

'( ) An authority shall publicise its procedures for dealing with complaints in such manner as may be agreed with the Customers Council.'.

Government amendment No. 184.

No. 268, in page 143, line 19, schedule 9, leave out 'and' and insert—

'(ab) customers and potential customers who are disabled; and'.

No. 258, in page 143, line 20, at end insert

'provided that, where appropriate, there shall be at least one representative of customers living in the Islands Area;'.

No. 269, in page 143, line 20, at end insert

'provided always that a majority of the Members shall be representative of the interests of domestic customers.'.

No. 252, in page 143, line 20, at end insert—

'(4) Each local authority shall appoint one councillor to the Customers Council.'.

No. 256, in page 143, line 27, after 'him', insert—

'which terms shall include a requirement that the member shall declare and keep up to date, in a form prescribed and made public by the Secretary of State, any current membership of a political party and the details of any financial contribution to a political party in the previous five years;'.

No. 253, in page 144, line 41, leave out

'with the approval of the Secretary of State'.

Government amendments Nos. 83 to 88.

No. 265, in page 61, clause 75, leave out lines 8 and 9 and insert—

'except that the same basis for charging shall apply throughout the area served by the authority.'.

No. 264, in page 61, line 50, at end insert—

'(8) A draft charges scheme shall be presented in a form to be specified by the Secretary of State, after consultation with the Customers Council.'.

Government amendments Nos. 89 to 95, 158 to 161, 96, 162, 98, 148 and 149.

Mr. Robertson: I confess that this is a difficult day on which to resume our debate on Scottish water, one of the most contentious issues in Scottish politics today, because our proceedings are inevitably overshadowed by the death of and mourning for John Smith.

First, I should like to express publicly my gratitude and that of the whole Labour party to the Secretary of State for Scotland for the sincerity and feeling of his reaction in Inverness last Thursday to the news of John's death. Many people throughout Scotland have remarked on the honesty and frankness of the Secretary of State's instinctive comments, which were deeply moving and clearly came from the heart. We were also touched by the decision to suspend the Conservative party conference as a mark of respect. Scottish politics can often be noisy and tough, and its passion mirrors the strength of feeling on the issues that divide us. But in Scotland, too, we know when to separate the person from the message. Last week, uniquely, our whole nation put aside its political differences to grieve together for one of Scotland's greatest sons.

Although this debate takes place in tragic and unique circumstances, the subject of the new clause—Scotland's water and sewerage services—still represents one of the most important and divisive issues in Scotland today. The issue is divisive not just between the parties. How water is to be controlled, administered and financed drives a wedge right down the Conservative party as well. In the present atmosphere of non-combativeness, I shall not labour the fact that what the Government propose for water and sewerage is simply not acceptable in Scotland. To put it in the gentlest and most diplomatic way possible, what the Government are doing in relation to water is unpopular, unnecessary, impractical and just plain undemocratic.

After 150 years of municipal control and administration —a century and a half in which local, close, accountable control was deemed both efficient and effective for delivering such fundamental services—the Government are handing over the service to three new super-quangos which are unelected, centralised, remote and as unaccountable as all the other quangos have turned out to be.

It need not be like that. New clause 1 and amendment No. 10, together with the consequential amendments, offer the House a practical and implementable solution to the future of Scotland's water which should attract the support of all Members of the House. There would be 12 joint water boards—exactly the same number as currently run Scotland's water services—based on the new local authorities concerned, and there would be a clear legal injunction that their members should be elected councillors from the areas that they serve. This is a practical and workable proposal. It would provide for local, open,

efficient and effective delivery of these council services. Most importantly, the administration would be close to the citizens involved.

Having, in the interests of decency and moderation, put forward a way in which the Government could satisfy public demands concerning water, I want to put a number of questions to Ministers. I do so in all innocence. How have the Government reached a position in which the once-mighty Conservative and Unionist party in Scotland languishes in fourth position and enjoys the support of fewer than 14 per cent. of the Scottish people as expressed through the ballot box?

First, why do the Government continue to insist that their own plan for three quangos is the only course of action that is open following this proposed reorganisation? After all, we have in new clause 1 a perfectly sensible and practical plan for Scotland's water. It is perfectly in tune with the alternatives that the Government themselves laid out in the consultative document, "Investing for Our Future", which was published two years ago. That document makes the position quite clear:

"Over the years local authorities, of various sizes and configurations, have shown that they can effectively deliver water and sewerage services."

I could not put it better, and nor could any Scottish councillor, of whatever political view.

Under option (b)—the joint board option—which the Government themselves explore, the document says:

"The creation of joint boards to undertake services which require a larger area of operation than the structure of local government units is precedented; and it is acknowledged in the local government consultation paper as a positive way of providing certain services in the future."

That is what "Investing for our future" has to say about the alternative that I am putting before the House. In any event, the argument about how the Government can deal with the issue of water and sewerage following their proposed reorganisation has been adopted in relation to police and fire services in Scotland. These services, the importance of which is undeniable, will continue to be delivered and administered by eight joint boards.

While we are on the subject of delivery quangos and the number of organisations that will be required, may I ask why the Government have settled on the figure three? Why is three the optimum? In the consultative document it is not so. Why should not the number by six, eight or 12? The consultative document refers even to 15 as being perfectly feasible. With three centralised boards, areas will be so big that they will cease to be logical. Power and control will be taken well away from the people. We shall have three quangos, unelected and remote.

The Opposition's solution would not in any way contradict the Government's stated objective with regard to water and sewerage. It would have no effect at all on the raising of capital that might be required over the next 15 years. It would have no more impact than would the three quangos themselves on the public sector borrowing requirement, and it would have no effect whatever on the future price of water, but it would provide the important reassurance that people's views matter and that their water supplies will still be controlled locally by individuals answerable to and removable by the people themselves.

The second innocent question in my pursuit of knowledge is why the Government will not acknowledge that the principle of close, open, local, accountable control of water, which has governed for 150 years the administration of that basic service, is now being compromised?

The principle of municipal control of water and sewerage is hardly new. It goes back some 150 years, when far-sighted, public-spirited and far from ideological council leaders realised that public health could be guaranteed, not by a fragmented shambolic private sector, but by public control of water and sewerage supplies. Generations of civic leaders in Scotland embracing all political complexions invested public funds, bought land and lochs, constructed reservoirs, laid the pipelines and made the regulations. Their legacy today—a century and a half later—is a water supply safer, healthier and cheaper than possibly anywhere else in the world.

The Government do not have to listen to the 97 per cent. of the Strathclyde electorate in the water referendum, although they certainly should; they need only look at the history books and learn the lessons of municipal water over the years. Even if, with the recklessness and disdain that cost them dearly in the regional elections, they continue to ignore the crushing verdict of the people, and even if they can somehow rationalise their dismissal of opinion polls which regularly and relentlessly show massive rejection of their plans, even by Conservative supporters, and even if they are daft enough, or deaf and blind enough to do all that, will Ministers not listen to the message that comes loud and clear from their own political families?

A pretty plain view is being given to the Government by many sections of their own party in Scotland. They should listen to the words of Councillor Ian Hutchison, the leader of Eastwood district council, one of the last outposts of the Conservatism in Scotland and the local authority of the Under-Secretary of State for Scotland, the hon. Member for Eastwood (Mr. Stewart). They are close associates, but friends would be to stretch the meaning of the word slightly too far. If one had to pick out of the 5 million people in the Scottish population anyone who is not likely to be a member of the three super-quangos, Councillor Ian Hutchison is probably at the top of the list.

Mr. Stewart: Quite right.

Mr. Robertson: The Minister says, "Quite right," and *Hansard* will record it. However, he may not have anyone else to appoint, so perhaps he should not block off his options.

Councillor Ian Hutchison said:

"The board members should be directly responsible to the local electorate. I do not believe it is good enough for the Secretary of State to say they are responsible to him and through him to Parliament".

They are not my words or those of the Labour party, but the words of one of the last few Conservative activists in Scotland.

What about listening to the views of the now decimated Tayside region Conservative group? Alan Powrie wrote to me in April to explain its view:

"For your information I quote from an unsuccessful amendment which we proposed at the Water Services Committee and which . . . said 'The Secretary of State be urged to consider that the appointments to the new Water Authorities should be elected accountable councillors, who would be nominated by their Constituent Councils.'"

That is the view of one of the significant Conservative groups in the country at that time. It was a view shared by the Conservative groups on Edinburgh district council and Stirling district council.

[Mr. Robertson]

Perhaps all those I have quoted and more in the Conservative party are misinformed, too. Perhaps they have all been converted by Labour propaganda and leaflets. Perhaps they are all deluded, diverted and confused, like everyone else identified by the Government as being opposed to their proposals, or—and I ask the Secretary of State in all sincerity—could it be that they, like everybody else in Scotland, have got it right and that the Government have got it wrong?

4.45 pm

My third question is why Ministers do not understand the fears in Scotland about water privatisation. Why do they continue to denigrate the genuine fears that exist? Why do Conservative politicians of seniority and apparent intelligence not comprehend that words and promises are simply not reassurance enough to a electorate which is not convinced by mere words and promises from the Government?

The Under-Secretary of State for Scotland, the hon. Member for Dumfries (Sir H. Monro), is not here this afternoon. His wife suffered a heart attack yesterday and we send him the strongest sympathy and deepest good wishes of everybody in the House. He made a real stab at putting some meat behind the words of the new clause, which will now underline the illegality in Scotland of disconnections from water supplies. It was an honourable effort and 56,000 disconnected families south of the border will look on with envious astonishment, but it was still not enough to convince people.

The electorate of Scotland, including Conservatives, look at what happened in England and Wales and ask themselves the following question, and it is not a naive question: if the Government thought it so brilliant in England and Wales to privatise water, why stop at Gretna Green and Berwick-upon-Tweed?

The bemused public seeking reassurance will recall the words of the Prime Minister at the Dispatch Box on 9 March 1993:

"Privatisation means a better, more efficient service for the consumer and no more subsidies from the taxpayer. I have no reason to doubt that water privatisation in Scotland will be effective and efficient, as elsewhere".—[*Official Report*, 9 March 1993; Vol. 220, c. 783.]

We were told afterwards that it was a slip of the tongue and that he had simply wrongly anticipated the result of the consultation. But people outside here will remember the words of the Prime Minister and not necessarily those of junior Ministers in the First Scottish Standing Committee on the Local Government etc. (Scotland) Bill.

People will also look at that revealing consultative document again, and it is well worth reading. They will look at the way in which the Government outlined the different options for the future prospects for water in Scotland. I venture to suggest that they will find it significant that the option that the Government are defending in the House of Commons today, the option chosen by the Government after the consultation exercise, is described in the document in a mere 15 lines while the privatisation option, the full privatisation in accordance with England and Wales, takes up 218 lines. When people compare 15 lines with 218 lines, they come to a conclusion. One can call them misled or misinformed, but very often they are much cleverer than those who seek to hoodwink them. It is no wonder that suspicion grows.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I thank the hon. Gentleman for giving way; I am following his argument with care and I agree with it. Does he agree that one factor which heightened the suspicions to which he rightly draws the attention of the House was the fact that the Government have steadfastly refused, against all odds, to publish the Quayle-Monroe report, which looked into the background of the options available to the Government?

Mr. Robertson: The hon. Gentleman is right to draw attention to that issue, which has added to the secrecy of the exercise. The decision has simply fuelled the suspicions that I identified and that Conservative Members must have taken into account and must be finding on their doorsteps. The hon. Member for Ayr (Mr. Gallie) and the Under-Secretary of State, the hon. Member for Eastwood (Mr. Stewart), are intimately familiar with the strength of people's suspicions. There has been a vote on the specific issue to remind them of the fact. All Conservative Members—representing, as they now do, only 13.7 per cent. of the Scottish electorate—cannot but be riveted by the fact that people do not believe the way in which the Government have put forward their position.

I have offered the Government a way out. My hon. Friends and I have tabled the proposals contained in new clause 1 and amendment No. 10 which, if adopted today, would give the reassurance that privatisation is not an option.

Mr. George Kynoch (Kincardine and Deeside): The hon. Gentleman seems once again to be raising the spectre of privatisation, despite the fact that in Committee my hon. Friends clearly said that that was not on the agenda. How can he reconcile his own comments on the BBC television programme "Scottish Lobby"—made after the Under-Secretary of State, my hon. Friend the Member for Dumfries (Sir H. Monro), had introduced in Committee his amendment to prevent water supplies from being cut off —that it was now virtually impossible to privatise Scottish water?

Mr. Robertson: It is not I who am seeking to persuade the electorate, but the electorate who have not been persuaded by the assurances given. I have already made it clear—I think that I have been more open than many of the Government spokesmen—that the amendment tabled by the Under-Secretary of State valuably underlined the state of the existing law and attempted to put some meat on the promise. But he did not manage to make a convincing case because of the other aspects.

However, the hon. Member for Kincardine and Deeside (Mr. Kynoch) has a means of doing so: if the Government accept new clause 1 and amendment No. 10 today, I shall appear on "Scottish Lobby" or any other programme and say that it now looks as though the Government mean what they say and do not intend to privatise Scottish water. That is the test and I hope that, if the hon. Member for Kincardine and Deeside considers it important—for his own political future and for Scotland as a whole—he will take up that challenge today.

I now come to my final innocent question for today. Why will not the Secretary of State, in one simple sentence today, unite his party and—if only for one fleeting moment —the whole of Scotland, by welcoming, recognising and saluting the overwhelming view of the people of Scotland? The vast majority of the people do not see water as merely

another commodity to be traded in the marketplace. They know that it is expensive, even when plentiful; they also know and believe that it is precious, natural and life-giving.

The Secretary of State for Scotland faces a test, and no small one. He can either plough on, driving the new quango structure through this House and the House of Lords in the face of hostility and rejection unprecedented on any issue in modern times, hoping and praying that it will all come right in a blinding revelation just before the next election—the politics of the tooth fairy—or he can put the interests of his country and its people, which on this issue happen to coincide with the interests of the survival of the Conservative party, before the unpopular and ideological model for Scotland's water. In this unique week of remarkably reflective politics, the Secretary of State should not heed me or any other politician who gives him advice: he should just listen to the people.

Mr. Phil Gallie (Ayr): I shall be relatively brief. When we talk of privatisation we must recognise—as I did in Committee—that the Government's original intention was to see the privatisation of the water and sewerage systems. I do not dispute that; I feel that we were given a guide to Government thinking when the Prime Minister made his remarks about the privatisation of Scottish water. But the Secretary of State went out to consultation and the massive response from Scotland showed that privatisation was not wanted there. It was to the Government's credit that they listened to that message and found a means of treating water and sewerage so as to achieve the objectives of providing water and sewerage services under a new local government structure that would be of benefit, in terms of cost in the longer term, and in terms of quality.

Mr. Nigel Griffiths (Edinburgh, South): I am closely following the hon. Gentleman's argument. Can he name any body of opinion in Scotland that supports quangos or the expansion of quangos and the quangoisation of water?

Mr. Gallie: Given the Labour party's record of establishing quangos and the fact that the Government have recently set up so-called quangos, with enterprise companies and other organisations, with people becoming involved and giving so much of their time and effort, does not the hon. Gentleman believe that those who have given so much would argue the benefits of quangos? The Select Committee on Scottish Affairs is looking into the position of Scottish Enterprise, which is basically a quango, and it is finding much support throughout Scotland for the efforts of the enterprise companies. I see no reason to doubt that the water and sewerage authorities, providing that they deliver the goods—I have every reason to believe that they will—will achieve widespread support in the future.

Mr. Kynoch: Does my hon. Friend agree that those were choice words from the hon. Member for Edinburgh, South (Mr. Griffiths), as there are significantly fewer quangos now in Scotland than there were under the Labour Government?

Mr. Gallie: I agree with my hon. Friend. I also made that point when I suggested past Labour Governments had created many organisations, perhaps in many cases for good reason.

I believe that the three structures envisaged for the new water authorities, given their size, are just about right. The geographical requirements of the system have been recognised, especially with regard to the requirements for fairly large catchment areas. The fact that the scale of water treatment is also an important element has been recognised. Transmission and distribution are major features that can benefit from the reasonable scale and geographical basis of the authorities that are to be established.

People have concentrated on the water issue in Scotland; perhaps people have tended to forget about that other important service, sewage treatment and disposal. Local authorities do not have as good a record on that as they should have. I believe that when the bodies with sole responsibility for looking at water and sewerage provision, or sewage treatment and disposal, are concentrating their minds on those issues it will almost certainly result in their giving the people of Scotland a better service.

I must tell the hon. Member for Hamilton (Mr. Robertson) that I spoke on that subject at the Conservative party conference and at a fringe meeting organised by the *Glasgow Herald*, and at that meeting I did find hostility within the Conservative party, as the hon. Gentleman suggested, on the issues of water and sewerage. But I have to say that, by the time the meeting had finished—*[Laughter.]* The hon. Gentleman laughs, but the editor of the *Glasgow Herald* was there. His reporters were there. They saw exactly what happened and heard the remarks.

Quite honestly, even within the Conservative party, to our discredit, the real situation with water and sewerage, the real arguments for my right hon. Friend taking the steps that he has—despite the massive amount of information that was given, and despite the consultation paper and the detail behind it—have just not got out. But I suggest to my right hon. Friend that, if he pursues the objective as currently set out in the Bill, the people of Scotland will come to appreciate why he took that line.

5 pm

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Does the hon. Gentleman recall the night of 5 May, when he and I were in the Dam Park hall in Ayr and saw Labour votes piling on Labour votes, and when the people of Ayr made it quite clear that they rejected the Conservative party and its policies on water and sewerage, just as they did in the Strathclyde referendum? Would not the hon. Gentleman be well advised to start thinking about the possibility of representing the views of his constituents, which were so clearly expressed, when he speaks in the Chamber?

Mr. Gallie: I can remember back to the regional elections in 1990 in Dam Park. I can think back to the general election in 1992. I can think back to the district elections in 1992, when the Labour party was minimalised; it was almost wiped out, but not sufficiently. But having said that, what Members of Parliament must do is stick by their principles and strive towards their objectives. I believe that the best interests of my constituents will be served by adopting the line that my right hon. Friend has taken. I welcome that. I would also like—

Mr. Thomas Graham (Renfrew, West and Inverclyde): Will the hon. Gentleman give way?

Mr. Gallie: Well, finally, because I do not want to delay the House.

Mr. Graham: Is the hon. Gentleman rejecting the people of his constituency who voted overwhelmingly

[Mr. Graham]

against the Government's privatisation of water in Scotland and the road that the Government are going down to force privatisation? If the hon. Gentleman is saying that he listens to his constituents, he will support us tonight.

Mr. Gallie: I do listen to my constituents. I believe that there were issues other than water. What happens in regional elections—very sadly for local authorities—is that people do not judge, nor do they vote on, the issues that are before them, such as regional handling of local government affairs. In that regional election, they forget that. They created a protest atmosphere and went down that line. I am sad about that, because it undervalued local government, which many Conservative Members value.

We particularly welcome two issues: the commitment not to have disconnections in Scotland; and the commitment, so strongly given by my hon. Friend the Member for Dumfries (Sir H. Monro), to stand out totally against privatisation in Scotland.

Mr. Dennis Canavan (Falkirk, West): I agree entirely with the apparent assessment of the hon. Member for Ayr (Mr. Gallie) of the local government election results in Scotland—that it was a massive vote of no confidence in the economic policies of the Tory Government, their policies on local government reorganisation and their disastrous plans for water, sewerage and everything else.

I support new clause 1, which was moved so ably by my hon. Friend the Member for Hamilton (Mr. Robertson), and associate myself with the other new clauses and amendments standing in the names of my hon. Friends.

The Government's declared aim in the Bill is to make local services more accountable to the people of Scotland. Whatever we think about the rest of the Bill—many of us know that it is a charter for gerrymandering and nothing else—if we measure the Government's proposals on water and sewerage services on that test of accountability, they fail. Instead of making those services more accountable to the people of Scotland, the Government are proposing to do the opposite.

Water and sewerage are currently administered by authorities consisting of the elected representatives of the people, who are directly elected by the people and are directly accountable to the people. That measure of democratic accountability will be lost entirely if the Government's proposals go ahead, because the Government are saying that, instead of those elected representatives administering water and sewerage, there should be three over-centralised quangos, which, in effect, would remove any local accountability.

New clause 1 is a very sensible proposal. If the Government are hell-bent on going ahead with the rest of the local government carve-up, as proposed in the Bill, they could at least keep an element of local accountability in water and sewerage, if they accept new clause 1. The proposals contained in it are modelled by and large on a body that already exists in Scotland—the Central Scotland Water Development Board. Some people might not know about it. It consists of representatives from the various local authorities that it covers.

If the Government are hell-bent on going ahead with the carve-up of Scotland, they could still retain some local accountability if they accepted new clause 1 and accepted the water areas envisaged in it. Members of those water boards would be elected representatives of the people. That solution, perhaps, is not as good as the one at present where the representatives are directly elected by the people on to the regional and islands councils, but at least it would offer an element of indirect election and therefore indirect accountability.

I ask the Secretary of State to consider that and bear in mind what my hon. Friend the Member for Hamilton said about the history of municipal enterprise regarding the provision of water and sewerage services to the people of Scotland. It has never been one of nationalisation. It has never been one of an over-centralised, bureaucratic style of public ownership. The reason why the initiative was taken —on what has turned out to be one of the most successful pieces of public enterprise in the country—was not because of any Marxist, or even socialist, doctrine. People realised that, if they were to have adequate standards of public health, representatives elected at local level would have to take the initiative that private enterprise was unwilling, indeed unable, to take. The initiative grew up from grass-roots level, rather than being thrust on people by the state.

Before previous reorganisations of local government, many small towns and burghs had their own reservoirs and pipe systems to provide a good, reliable, clean water supply. As people in third-world countries know, water is one of the basic essentials of life: it is an even more fundamental necessity than food. What is true in third-world countries is just as true in so-called developed countries such as ours.

My grandfather was a Labour councillor on Cowdenbeath town council back in the 1920s. I remember that one of his proudest possessions was a photograph of him and other councillors at the annual inspection of the town's reservoir, which was Loch Glow at the time. I am sure that many councillors throughout Scotland had similar experiences. It was not just an annual outing; the annual inspection of one of the most important services they provided for their people was something they took very seriously.

No doubt my hon. Friends from Glasgow could speak more eloquently than I about the initiative that was taken by their city fathers back in Victorian times. Many were right-wing Tories; indeed, their economic policies may have been even more right-wing than those some of the Ministers who are present today. But they took the initiative—a public-enterprise initiative—in launching that wonderful project to provide the people of Scotland with water piped from Loch Katrine and other parts of the country.

They may have done it for selfish reasons. Perhaps they realised that public health was universally important: if the poor people in their slum housing or work places became sick, they too might be affected. Disease is no respecter of persons; it can spread like wildfire through a whole community, regardless of whether the people in that community have money. Even if self-preservation was the motive, however, I must give those city fathers and other pioneers the credit for initiating one of the most successful examples of public enterprise that Scotland has ever seen.

Mr. Graham: As my hon. Friend may know, our Scottish water is, on average, £70 a year cheaper than English water. Wales pays an average of £233 a year for its water. Our forefathers certainly gave us a good deal—and these folk want to get their grubby hands on it.

Mr. Canavan: My hon. Friend is quite right. I shall deal with water prices shortly.

I suppose that, at the time of the last local government reorganisation, with the advent of regionalisation, a certain amount of merging of water authorities was necessary. Now, however, the Government are proposing a gross over-centralisation—and the boards will not consist of locally elected representatives, accountable to the people directly or indirectly. The Government may claim that the privatisation threat is just a bogey man created by us; they may say that they have no intention of privatising. They should ask the people of Scotland, who have already given their verdict in the Strathclyde referendum.

We need only observe the effects of privatisation south of the border and the number of disconnections resulting from massive price increases. My hon. Friend the Member for Renfrew, West and Inverclyde (Mr. Graham) mentioned prices. The Government's own consultation document points out that Central region has the cheapest water in the United Kingdom—possibly the cheapest in Europe—costing £20 per annum for domestic consumers. There may have been a modest price increase since, but Central regional council can nevertheless be justly proud of its record.

5.15 pm

Mr. William McKelvey (Kilmarnock and Loudoun): The Government have said that they will not privatise Scottish water in the foreseeable future. We should give them some credit for that; after all, it is similar to what they said about the extension of VAT just before the general election. No one foresaw any such extension—but VAT is now charged on fuel.

Mr. Canavan: My hon. Friend is absolutely right. As I have said, people can see what has happened south of the border as a result of privatisation, with increased charges and disconnections. They have had a drastic effect on public health: huge percentage increases have been reported in cases of dysentery. I believe that, in south Staffordshire, one in seven households in one particular multi-storey block were disconnected, and people were throwing excrement out of the windows. No wonder there is a serious threat to public health as a result of privatisation.

The Government should listen to the people. The people are afraid of privatisation; they do not trust the Government and they reject the Bill's proposals—as the Strathclyde referendum clearly showed. The Minister may say that the referendum did not cover the whole of Scotland. Well, the recent local government elections covered the whole of Scotland—and, as I have said, they produced a massive vote of no confidence in the Tory Government, in regard to water and everything else.

I plead with the Government to listen to the voice of the people. The people of Scotland want Scotland's water to remain their property and they want democratic accountability through the elected representatives of the people. If the Government are hell-bent on destroying the status quo, they might at the very least accept my hon. Friend's new clause.

Mr. Andrew Welsh (Angus, East): Let me say to the hon. Member for Hamilton (Mr. Robertson) that the loss of John Smith has had an impact on all of us. This is another sad case of a man of great intelligence and ability being taken from us far too young. Although his loss is felt most acutely by the Labour party, I think that Labour's feelings are shared by all. On behalf of the Scottish National party, let me extend our thoughts and condolences to John Smith's family and wish them all strength and courage at what must be a trying time.

I will be brief, as I know that hon. Members who were not on the Standing Committee wish to speak. Brevity, however, will not lessen my anger at the Government's proposals. Quite simply, no change is wanted in Scotland. The people of Scotland do not want water services to be taken out of local government; they want to retain local accountability and local control.

The Government had no mandate for this move at the last general election. On the contrary, the people of Scotland rejected their policy. They certainly had no mandate at the recent local government elections: indeed, they were specifically rejected, gaining less than 14 per cent. of the Scottish vote—about 6 per cent. of the electorate. There could be no greater rejection of any Government, yet this Government are intent on forcing through their proposals for water, against the wishes of the people.

That is not fair or democratic; in fact, it is the opposite of democracy. Scotland is powerless. The system will be run by Unionist-created quangos. It is just not good enough for three unelected quangos to meet secretly, behind closed doors, especially when they are commandeering, indeed stealing, Scotland's water assets, which were created not by central Government but by generations of local taxpayers.

The SNP wants water to be provided as a local authority service run by democratically elected councils in the public interest and for the public good. The Bill should be dumped. The message given to the Government at local elections was simply that. They should take the hint and keep water services a local authority provision. Sadly, I do not think that that will happen.

If the Government go ahead, our amendments propose an SNP alternative organisation for water and sewerage services in Scotland—water authorities organised on a regional basis with the minimum disruption of staff or services, with maximum continuity of water services provision. There would be no extra financial cost and no extra bureaucracy, which is inherent in the Government's proposals.

Our amendments outline a sensible solution, but regrettably it is not the Government's solution. The water authorities that we propose would be chosen not by the Secretary of State but by democratically elected local authorities in proportion to votes cast, following the democratic will of the people and not the will of the Secretary of State. Their chairpersons would be chosen not by the Secretary of State but by democratically elected local authorities.

Our amendments seek to reduce the Secretary of State's role and to increase the powers given to local authorities elected by the people. Meetings of the water boards should be held in public, apart from obvious safeguards in cases of exceptionally confidential matters, and minutes of their meetings should also be publicly available. There should be local authority representation on the customers council, as well as representatives from consumer and other interests, such as the disabled.

[Mr. Andrew Welsh]

Such an open, accountable system contrasts starkly with the closed, remote and unaccountable organisations proposed by the Government. Their three giant quangos will provide at most minimal accountability.

There is an unanswered paradox in the Government's proposals. They attack regions as remote and unaccountable, yet the Government are creating even larger non-accountable water boards, and no doubt fattening them for eventual privatisation. The Government are providing no real safeguards to the general public in respect of an essential, monopolistic service that is used by everyone daily. The public cannot avoid using water services, yet there will be no public control or accountability over those assets, which generations of local taxpayers created. Now they will be commandeered or stolen by central Government and handed to quangos.

I have no questions for the Government because their minds are clearly closed on that issue, but I have a message for them: dump this unwanted stealing of Scotland's water assets. It is unwanted, unnecessary, unfair and undemocratic. They should dump their proposals, because that is what the people of Scotland want the Government to do.

The Secretary of State for Scotland (Mr. Ian Lang): I thank the hon. Member for Hamilton (Mr. Robertson) for his opening remarks, for which I am grateful. This is of course a difficult day to join battle across the Floor of the House on Scottish issues. Nevertheless, the future of Scottish water and sewerage is a controversial and important matter. It is no less controversial because our debate today may be a little more muted, but I hope that thereby we may shed more light in place of some of the heat that has gone before.

I will begin by speaking to the Government amendments in the group. Amendment No. 82 stems from an undertaking given in Committee that we would introduce a specific reference to access for recreational purposes in clause 64. That was not by way of changing the intention behind the clause as originally drafted, but by way of making that intention clearer. The amendment fulfils the undertaking that was given.

Amendments Nos. 158 to 161 also stem from an undertaking given in Committee, to re-examine clause 109 —formerly clause 105, which deals with the vesting of certain supply pipes. We looked again at the clause and have concluded that some change is required to ensure that apparatus, such as pumps, used in connection with a pipe is covered by the clause. Those amendments make the necessary changes.

Amendment No. 184 is a small change suggested to us by the Scottish Consumer Council, which put in a power of work on this Bill, to ensure that authorities' complaints procedures and other features of their codes of practice are brought to the attention of customers—the potential beneficiaries of the codes. I am happy to table the necessary amendment, which I am sure is acceptable.

Amendments Nos. 83 to 92 and amendment No. 96 are purely drafting amendments, to remove any possible ambiguity from the term "sewerage services". Amendment No. 93 is a technical amendment, the effect of which is to make explicit that disconnection for non-payment of charges for domestic supplies cannot take place, whether those charges are demanded by the water authorities under clause 73 or by the local councils acting under a clause 78 order. I am sure that that is welcome.

Mrs. Helen Jackson (Sheffield, Hillsborough): Has the right hon. Gentleman held discussions with the team of the Secretary of State for the Environment, with a view to extending his welcome amendment to the Bill to the Water Act 1989, so that that provision will apply also to England and Wales?

Mr. Lang: I am sorry to disappoint the hon. Lady, but I have held no such discussions. It is open to the hon. Lady to draw that matter to the attention of my right hon. Friend the Secretary of State for the Environment. Her question allows me to emphasise that we do things differently in Scotland, according to our priorities there. I am happy to reiterate that disconnections will remain illegal in Scotland.

Amendment No. 95 is a drafting amendment that makes clause 92 refer specifically to clause 96, which was introduced at Committee stage, rather than generally to chapter 2 of part 1. Amendments Nos. 94, 148, 149, 98 and 162 are purely drafting amendments, to insert appropriate definitions into the Bill. I commend those amendments to the House.

I refer now to the Opposition amendments. As the hon. Member for Hamilton said, new clause 1 would establish five joint boards of the new unitary authorities, to provide water and sewerage services in the areas of the current Grampian, Tayside, Central, Lothian and Strathclyde regional councils.

New clause 15 and amendment No. 1 would establish 12 new water authorities, to provide water and sewerage in the areas of the current regional and islands councils. Amendment No. 10 would ensure that the members of the new water authorities were elected councillors appointed by the new unitary authorities in the water authority areas.

The Labour party's proposals would result in water and sewerage being delivered by 12 new authorities effectively run by the new unitary local authorities, or by a mixture of such authorities and joint boards of the new unitary authorities where the water authority areas cover several unitary authorities. I hope that that sets them out succinctly. New clause 20 and amendments Nos. 9 to 24 are consequential on or secondary to those main proposals.

The Scottish National party's amendments to new clause 1, together with their new clause 30 and amendment No. 274, would ensure that members of authorities and joint boards were elected councillors appointed by the appropriate councils themselves, with the appointment in the case of those coming from joint board areas reflecting the relative strength of the political parties.

There was extensive debate in Committee on those points. Consideration of clause 61, dealing with the new structure for the water and sewerage services, began at 6.45 pm on 24 March and clause 61 was agreed to just before 10.30 pm on 29 March. That gave some nine hours of debate. The arguments were fully examined and comprehensively answered.

The current structure fits the current organisation of local government into regional, district and islands councils. Those councils, however, are, for good reasons, to be replaced by the new unitary authorities. In those

circumstances, it does not make sense to perpetuate the current areas for the provision of water and sewerage alone.

Mr. Tam Dalyell (Linlithgow): The arguments were not comprehensively answered in Committee. One particular problem was referred to at length yesterday, at a briefing by Lothian purification board at Clearwater house in Livingston which I attended, and at which the Scottish Office was represented at senior level. Who will take responsibility for the problem of pumps that no longer pump water from coal mines into rivers such as the Almond? There is a real, massive, urgent Hengistonn problem of which the Scottish Office is well aware. The unanswered question is, who will pay for the investment created by the problem of pits no longer working and pumping, and all the difficulties that arise therefrom for the water of central Scotland?

Mr. Lang: I have no doubt that the Coal Board and the existing water authorities will have some responsibility in that direction, but that is not the subject of these amendments.

Mr. Wallace: Of course, the islands councils have not changed, so what is the argument for incorporating them into much larger water authorities, when, for the past 20 years, they have had their own water and sewerage authorities?

Mr. Lang: If I may, I shall come to the islands councils later in my remarks.

The issue that has dominated the debate, however, is the question of privatisation.

Mr. Eric Clarke (Midlothian) rose—

Mr. Lang: I really must make some progress, if the hon. Gentleman will allow me.

Mr. Clarke: It is central to that point.

Mr. Lang: All right, I give way briefly on that point.

Mr. Clarke: It is on the same point as that made by my hon. Friend the Member for Linlithgow (Mr. Dalyell). During the privatisation of coal in the Coal Industry Bill, an unsatisfactory answer was given to us on the same subject. It is a serious problem, not only in Scotland but throughout the United Kingdom, especially in Northumberland, Durham and other places of that nature, to which hon. Members have drawn attention. It is very important, because if that problem is not addressed, it will pollute all the waterways and even the water that sinks into the reservoirs from where we draw water.

1.30 pm

Mr. Lang: I envisage that the responsibility on that matter lies with the Coal Board and if I find out that there is a problem that takes that matter outside its responsibility, I shall certainly write to the hon. Gentleman and to the hon. Member for Linlithgow (Mr. Dalyell) and clarify the position.

The present debate has been dominated by the question of privatisation. I welcome the opportunity that the debate gives me to say yet again to the House that privatisation is not part of the Government's proposals. The hon. Member for Hamilton raised the question of the Government denigrating the fears of those who suggested that water was to be privatised. I do not denigrate those who have fears about those matters, but I denigrate those who have placed those fears in people's minds without foundation.

The hon. Gentleman quoted the Prime Minister in [illegible] were before the Government had consulted and considered and decided on their way forward in Scotland. Now, on right hon. Friend the Prime Minister has confirmed, along with others in the Cabinet including myself repeatedly, that we are not privatising Scottish water, nor are we planning to privatise it.

May I go back—

Miss Helen Jackson rose—

Mr. Welsh rose—

Mr. Lang: I have already given way to the hon. Lady, so I shall give way to the hon. Gentleman.

Mr. Welsh: I understand what the Minister is saying, but does he understand the cynicism with which the remarks are greeted? People believed his Government colleague in England, Neil Macfarlane, the then Under-Secretary of State for the Department of the Environment, when the boards were created and he gave a clear assurance that there would be no privatisation. Yet, two years later, another ministerial colleague said that the boards were perfectly placed for such privatisation. Does the Secretary of State understand the cynicism when such clear assurances were given in the past and were clearly broken?

Mr. Lang: The assurances that I am in a position to give are regarding water and sewerage in Scotland.

May I trace some of the history of the matter? As long ago as 1991, we consulted on the matter and we indicated that the new organisations for water and sewerage may need to be separated from local authorities. In June 1992, we appointed financial consultants to secure advice on the basis of which we framed a number of optional proposals, which we included in our consultation paper published in November that year. That paper canvassed eight options in an entirely even-handed way. The fact that it took longer to explain some of those options than it took for others is entirely irrelevant to the underlying attitudes of the Government and relates solely to the novelty or the complicated nature of the proposals being canvassed.

The option that we decided on was similar to option 5 in that consultation paper. Having listened to the views that were submitted, we specifically rejected the privatisation option and chose instead three publicly owned water authorities. We were told at the time that it would be the acid test of the Government's ability to listen to public opinion in Scotland whether we chose a separate Scottish solution from that which had been chosen south of the border. We met that acid test. Indeed, the solution that we brought forward thereafter was welcomed by the Opposition a year ago. They were claimed south for his fact that they had secured a success in persuading us not to privatise Scottish water. What a difference a year makes.

Mr. Allen Salmond (Banff and Buchan): The Secretary of State knows that the Scottish nationalists were not that gullible a year ago. With respect, he has not answered the point of my hon. Friend the Member for Angus, East (Mr. Welsh). My hon. Friend made the obvious analogy that assurances were given south of the border which were

[Mr. Alex Salmond]

subsequently broken by Ministers. There has been some speculation over the past few days about the Secretary of State's position in Scotland. Can he tell us the most recent estimate of the opinion on water privatisation held by the hon. Member for Stirling (Mr. Forsyth)? For example, if that hon. Member became Secretary of State for Scotland, could this Secretary of State be absolutely certain that his successor would hold the same opinion?

Mr. Lang: The hon. Gentleman is being frivolous. I assure him that my hon. Friend the Member for Stirling, like all other members of the Government, strongly and fully supports the proposals that the Government have brought forward. What we have brought forward—

Mr. Graham *rose—*

Mr. Lang: I must make some further progress, if the hon. Gentleman will allow me. I know that the House is keen to make progress.

We have brought forward a solution that specifically meets Scottish requirements and that is durable for the long term. As some references to the history of water and sewerage have been made in the debate, it is worth pointing out that at the end of the second world war, there were no fewer than 210 water authorities in Scotland. The hon. Member for Falkirk, West (Mr. Canavan) is right to point to the civic pride with which the city fathers in various cities around Scotland and the provosts and councils in various towns took pride in the quality of their water and the provision that they made for it. I understand and respect that. My own great-grandfather was provost of Greenock about 100 years ago and I have no doubt that he took the same pride in the quality of the water there.

In 1946, with the Water (Scotland) Act, introduced by a Labour Government, central Government took powers that were more far-reaching and dramatic than anything that we have contemplated since then to rationalise and improve the handling and the delivery of water services for the future. That Act first provided the basis for most of the powers and duties of local authorities today. In 1967, there was a 13-board structure. In 1975, the present structure came into being. As recently as 1973, there were no fewer than 234 separate sewerage authorities.

We are not proposing some dramatic and sudden change in something that has been in position and unchanged for one and a half centuries. Rather, it is a further progression down the road of rationalisation and improved efficiency which dates back to former times, with the major legislation of the Labour Government of 1946 forming one of the most pivotal landmarks along the way.

Mr. George Robertson: The one continuing thread which goes right through that century and a half and through the period when the Secretary of State's great-grandfather was provost of Greenock is absolutely fundamental to the debate. Those water authorities, however numerous they were, whatever form they took, were run by local councillors, who were elected by the people and were removable by the people. Does not he understand that that is what the people of Scotland are saying today, as they have said over all those years? They are saying: let control of water and of all commodities be left in the hands of people who are close and accountable to the people of Scotland.

Mr. Lang: The point that I have just made to the hon. Gentleman is that it was a Labour Government, in 1946, who took the power to rationalise and reorganise and establish their clear authority over the handling of water services.

Let me emphasise the nature of what we are discussing. We are not only talking of a service, but about a substantial industry that employs some 6,000 people in Scotland. That industry supplies about 2.3 million cu m of water each day. It services some 2.2 million households. The water is supplied through some 28,000 miles of water mains. It is collected from some 800 or more sources, including 350 lochs and reservoirs, and there are some 17,500 miles of public sewers. There are 603 or more water treatment plants and more than 900 sewage treatment works.

Sewage treatment produces sludge—80,000 dry tonnes in 1990, which is expected to rise to 140,000 dry tonnes by 1999. That is a major industry which would incur colossal expenses in future development and maintenance and therefore it is vital that it is handled in the most efficient way.

Mr. Michael Connarty (Falkirk, East) *rose—*

Mr. Lang: I must make further progress and then the hon. Gentleman will have an opportunity to take part in the debate. I want to emphasise the scale of the industry and the increase in expenditure that is necessary to upgrade it if we are to meet our targets for the high quality of water and sewerage services that we now rightly regard as important.

I must point out to the House that capital expenditure provision for 1996-97 will be almost 80 per cent. higher than it was at the beginning of the decade. Present plans provide some £740 million of capital provision for the three years to 1996-97, but about £5 billion is needed in the next 15 years or so—some £2 billion for water services and £3 billion for sewerage. Of that £5 billion, around half will be needed to meet the requirements of EC directives and the balance to provide water and sewerage services to housing and industrial developments and to maintain and improve the existing infrastructure.

We are talking about a major industry which must be run efficiently. We need to take the opportunity afforded by the reform of local government to put in place for water and sewerage the structure that is best tailored to meet the needs of those services, the structure that will most readily accomplish the massive investment programme that lies ahead and the one that will do so in a way that gives best value for money to the customer. That is the structure that we are proposing: three new water authorities.

I was asked earlier why there should be three new water authorities. The answer is that that number will provide the most efficient system and the most coherent and comprehensive size of unit. The proposal is based on advice that we have received from our consultants. We need larger units to capture the economies of scale that will be so important in addressing a large investment programme at least cost.

The hon. Member for Falkirk, West (Mr. Canavan) said that we were over-centralising. I have to tell him that we are not a Government who are keen to centralise—*[Interruption.]* Opposition Members may laugh, but centralisation and control are fundamental to socialism and are the exact antithesis of our philosophy. Our philosophy is one of decentralisation and that is inherent throughout

our local government reforms. The exception is the water and sewerage service, where we believe that the overriding need to improve the efficiency of the system requires the establishment of three large units. Not for us a separate Scottish Parliament in Edinburgh to draw powers into the centre from local authorities in Scotland.

The trend of water and sewerage services over the past century or more has been to form larger units to exploit increasingly sophisticated technology. Today is no exception and we would miss an important opportunity to take a further step along that road if we were to perpetuate the current area divisions out of regard, understandable though that may be, for the record of the regional and island councils.

The hon. Member for Orkney and Shetland (Mr. Wallace) asked about the islands. The practical alternative to inclusion in the northern authority is to establish island water authorities legally quite separate from the councils. That proposal was discussed in detail with representatives of the islands, including the convenors of Orkney and Western Isles, earlier this year. We listened to those arguments carefully and with some sympathy. However, the implications for charges if the islands were separate authorities are severe. That is particularly so in the Western Isles, where the price of being a separate authority is likely to be more than double what it could be within the northern authority and in Orkney, the difference could be more than 50 per cent.

I know that the island authorities are anxious to know whether, if they become part of the northern authority, they would be guaranteed to benefit from a smoothing of prices across the northern area. However, I repeat what was said in Committee: we would fully expect the new authorities to move rapidly to uniform pricing. The Bill now also stipulates that the needs of rural areas should be paid regard to by the new authorities and the Secretary of State and the membership of the customers council area committees has been increased from a maximum of eight to a maximum of 12. That will allow a better spread of representation, including from the islands.

I understand the desire of the hon. Member for Orkney and Shetland to ensure that an islands representative is a member of the northern authority. I am sure that the claims of any suitable candidate from the islands will be considered very seriously. However, it would be wrong to pre-empt the choice of members in the way that the amendment seeks. The paramount requirement in a small membership is to get the best people for the job.

The hon. Member for Hamilton asked why our plan was the only plan open for Scotland's water and sewerage. It is not the only plan open for the future of water and sewerage in Scotland, but it is the best one. The Government have considered very carefully all the alternatives. We have consulted and considered. We have decided on our policy and we are now asking Parliament to support it. We do that believing that efficiency and cost are vital for those very significant and large industries in Scotland. We are proposing a Scottish solution for the future of those important Scottish industries. I urge the House to reject the new clause.

Mr. James Wallace (Orkney and Shetland): I associate myself with the remarks that have been made about the background against which this debate takes place. On behalf of my party in Scotland, I extend to the hon. Member for Hamilton (Mr. Robertson) and, through him, to his party and the family of John Smith, our deepest sympathy at their loss. John Smith was a great Scot and his contribution to Scottish politics, as well as to British politics, was immense. As has already been said many times, his loss is felt across the party divide.

I understand that the hon. Member for Hamilton also referred to the wife of the Under-Secretary of State for Scotland, the hon. Member for Dumfries (Sir H. Monro), who is unwell. I was born and brought up in Dumfrieshire and I have known Lady Monro for many years. I hope that our good wishes can be conveyed to the hon. Member for Dumfries.

5.45 pm

It would be wrong if we did not fully explore and thrash out the important arguments when we debate the future of our water and sewerage services. Those services have been the key issue in Scottish politics over the past 12 months or more. The Secretary of State said that the issue was not one of privatisation and, as he is a right hon. Gentleman, we must take him at his word. However, he is in no position to say what a future Administration might do.

If people are afraid of something in politics, that is a reality. It is not something that we can discount. People fear that, as a result of the Bill, we are placing our water and sewerage services in a position where they can be more readily privatised in future by a future Administration who may have a change of heart from the current Government's policy. If those services were to remain in local authority hands, that threat would at least be one stage removed. The fear that I have described cannot simply be blamed on speeches made by Opposition politicians.

I have always tried to be very careful about what I have said. No doubt I will be tried if I have, at any stage, misrepresented the position. However, the position was set out quite clearly in the Strathclyde regional referendum. The Government propose to set up three boards which will be appointed by the Secretary of State.

Mr. Jimmy Hood (Clydesdale): They will be quangos.

Mr. Wallace: As the hon. Member for Clydesdale (Mr. Hood) rightly points out, they will be quangos.

The people of Strathclyde overwhelmingly voted against that proposal. While the percentage of people who voted against the proposal was exceptionally high and not surprising, the percentage of people who actually returned their ballot papers was perhaps the most striking point about the referendum. Those people have been angered because the Government have refused to heed the message that those people delivered in the referendum.

The people in Strathclyde and elsewhere in Scotland voted again on 5 May and they gave the Government their verdict on that important regional council service. The Government again tried to use the excuse that people were voting on national issues. It was a national issue, but it was a national issue about a regional council function. It was not unreasonable for people to take that into account when they cast their votes.

In the aftermath of those elections, I heard the Secretary of State say that he thought the verdict of the Scottish people on 5 May was one of not proven. Of course, "not proven" is a matter of current political debate. The Secretary of State must know, as well as anyone knows, that not proven is a verdict of acquittal.

However, in no way was the Tory party in Scotland acquitted on 5 May. The Tories were found guilty by the

[Mr. Wallace]

jury by a large majority. If I may say so, at some risk of extending the legal metaphor, they have been given a deferred sentence. The jury and the court will meet again on 9 June. If the Secretary of State has not learnt his lesson and has not committed himself to good behaviour, a suitable penalty will surely be imposed then.

Regrettably, it seems from the Secretary of State's responses today that he has not learnt the lessons. He maintains that his proposal for three quangos is, in his words, the best solution.

It has been the position of my party throughout that the responsibility for water and sewerage services in Scotland should remain in the hands of people who are democratically elected and accountable to their electorate. That is why we support the amendment to that effect. I accept that if we are changing local government boundaries, it might not necessarily be efficient or sensible to have as many local water and sewerage authorities as there are going to be new local councils. However, if joint boards comprising elected councillors are an acceptable way to run our police and fire services, why are they not an acceptable way in which to run our water and sewerage services?

The Secretary of State was on weak ground when he tried to give us his history lesson. He referred to what a Labour Government did in 1946, but he missed the obvious point—which was put to him, but which he refused to accept—that, throughout all the reorganisations, authority and responsibility has rested with those who are electorally accountable. He said that water and sewage had to be handled in the most efficient way by people with the most experience.

I have yet to hear anyone on the Government Front Bench suggest that our local authorities—our regional islands councils—have done anything other than discharge their responsibilities with regard to water and sewage in a responsible and efficient way. Who are the people in Scotland who will be able to run an efficient water and sewerage service? They are all the employees of the existing regional and islands councils. They are the people who have the expertise and experience which have been built up over many years.

Nor have the Government made it clear how the new water authorities will have an easier financial route to raise the money that is needed. I understand that the strict Treasury rules will apply to the new water authorities—because they will be within the public sector—as much as they will apply to local authorities. It should be remembered that since 1989, our local authorities have had to have separate water accounts—indeed, they have managed those accounts—and most of the investment and loan charges have been covered by charges directly on the customer through meter charges, originally through the community water charge and now through council tax payments, and through the non-domestic water rate.

Our argument is that that should continue. Indeed, if something must be sacrificed, surely it is better if the Treasury rules are sacrificed, rather than local democracy. We have not yet had any suggestion of why that course cannot be adopted, other than the fact that the Treasury rules are there and, because they are there, we must abide by them. Perhaps it is time that we examined the merit of the Treasury rules.

I should like the Secretary of State to give us his estimate of the amount that will have to invested in water and sewerage services to bring them up to EC requirements—and, indeed, what the time span will be. I understand that the time span has lengthened somewhat since the argument was put forward for adapting and changing the new structure of our water services.

Why is it that, unlike the water authorities in England and Wales, Scottish water authorities have not had their debt written off? That would ease their position considerably. Nor have the Scottish water authorities had the benefit of a green dowry. That raises the question whether large-scale water users—industrial water users—in England and Wales have been put at a competitive advantage to large-scale water users in Scotland, which have not had the benefit of such a massive capital investment.

I acknowledge that the Secretary of State has clearly considered the question of the islands areas. Indeed, he admitted to having some sympathy with it. Before this part of the Bill is debated in another place, I hope that he will think again because there are important arguments for the islands areas to be treated separately. My ideal position is that proposed by my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) in Committee—keeping those areas within the control and responsibility of local authorities, the islands councils.

If that is not possible, I would argue for a separate water board for each of the islands areas because we would get a better integrated approach if we had a separate authority. After all, there is no link with any part of the North of Scotland water authority, other than the sea itself. If we are looking at a development involving water services, sewerage services, roads, harbours and quarries, it is obvious that an integrated approach, where we can have the other existing responsibilities in the islands, would make it much easier to plan and develop water and sewerage services.

My concern is that if the North of Scotland water authority has a target for the percentage of houses that it must reach and is faced with a proposal to provide a water and sewerage scheme for a small housing development on the western side of Shetland, which might serve only those houses, and a scheme for a housing development in Aberdeen, which would serve 60 houses, the Aberdeen scheme would inevitably take precedence. However, until the water and sewerage facilities are put in place, it may not be possible to proceed with a much-needed housing development—with very few houses, but nevertheless an important one for the community.

If that means that there is a slightly higher price to pay—I should like to see the detailed figures to discover how the Secretary of State comes up with 100 per cent. more in the case of the Western Isles and 50 per cent. more in the case of Orkney—and if we will not get the service at the level price, we must ask whether it is a price worth paying because we will not get the level price for some time. The Secretary of State said that he hoped that the authorities would move to it quickly, but there is the implication—and, of course, the provision for it is in the Bill—that there can be differential pricing, including pricing based on localities. There is a serious possibility that not only will we not get priority, but we will have to pay a higher price, compared to other parts of the north of Scotland area. I hope that the Secretary of State will reconsider the matter.

I also hope that the Secretary of State will accept my amendment, which would oblige him to appoint a member from the islands area. It is all very well for him to say that he has it in mind to do so if a suitable candidate appears. There is nothing better than obliging him to do so. I am sure that if he does not appoint a member from the islands area, he will always find some plausible excuse for why he has not been able to do so on this occasion.

With regard to the western Scotland area and the many islands there, I know that my hon. Friend the Member for Argyle and Bute (Mrs. Michie) is also concerned that the expertise of someone with some experience of the delivery of water services in the islands areas should be used in terms of the customers council and the water authority.

The House will note that there are amendments in my name and the names of my hon. Friends which would require those who are appointed by the Secretary of State to the water authority or the customers council to make a political declaration—either a direct declaration of membership of a political party or a declaration stating whether any financial contribution has been given to a political party recently. That would be a welcome step in opening up quangos.

It is not simply a question of quangos being established; there is an unhealthy scepticism that those who are appointed to them are not always appointed on the basis of their expertise but because they happen to wear the right party colour. Hon. Members are obliged to make many declarations—obviously, our political affiliations are already known. It would not be a bad thing if we knew the political lights by which those who will be appointed to the quangos are guided.

Finally, I must make it clear that on this Bench we do not have knee-jerk reactions and say that we will immediately want to repeal anything that is done. However, after listening to all the arguments, it is certainly our conclusion that if we have any part of, or influence in, Government after the next election, it would be our intention to find ways of restoring water and sewerage services in Scotland into the hands of locally elected and accountable people.

Mr. John McAllion (Dundee, East): It is interesting to note the Tory Members representing England who have listened to most of the debate. Obviously, one of them is here because he is a deputy Government Whip and must be here. The hon. Member for Swindon (Mr. Coombs) is here because he is the Parliamentary Private Secretary to the Secretary of State for Scotland and he must also be here. The hon. Member for Luton, North (Mr. Carlisle) was here for more than one hour because the Tory Benches are so empty that it is one of the few quiet places where hon. Members can read in the House of Commons.

It will be interesting to note that when we vote on the new clauses and amendments, out of every opening in the buildings and the palace of Westminster will pour Tory Members who have not listened to the debate and who do not know what the issues are about, but who will guarantee that the amendments and new clauses tabled by the majority parties in Scotland are defeated and that the Government's proposals, which have been rejected overwhelmingly by the Scottish people, will be passed by the House. If ever I have seen a case for a Scottish Parliament, it is the debate taking place in the House tonight.

Mr. Stewart: I thank the hon. Gentleman for giving way with his customary courtesy. Where are all the absent Scottish Labour Members of Parliament?

Mr. McAllion: I can guarantee that if the Bill were being debated in a Scottish Parliament by people directly elected by and accountable to the Scottish people on Scottish issues, the Chamber would be packed and every Member would be held to account by the Scottish people. The first requirement of any democracy is that where a Bill only affects the people of a single country, it should be accountable to the people of that country and should not be decided by hon. Members from any other part of the UK.

Mr. Jimmy Dunnachie (Glasgow, Pollok): Where are their lot?

Madam Deputy Speaker: Order. Seated interventions are not helpful. If the hon. Gentleman wishes to catch my eye later, he should be a little quieter now.

Mr. McAllion: The Secretary of State said that it was not a part of the Government's proposals for Scotland to privatise Scotland's water. He said that they had consulted on the issue and, having consulted the Scottish people, they had listened. Does he really expect us to believe that? That comes from the same Government who consulted on the poll tax and, having listened to the Scottish people's objections, went ahead and legislated for the poll tax.

6 pm

Does not the Secretary of State understand that, on Thursday 5 May, there was a massive consultation in Scotland on his proposals to introduce three new super-quangos, and that his party got less than 14 per cent. of the vote? Does not he understand that the people of Scotland have said no to the three super-quangos? If he had really consulted and listened to the people of Scotland, the Bill would have been scrapped and we would have gone back to a system where regional councils are the water authorities in Scotland—the way it should be.

Nobody believes the Government when they say that they do not intend privatising Scotland's water industries. The same Tory Government continually preaches to Opposition Members that this is a unitary Parliament and a unitary state, and that every part of the UK is treated exactly the same. If privatisation is good enough for England and Wales, the message is that, in the long run, it will be good enough for Scotland as well.

If people in England and Wales can be disconnected from the domestic water supply, sooner or later people in Scotland will be disconnected also. That is the lesson which one draws from the unitary Parliament and unitary state which is supported on the Government Benches, and is supported here only.

For that reason, nobody believes for a minute the Government's protestations on the issues. The Government are not retreating from the principle of privatisation, but there has been a tactical retreat. The Government, under pressure in Scotland, have been forced to withdraw. But when the circumstances allow, they will be back with a vengeance and will be looking to privatise the Scottish water industry. Everybody in Scotland knows that—even the Government's own supporters.

Mr. Gallie: Does not the hon. Gentleman appreciate that Conservaive Members believe in the Parliament that represents the Union, but which recognises that there are

[Mr. Gallie]

different legal systems in Scotland and England and that there are different customs between the nations? Is not that one of the strengths of a Unionist Parliament?

Mr. McAllion: The hon. Gentleman—as always—is compeletely unconvincing in trying to intervene on an hon. Member.

Opposition Members remember what happened in England and Wales. What was the first stage towards privatisation there? Water was taken away from local authority control, and quangos were set up as the water authorities. A number of years later, when the situation had quietened down, those quangos were privatised. That pattern will be repeated exactly in Scotland if the Government are allowed to remain in office and to carry out their long-term plan for the Scottish people.

I served on the Standing Committee that considered the Bill, and I remember that the hon. Members for Ayr (Mr. Gallie) and for Tayside, North (Mr. Walker) made it absolutely clear that water in Scotland should be privatised. I know that, deep down, the Minister believes that water should be privatised, although he will not say so publicly. We know that every Conservative Member representing English and Welsh constituencies believes that there should be privatisation in Scotland, because they have accepted it in their own constituencies. Why should they not accept it for Scotland? The Prime Minister has said from the Dispatch Box that he wants water in Scotland to be privatised.

Therefore, we do not believe for a second the protestations of the Secretary of State or Scottish Office Ministers. They may say, "Us? No, we would never dream of it." But they do dream of it. Their innermost hope is that, in the long run, they will not have to use public money to fund the investment that is required in the Scottish water industry in the next 10 or 15 years, and that the private sector will come in and supply that money for them. The private sector will supply that money only if it can get the profits back out of the water industry, and it can only do that under privatisation. Nobody is fooled by the Government's arguments.

I was not impressed in the least by the hon. Members for Ayr and for Kincardine and Deeside (Mr. Kynoch)—who have at least sat through most of the debate—and the pantomime which they had between them. They tried to suggest that there were fewer quangos in Scotland now than ever before. Hon. Members know fine well that if the Bill gets on the statue book, more people will be appointed to quangos in Scotland than we will have elected councillors in Scotland. That is the state to which the Conservative party has reduced Scotland. It is undermining every aspect of democracy in our country.

There is no democracy in this House or at local government level. We have quangos, centralisation and authoritarian decisions which are taken here by people who do not represent the Scottish view. The Conservative party wonders why it does so badly at elections in Scotland. If it were prepared to listen to the Scottish people, it might understand why it does so badly.

The hon. Member for Ayr thinks that, in a fringe meeting at the Tory party conference with a 10 or 15-minute speech, he convinced Tory activists of the strength of the Government's case. The hon. Gentleman has had two years since 1992 to convince his own constituents, and I am sure that I do not need to remind him of the result in Ayr in the Strathclyde referendum on water. Ninety-three per cent. of his constituents voted against the Government's proposals. He supports those proposals and tried to sell them to the people of Ayr during that period. He failed to convince them that the proposals are right.

For the Secretary of State to tell us that his proposals are the best possible for Scotland is absolute nonsense. It is not for the Secretary of State to tell the people of Scotland what is best for them. It is not even for me or for my hon. Friends on the Front Bench to tell the people what is best for them. The people tell us what is best for them, and that is how democracy works. But so divorced from democracy has the Tory party become that it no longer recognises when it has been completely undemocratic and has done things which, in the long run, can only destroy the Tory party in Scotland.

I speak in support of new clauses 1, 15 and 20 because they seek to re-establish regional councils, through bringing together the new, single-tier authorities into joint boards. I do not see any difference between the Scottish National party's amendments and the new clauses proposed by my hon. Friends. Under the joint board provisions, those will be bodies corporate which are covered by statute. Therefore, under the requirements placed on bodies corporate such as joint boards, it will not be the Secretary of State who appoints people to those boards but the constituent councils. In reality, the SNP amendment and the new clauses tabled by Labour are the same.

In the circumstances, the idea that joint boards could be the new water authorities is not the best that can be achieved for Scotland, but it is the best that can be achieved through this place. The best would be that the Government for once actually listened to the Scottish people, and what the people are saying came across loud and clear on Thursday 5 May. The Conservative party was reduced not to fourth place, but to fifth place in Scotland—if one includes the independents—with less than 14 per cent. of the vote.

I and the hon. Member for Tayside, North come from Tayside, and the Conservative party held Tayside beyond challenge, it was thought, in the early 1980s. When I came on to the council in 1984, the Tories held 28 of the 46 seats, and there was no party within touching distance of them. Ten years on, the Tories hold four seats out of the 46 in Tayside regional council and they received one in five of the votes cast in the Tayside regional elections. An area that was once regarded as the jewel in the Tory crown in Scotland is now almost absolutely anti-Tory. Even the Tory councillors in Tayside do not agree with what the Government are doing to the people of Scotland.

The Conservative party is so remote from the Scottish people that those people go to the ballot box with one view in mind—"How do we get at this Government?" In some areas, that means voting for the SNP, while in others it means voting for the Liberal Democrats or Labour. Wherever the opposition to the Tories is, that is where the Scots go and that is how they vote.

If Conservative Members cannot see that, they are terminally in decline. I look forward to the day when every single one of them who represents a Scottish constituency is wiped from the face of the electoral map in Scotland, and we can have a Scottish Parliament in which we will decide things for ourselves.

Mr. Dalyell: It may not be entirely their fault, but do Ministers realise how much senior Ministers in our system are deferred to and become cocooned? I wonder whether the Secretary of State realises how doubly friendless he is on this issue.

First, the right hon. Gentleman is friendless among those who understand the water and sewerage industries. I went to a meeting yesterday of the Lothian purification board in Livingston when water experts from right around Scotland were present. He did not have friends there, other than the loyal representatives of the Scottish Office. When people such as Dr. Jean Balfour say how terrible the policy is, it confirms the argument of my hon. Friend the Member for Dundee, East (Mr. McAllion).

I think that I was the only Opposition Member who, rightly or wrongly, did not sign the "Claim of Right". I have a particular political history, which entitles me to say this to the Secretary of State. In view of the election results and the fact that the Scottish people can see that such a huge percentage are against water privatisation, which is an emotional, central and important issue, if he cheerfully overrides those views—saying that they are of no account—it will go far beyond water. The issue will become the attitude of people in Scotland towards the Union. Because of political history I, of all people, am empowered to tell him that if he goes ahead he must not start lamenting when the Union turns sour.

Mr. Graham: I was born in Glasgow. When I was a young boy, there were wells in every part of Glasgow and if people felt like a drink they just had to turn the water on—it was free. We have all seen animals—cats, dogs or whatever—supping the free water.

I also lived in Govan when I was a kid—in Elder park. There was a rumour that people became Govanites if they fell in the water in the park. It was a great honour to be called a Govanite. If someone falls in the water there now, under the Tory proposals, they would not only get a scolding from their mother but they would probably have to pay for the water that they used in the pond.

I am astounded at the Government's reluctance to accept the referendum that was held by the people of Strathclyde and their elected members and adjudicated by a neutral body. The figures that I am holding here are the result of one of the most democratic decisions ever reached by a huge proportion of the population of Strathclyde; 1,194,667 people voted no to the Government's proposals.

The Government have tried to run roughshod over the opinions of those people, as if to say that 1.2 million people are kidding, or that they have no brains and canna get it right—as if to say that the Government are the only ones to get it right. That is absolute nonsense.

I see that the Secretary of State has a pencil in his mouth. Perhaps because of this Government, some day when he is putting a glass of water to his mouth it might cost him about 10p.

If the referendum had taken place throughout Scotland the floodgates would have been opened. I am sure that the result would have been the same throughout Britain and that a higher percentage would probably have been against in the highlands, which are awash with water. The people there certainly would not want it to be privatised in the fashion that the Government propose.

I am appalled that the Government are continually trying to water down the Strathclyde results. They are trying to push them under the carpet and it will cause one great fountain. A huge eruption will take place at the general election.

6.15 pm

I do not call those three bodies quangos, Madam Deputy Speaker. I call them "langoes". Do you know what the headlines will be in the Scottish papers? "Lang goes—drowned by the people of Scotland." I am sure that that is what will happen.

Earlier, we heard the Secretary of State say that there was no way that they would privatise water and we have heard other hon. Members repeating old statements to the House. I will remind him. In December 1984 Neil Macfarlane, then Under-Secretary of State at the Department of the Environment said:

"We have absolutely no intention of privatising the water industry".—[*Official Report*, 19 December 1984; Vol. 70, c. 457.]

By February 1986, the right hon. Member for Mole Valley (Mr. Baker), then Secretary of State for the Environment, was telling the House that the Government were ready to privatise water. In December 1984 it was, "No privatisation", by February 1986 it was "Yes, privatisation" and by 1990, it was privatised.

Last week, in an interview with *The Courier and Advertiser*, the Prime Minister did not rule out water privatisation in Scotland completely. He said:

"It's not going to be privatised in this Parliament. It's not going to be privatised for a long time. It's gone into public bodies. Whether we will ever return to that in the future we don't know. No one ever says never in politics if they are wise, but there are no plans whatsoever to privatise water in Scotland".

Is that the same sort of promise as Neil Macfarlane's promise that the Government had no intention of privatising English water? It is no wonder that the Scottish people do not believe the Government when they promise that they have no plans to privatise Scottish water.

We are sick and tired of seeing Government promises broken. One broken promise that got my goat was when they said that they wouldna increase prescriptions charges. Look at the price of prescriptions now, Madam Deputy Speaker. It is a punishment—an absolute evil—to be ill under this Tory Government. Their punishment of putting VAT on fuel is horrific. They do not understand the world that we live in.

Mr. Bill Walker (Tayside, North): The hon. Gentleman should know that, under the United Kingdom's unwritten constitution, no Parliament can bind a succeeding Parliament to anything other than matters within the jurisdiction of the European Union. Thus far, water does not come under the European Union.

Mr. Graham: I find that hilarious. We have had Conservative government for nearly 15 years. They have kidded the folk on at every election, saying "We'll not do this" or "We'll not do that" and then they have done it. They said, "The lady's not for turning" and they said, "We'll go on and on." I am sick and tired of it. I do not have water on my brain, but perhaps they have. Perhaps the hon. Gentleman believes it when the Government say that they will not privatise water in Scotland. They are up a gum tree—the biggest gum tree that has ever grown.

I want the Secretary of State to dump this Bill. He should not foist what is happening in other parts of the world on to us. We have an efficient water service—a service into which local authorities have channelled their

[Mr. Graham]

energies, to make it one of the best and cheapest in the country. They have given us water that we can drink proudly and boast about.

I will bring you a glass of water from my house, Madam Deputy Speaker. You would probably have to pay 30p a glass for it, but I do not pay that in Scotland, where every woman, child and elderly person can turn on the tap and have a damn good drink. They are not paying through the nose or into the private coffers of some entrepreneur who has decided to buy a few shares in water. Water is owned by us, and drunk by us, and I want it to be kept by us.

Mr. John Home Robertson (East Lothian): I am grateful to my hon. Friend the Member for Renfrew, West and Inverclyde (Mr. Graham) for breaking through the sense of melancholy and sadness which pervades the Opposition Benches just now. Clearly, there is a sense of shock on this side of the House, but we have to come to grips with the issues. We have to tell the Government that this type of legislation is not tolerable and that they will not be allowed to get away with it in Scotland or anywhere else.

The Secretary of State for Scotland prefaced his remarks by saying that we had to return to the issues of state in Scotland today and consider this controversial issue. I have news for the Secretary of State for Scotland: this is not a remotely controversial issue. It is one of very few issues about which it would be impossible to start an argument in the streets, households, pubs, clubs or anywhere else in Scotland today. There is no support anywhere in Scotland for the proposal to take the water and sewerage industries out of the control of democratically accountable local authorities.

We all knew that. If the Secretary of State required proof of it, he received that proof from Strathclyde regional council. In a 71.5 per cent. turnout of electors in Strathclyde, 97.2 per cent. gave a very clear answer to a very simple, straightforward question. There was nothing obtuse or convoluted about the question on the ballot paper that was put before the people of Strathclyde.

It explained what the Government wanted to do. There was no mention of privatisation; it was simply explained that the Government wanted to transfer control of the water industry from democratically accountable local councillors to nominated quangos. What did the people think of that? Some 97.2 per cent. said that they wanted their water and sewerage industries to remain under the control of their local authorities.

Frankly, the result did not surprise me. What surprised me was the massive turnout of electors. I am amazed that even this Government think that they can shrug it off. As Sir Michael Hirst would say, it was a "poke in the eye" for the Government. That is how he dismissed the recent regional election results. How many more pokes in the eye do the Government require before they understand what is going on?

I have no doubt that the result would have been exactly the same if the question had been put to my constituents and those of my hon. Friends in the Lothian region. It is no wonder, because the service is provided very well by democratically accountable local authorities and their staff in every part of Scotland. People value their right to influence decisions in this essential industry.

I am very proud that an elected local councillor from my constituency, John Ross from Musselburgh, recently took the chair of the water and drainage committee of Lothian regional council following the recent elections. He and his colleagues, elected by the people of the Lothian region, have a mandate to take decisions which affect that industry. He conducts surgeries so that people from his ward and other parts of the Lothian region will be able to go along and say, "We don't like the way in which you are managing these services; do something about it." That is what happens at the moment. There is plenty of evidence that the water and sewerage industries are being operated in a responsive, as well as responsible, manner.

What is the alternative offered by the Secretary of State for Scotland? He proposes that there be three monster quangos, nominated and appointed by him personally. They will not be accountable to the people of Scotland in any sense of the word. Will they hold surgeries for people to come to see them? There is no chance of that. They will hold meetings behind closed doors like the rest of the quangos in Scotland and they will not be accountable to anyone.

We have been through all the issues over and over again in Committee and they have been discussed plenty in Scotland. Whatever else this issue may be, it is certainly not controversial. There is no support from any quarter for what the Secretary of State proposes.

If they are established, the quangos will be unjustifiable and intolerable. I agree, for once, with my hon. Friend the Member for Linlithgow (Mr. Dalyell) that it raises a particularly dangerous constitutional issue. If we impose this sort of rubbish legislation on Scotland, it raises fundamental questions about the credibility of the Union and the Parliament.

I welcome, above all, the statement made in Committee by my hon. Friend the Member for Hamilton (Mr. Robertson) in his capacity as shadow Secretary of State for Scotland. He said that, if the legislation is forced through and the quangos are appointed by the Secretary of State for Scotland, one of my hon. Friend's first acts upon assuming his responsibilities as Secretary of State for Scotland following the next general election will be to demand the resignation of the quangocrats so that we can replace them with directly elected local councillors. That is what the people want, and that is what they will have.

Mr. Jimmy Wray (Glasgow, Provan): Thank you for calling me, Madam Deputy Speaker. I know that we are short of time and that quite a number of hon. Members wish to speak in the debate.

It is absolutely disgraceful that we are debating an issue that takes democratic control away from the people of Scotland and that the House and the Scottish people are being misled.

I do not know how any Government could talk about privatising boards, quangos or any other system after looking at the evidence from down south—the disconnection of meters, the extortionate charges and so on. All those systems have failed; they have created only misery. I remember very well being told in debate that the private sector would invest the money needed to provide the services. We know from the media where the money went and who invested it. The private sector has not paid for the services; the people who are paying the bills have paid for them. Charges have increased by possibly as much as 70 per cent.

The Secretary of State for Scotland and the hon. Member for Ayr (Mr. Gallie) said that, as far as they were concerned, the problems could be solved by this system. No one wants quangos or privatisation in Scotland, but the Government never paid any heed to that at all. It is remiss of the Secretary of State for Scotland to mislead the House as he did today. He said that there would be a great deal of investment as far as local government water and sewerage industries were concerned. That is nonsense, and the Secretary of State for Scotland knows it.

I will take the right hon. Gentleman back through the years to a paper that he knows very well. In 1991 the Clyde river purification board and the sewerage department of the Strathclyde regional council formed a working party. The Secretary of State for Scotland was well informed about the proposals that were put forward at that time. The working party talked about a number of schemes and a plan that would stretch over 15 years and cost £920 million. It maintained that the profile of the plan would be £42 million in 1994, £90 million in 1995, 1996, 1997, 1998 and so on to the year 2003. The amount would then be reduced to £55 million in 2004.

Eight projects were proposed. I am sorry that the hon. Member for Ayr has left the Chamber, because his project in Ayr was affected, which is important. As a result of the lack of response from the Department of the Environment and the Scottish Office, the Dalmuir sewage works will be delayed until 2001; the Ayr sewerage scheme will be delayed until 1999. Those eight projects will cost £102 million, £41 million, £59 million, £350,000, £1.15 million, £1.05 million, £225,000 and £1.5 million. Only one project has been started—the Kelvin valley project.

6.30 pm

The Secretary of State knows about those works that the EEC asked us to implement, the incentives that it was going to give and the directives that were issued in a 15-year period, with a deadline date in 1997 that will never be met. The Scottish Office Environment Department sent a letter in January 1991 and another in July 1992, when the warning bells were sounded by the River Clyde purification board. It said that it could never implement any of the directives because there was a shortfall of £8 million. The Secretary of State has known that for some time.

Let us suppose that the shortfall of £8 million in one year continues throughout the 15-year plan. The document, "Investing for the Future" emphasised that the private sector would then come in and give the money. However, the Secretary of State for Scotland never mentioned the private sector and its investment, because very little investment is coming from the private sector, and I shall tell hon. Members the reason. It is a result of the referendum, which was a result of the opposition of Labour Members to boards, quangos or any type of privatisation.

I shall not forget the time when the Prime Minister, at Question Time in the House, said that, yes, the Government would privatise Scotland's water. Every Member of the House knows that, unless that investment is forthcoming, we can forget about Upper Clyde estuary improvements; we can forget about Scottish coastal waters and bathing waters. There is no way that we shall ever meet the deadline and there is no way that the Government will supply the money.

Every local authority has a responsibility under the Water (Scotland) Act 1946 and the Water (Scotland) Act 1980 to make water wholesome for drinking for the public. We already know how many people oppose the proposals for quangos and the dishonesty. We could go back to 1992, when *The Herald* published an editorial entitled, "Yet Another Fine Mess". The proposals were called "Laurel and Hardy" proposals.

Mr. McAllion: The minority in Scotland.

Mr. Wray: The Government.

The Strathclyde regional council sent a letter to the Scottish Office, saying that the estimated cost was £45 million for water and £45 million for sewerage. Also, £60 million per year would be needed to implement the EC requirements. The letter also mentioned the shortfall. The 15-year plan would take about £750 million, and £900 million would be needed to implement the requirements of the Government. The council also said that the total sewerage bill would be £990 million, but that £1,300 million would be needed to implement the EEC directives.

The Secretary of State told us at great length how much would be done, but he never told us about the total expenditure and that he will never be able to meet that target.

I shall give the House one piece of information that is relevant and important to Scotland. It is said that the total bill that must be met for Scotland's water is £4.5 billion in a 15-year period, and the Government have proposed to give only £3 billion. That leaves a shortfall of £1.5 billion. When the River Clyde purification board and the sewerage department wrote to the Scottish Office, they were told that Strathclyde regional council would be responsible and that they would have to take the money from current revenue or cuts in other services or capital receipts from selling off assets. That is important because, in answer to a question, the Secretary of State for Scotland told me that the boards will have the responsibility for selling off the assets when they take over, and that that is the way that they will make them pay.

In the last letter that was sent, the policy and resources committee of Strathclyde regional council asked the sewerage department to give it the minimum legal requirement over a five-year period. It sent the estimated cost, and the Scottish Office was notified that it was £500 million. The council was told to cut it to £225 million. The result was a delay in 53 proposed schemes of from four years to three months.

The Secretary of State for Scotland never told the Opposition how the plans for the sewerage and water departments were being wrecked. The type of revenue that has been proposed and the allocation that is supposed to be coming from the Scottish Office will never meet the requirements. We shall meet those requirements only by keeping water in public control.

Mr. Salmond: As often happens, the hon. Member for Renfrew, West and Inverclyde (Mr. Graham) put his finger on one of the buttons of the debate when he mentioned the admission by the hon. Member for Tayside, North (Mr. Walker) that one Parliament cannot bind another Parliament. That is absolutely true. *[Interruption.]* If the hon. Member for Tayside, North holds himself for a few seconds, he may intervene later.

Obviously one Secretary of State cannot bind another Secretary of State. We know, as I said earlier, that there is speculation about the Secretary of State's position. He may or may not be Secretary of State for Scotland in a month's time. If it holds true that one Parliament cannot bind

[Mr. Salmond]

another, it also holds true that the current Secretary of State cannot bind the hon. Member for Stirling (Mr. Forsyth), or the hon. Member for Eastwood (Mr. Stewart) if the honour fell on him. He could not bind the hon. Member for Tayside, North, if he was called to serve as Secretary of State in a few weeks' time.

It is absolutely reasonable for Opposition Members—

Mr. Wallace: That would be very unreasonable.

Mr. Salmond: That would not be absolutely reasonable, but it is certainly reasonable for Opposition Members to ask—given the history of the assurances that were given south of the border in 1984, which were then transformed two years later into an intention to privatise south of the border—why on earth should not that happen in Scotland in 1994, and why cannot that be translated, as one Secretary of State cannot bind another, into something quite different in 1996? Opposition Members do not need a crystal ball to fear that the measure will facilitate privatisation. All we need to do is to look at the book south of the border.

It was also reasonable for Opposition Members to point out what the Prime Minister said in March 1993. That was before the consultation period on Scottish water, but it also showed clearly that the Prime Minister's own mind was that he was sympathetic to privatisation. The hon. Member for Renfrew, West and Inverclyde read a more recent quotation from *The Courier and Advertiser*, in which the Prime Minister said that no one ever says never in politics. Usually when people say never, they mean that certainly they will do it at some time in the future, but it would be too embarrassing to admit it now.

A more recent quotation comes from the magazine supplement of the *Scottish Sunday Express* last Sunday. Mr. Bruce Anderson, the biographer and, I understand, confidant of the Prime Minister, which makes him one of a small, select band at present, wrote an article advocating the privatisation of Scottish water.

Mr. Lang *indicated dissent.*

Mr. Salmond: The Secretary of State for Scotland shakes his head. That article appeared last Sunday.

Mr. Lang: I did not wish to put the hon. Gentleman off his stride. I wanted to indicate not that the journalist in question did not say that but that he was wrong.

Mr. Salmond: The journalist was wrong to advocate the privatisation of Scottish water. The point that I was making was that Mr. Anderson is rumoured to be close to the Prime Minister. He is certainly his biographer and I think that he is a confidant. Therefore, the Secretary of State cannot pretend to us that the privatisation launch has been eradicated from the Conservative Benches. Given that we have already explained that he cannot commit his successor or a future Parliament, what assurance do we have that privatisation will not rear its ugly head again when the political temperature is different? The Secretary of State can give no assurance that will satisfy Opposition Members or Scottish public opinion.

I wish to deal with the Secretary of State's argument about efficiency. He said that his solution was the most efficient of the various permutations. It is more efficient than the privatisation option. There is huge disquiet south of the border about the efficiency of and public interest being served by privatised water companies. Only a few months ago, I received a letter from Thames Water informing me that, for the sum of £60, I could water my garden. I was surprised, as I live in a second-floor flat in Westminster. There is huge concern in all areas of England about the performance of private water companies.

The Secretary of State said that his solution was the most efficient. Most Opposition Members would argue that the municipal way of managing Scottish water assets has proven itself, over more than a century, to be the most efficient way of handling those assets. Even if we agree that creating three water boards is an efficient solution, why should the Secretary of State appoint members of those boards? Why should Secretary of State appointees be more efficient than people elected by local authorities and directly accountable to the people? That is the acid test for democracy and autocracy.

Regardless of whether the Secretary of State's appointees are excellent people, and even if he appoints some councillors, as he has said he is mindful to do, the proposal cannot be democratic. For example, if Councillor Brian Meek were appointed to one of the three water boards in Scotland—probably to all of them, given his track record of obtaining appointments—it would not make them democratic simply because he is one of the few remaining Conservative councillors in Scotland. The key to democracy is not who is appointed but who appoints. The only solution that would satisfy Opposition Members and the people of Scotland would be to allow that election to be by the democratic local authorities, which have a mandate directly from the people.

Will the Secretary of State consider his mandate, not just for the water proposals but for the whole Bill? It is a subject that we have discussed many times in Scottish politics. I remember the Secretary of State arguing in 1979 that, although a majority voted in a referendum for devolution, it constituted only 33 per cent. of the total electorate, which was no mandate to proceed with substantial change.

By the same argument, this Bill was tested last Thursday before the jury of the Scottish people. The result was that less than 14 per cent. of them voted. But only 6.3 per cent. of the total electorate—one in 15 of the adult Scottish population—went to a polling place and cast a vote for the Secretary of State's proposals.

Mr. Bill Walker: The hon. Gentleman is wrong about a legal fact. He is making some interesting debating points but the referendum on the Scotland Bill was a legal measure brought about as a direct result of an Act of Parliament that was in place. Moreover, last week's vote was not under similar conditions, so the two cannot be compared.

Mr. Salmond: "Clutching at broken reeds" might be the best way to describe that intervention. The comparison that I made is reasonable. The Conservative party's argument in 1979 was that there was not a sufficient mandate to proceed because only a third of the population could be bothered to vote for that proposal, although it received the majority vote of those who voted. By comparison, a week past Thursday, the Conservative party managed to motivate and mobilise one in every 15 members of the Scottish population to go to a polling place and cast a vote for the proposals before us tonight.

To put the matter another way, the Conservative vote in the Strathclyde region was 82,862 a week past Thursday. Compare that to the 1.2 million who voted against the proposals in the Strathclyde water referendum. I do not accept the nonsense that people did not understand, or were too silly to realise, what the measure was when they voted in that referendum.

During the local government campaign, I did a party trick at public meetings around the Strathclyde region. I would ask people to raise their hands if they had voted in the Strathclyde water ballot. The vast majority of people at those meetings raised their hands. I would ask them to put down their hands if they had not understood the question. Every hand at every public meeting stayed up. People knew exactly what they were voting on in that ballot and, by a massive number, they gave the thumbs down to the Government's proposals.

6.45 pm

The Secretary of State should therefore consider his mandate and look at the facts and figures with at least a degree of humility. He caused enormous offence in Scotland by parachuting five Conservatives from English constituencies on to the Standing Committee and by deciding each of the 102 Divisions by using those five Members. It will cause even greater offence in Scotland if the forecast of the hon. Member for Dundee, East (Mr. McAllion) comes true, as I suspect that it will, that people will pour out of the dark recesses of this place—hon. Members who have not even bothered to attend or listen to this debate—and once again the issue will be decided against Scottish interests.

The Secretary of State has already heard from the hon. Member for Linlithgow (Mr. Dalyell), who has been a far more consistent Unionist than him over the past 20 years of Scottish politics, of the repercussions and implications of the actions that he has taken on this Bill. It may be acceptable to the Secretary of State for Scotland to behave in that manner. It may even be acceptable to the empty Conservative Benches. It is not acceptable to the people of Scotland.

Mr. Connarty: I wish to set the record straight regarding some of the misinformation given to the Committee by the Minister responsible.

First, may I pass on, through his Front Bench, to the Under-Secretary of State, the hon. Member for Dumfries (Sir H. Monro), my best wishes to him and his wife. I hope that she gets better and that he is relieved of his troubles which prevent him from being here.

In Committee, the Minister consistently said that no alternative was put forward when the consultation took place on the Government's paper on securing a future for the water industry. But people wrote in, and Ministers kept quoting the Government's own summary of those responses to the consultation paper, which said:

"Most responses (84 per cent.) came from individuals. Preponderantly they expressed opposition to privatisation."

The Minister consistently said that, as people did not give an alternative, no alternative was on the table to be discussed.

We quoted back to the Minister and English Conservative Members from the same Government analysis of the submissions:

"Sixty-four per cent. of all respondents, and 67 per cent. of those opposing privatisation, preferred a solution which kept the services in local authority control".

The Minister then gave the impression that only those who bothered to write a letter—4,834 letters were received—had troubled to suggest an alternative.

In an earlier parliamentary question, I asked for an analysis of all submissions. In fact, as is shown in page 7 of the summary, 60,000 preprinted postcards were returned. With my hon. Friend the Member for Falkirk, West (Mr. Canavan), I delivered some 25,000 postcards signed in his constituency and mine. The rest came mainly from mid-Scotland, Fife and some constituencies in Strathclyde. People said quite specifically that they wanted water and sewerage services to remain under the direct control of elected councils.

Despite that, the Government continued to misrepresent the position in Committee. That was very sad, as it enabled the Prime Minister to be deluded. Some people may say that the Prime Minister is easily deluded about many things. He stands at the Dispatch Box quoting from briefs that do not provide sufficient facts to enable him to deal with the subject at hand.

I put to the right hon. Gentleman a parliamentary question about what he thought of the results of the Strathclyde referendum. As these matters are on record, I shall not go into any detail. In reply, the Prime Minister said:

"Since Strathclyde wilfully misrepresented the Government's proposals"—[*Official Report*, 22 March 1994; Vol. 240, c. 131.]

That was the Prime Minister's defence. It is quite clear that he had been briefed by the Secretary of State for Scotland or one of the right hon. Gentleman's ministerial colleagues.

I sent the Prime Minister a copy of the ballot paper, which says:

"Parliament is presently considering the proposals for the future of water. The Government proposes that from April 1996 water and sewerage services should be provided by a West of Scotland water authority, with a separate customers' council. The members of both bodies will be appointed by the Secretary of State."

A quango—or a "Lango"—would be appointed, and a "Lango" or a quango would be appointed to oversee it. The people of Strathclyde knew what they were voting on. They voted overwhelmingly not to make the Government do anything but to tell them that they did not want what was being proposed. That was the view of people throughout constituencies, regardless of political colour.

The party piece of the hon. Member for Banff and Buchan (Mr. Salmond)—as it was called by the hon. Member for Moray (Mrs. Ewing)—became a piece of street theatre. The Labour party leadership, my hon. Friends the Members for Hamilton (Mr. Robertson) and for Fife, Central (Mr. McLeish) and others went down to Eastwood. They took with them a letter, which people who had voted in the referendum were asked to read and sign. People of all political colours said that they had understood the process.

The letter says:

"We deeply resent being told by you"—

"you" being the hon. Member for Eastwood (Mr. Stewart)—

"and the Prime Minister that we did not understand the question that we had been asked or that we were misled by propaganda."

Everyone queued up to sign. People told us that they had been lifelong Tories but they would not be Tories much longer. They had found the party out and realised that voting for representative democracy in respect of water and

[Mr. Connarty]

other local authority matters did not mean voting Conservative. They volunteered many other comments about the Government's misguided principles.

What is it all about? It is about jobs for the boys—boys of the right political colour and creed. The Government will probably take a side step and appoint a few councillors, including—if the individuals in question are foolish enough to accept—a few of non-Conservative ilk. I hope that non-Conservatives who are offered positions will have the guts to say no, as they would not be representing anyone.

This is all about what we have seen in England and Wales—the appointment of people who fit the bill. During the Standing Committee's deliberations, we were told to have a look at the *Yorkshire Post*. There we saw what Ofwat and Mr. Ian Byatt were up to in sacking people who did not take the right political line and in appointing friends, golf partners—this is rather like Mr. Peterken and the Secretary of State—old school chums and people known through previous employment, as well as the wives of individuals who had been Treasury colleagues.

Mrs. Helen Jackson: I wonder whether my hon. Friend has heard the disgraceful news that, despite the revelation that the Director General of Ofwat recognises expressly that his first duty is not to the customers but to the water industry, subject to the interests of the customers, and despite the fact that his performance in Yorkshire is such that he must have put his position in jeopardy, he was reappointed yesterday for a further two years. That ought to fill the Scottish people with fear as to what might happen if their interests were put in the hands of so-called regulators.

Mr. Connarty: My hon. Friend the Member for Sheffield, Hillsborough (Mrs. Jackson) is a great campaigner. In fact, she set up the all-party group on the water industry. It must be recognised that many people are worried about what is happening to the privatised water industry in England and Wales. Just as many people in Scotland are worried about the Government's long-term aim for the water industry there.

There is a financial agenda here. I refer to the £5 billión that the Secretary of State has said will be required over 15 years to bring water and sewerage services up to the standard required by the European Community. In Committee, it was agreed that £3 billion of that amount would come through the public sector borrowing requirement if the Government were to continue the present funding level of £340 million a year under PSBR.

The other £2 billion is already earmarked to be raised through capital finance through current revenue. In their submissions, many local authorities have said that they are capable of getting the £2 billion from the consumers, who are willing to pay in order to balance the accounts. The Government have not been able to demonstrate that I ought not to be worried that the Treasury will lower its PSBR target and that the £3 billion for water and sewerage services in Scotland will be withdrawn slowly but surely.

Our concern is that we shall end up in the same situation as people in England and Wales, where 60 per cent. of all capital is provided from current revenue—in other words, through consumers' bills. In Scotland, the current figure is only 25 per cent. That is the Government's real agenda. They intend to mug the people of Scotland and make them provide the capital that is required to keep the services going.

My final message to the Tories is "Stop, thief. The people of Scotland know what you are up to." Maybe they are not thieves; maybe they are water fascists—people who can take from Scots by passing laws in this Parliament. That is what water fascism is about. But the Tories will not succeed. The Scots will not allow them to succeed. We are not the mugs. This time, the Tories on the Government Front Bench are the mugs, and the people of Scotland will send them, with the hon. Member for Stirling (Mr. Forsyth) —and I should like to see them bald and tied to a mule —down south to seek seats after the next election. But, as last week's elections demonstrate, there are not many seats down here for Scots scurrying south in an attempt to secure their future. Perhaps it is time for the pipe and slippers. Redundancy is coming.

Mr. Henry McLeish (Fife, Central): Most hon. Members are conscious of the rather sombre mood that pervades the Palace and the Chamber. None the less, this has been a very good debate. Points have been well intentioned, and we have highlighted what most people regard as one of the key scandals of Scottish politics—the Government's pursuit of changes in our water services when there is no public support for them.

What dismays Scots is that, despite the Strathclyde referendum, in which more than 1 million people said no to the Government's proposals, and despite the regional council elections, in which the Government were decimated on the ground and humiliated in spirit, Ministers are still hell-bent on pursuing the most unpopular policy to have been adopted in Scotland since the war.

Let me put it in context. Mine is probably one of the only Conservative-free local authority areas. In addition, it must be unique in Europe in having more Communist party seats that Conservative party seats. That is a measure of how this party of the past is being dealt with by Scots.

Tonight, there is a simple test for the Government. The Opposition do not have to be complicated about what they are trying to say. Our message is simple. First, we have argued that water should be retained in public ownership. The Opposition parties agreed to that, but the Government only grudgingly accepted—up to the next election.

Secondly, we have argued that the three super-quangos should be scrapped and replaced by 12 water authorities, which is essentially the status quo. Of course, we have argued that the members of all the 12 water boards should be councillors. Why do the Government not accept that?

The Secretary of State, who must have been suspended from the real world, suggested that the Government have found the best solution in the circumstances, but no Opposition Member has heard a case to justify why it is the best solution. The simple test for the Secretary of State and the Minister is to tell Scotland loudly and clearly why they will not accept 12 boards comprising all councillors.

Of course there is a precedent for that, as my hon. Friend the Member for Hamilton (Mr. Robertson) said: they are doing it with police and fire services. This local government reorganisation is such a half-baked measure that we shall end up not with a single tier but a multi-tier. If it is good enough for the police and fire services, why is it not good enough for the future of Scotland's water industry?

The Government have also argued that we need investment. If so, what is the essential difference between from 12 water authorities working in the marketplace, borrowing in the marketplace and delivering a service and three super-quangos operating in the marketplace but still subject to the same PSBR constraints as the current regional authorities in Scotland? If the Secretary of State were being honest, he would tell us that there is no difference.

There is an ideological preference for three super-quangos with appointees from the Secretary of State, but it makes no sense in terms of efficiency, effectiveness and value for money for Scottish consumers, who currently enjoy all three qualities in great abundance.

7 pm

The Government can end the water torture and we can end the Tory turmoil. Far be it from the Opposition to give the Government a way out, but we are telling the Government, on behalf of the Scottish people, that there is a way out; they can start to resurrect their political fortunes in Scotland if they merely accept the wisdom of our advice.

Let me state again—before the Minister, who is desperate to get on his feet, rises to finish the debate—the simple proposition: why not have 12 water authorities, comprising elected members whom we trust with £7.5 billion-worth of expenditure every year on vital services such as education, police, fire and every other service? Are we really saying to the Scots and to elected councillors that we simply cannot trust them to run water and sewerage services? Surely not.

I hope that the Secretary of State remains conscious of the figures imprinted on every Conservative mind—that in the Strathclyde water referendum 1.1 million people did not say no to privatisation; they said no to the crazy, half-baked proposals for three super-quangos and a grudging acceptance of councillors. We will certainly have none of that. The Scots agree with us, and that is why we will divide the House on this important new clause.

Mr. Stewart: First, on behalf of my hon. Friend the Member for Dumfries (Sir H. Monro), may I thank Opposition Members for their best wishes to Lady Monro? Secondly, I welcome the debate, in which a number of important and constructive points have been made.

We shall return to the particular point raised by the hon. Members for Linlithgow (Mr. Dalyell) and for Midlothian (Mr. Clarke) about the water pollution problems caused by abandoned coal mines.

We have heard a number of rumbustious speeches, including that of the hon. Member for Fife, Central (Mr. McLeish). He will forgive me if I regard his advice on how the Tory party should increase its vote in Scotland with a wry smile. I am not sure that he is the best source of advice on these matters.

The hon. Member for Glasgow, Provan (Mr. Wray) put the case for what the Government were proposing extremely well. We need extra finance for water and sewerage in Scotland. There needs to be a partnership between the public and the private sector in order to achieve that.

It is a practical problem, not a problem of ideology. Hon. Members, including the hon. Member for Banff and Buchan (Mr. Salmond), have talked about privatisation and asked for an assurance that there will be no privatisation of water and sewerage in future. I say simply that the answer that the Government are proposing to the practical problem of the need for extra finance in water and sewerage—the problem is sewerage, not water—means that there is simply no need for privatisation in Scotland in future. There is clearly a need for a new structure which maximises the benefits of economies of scale.

What is the essential difference then between the two sides of the House, given acceptance by Opposition Members that the new amendments on disconnections clear that matter up without any equivocation? It is about the number of councillors on the new water authorities. Opposition Members take the view that all members of the new authorities should be councillors, but we believe that there should be a partnership and that, as my hon. Friend the Member for Dumfries reassured the Committee, there should be a significant number of councillors on the new authorities, but that it would be unreasonable to bind the Secretary of State on specific numbers, and that other people also have the right to be considered on merit for the new authorities.

I believe that we are putting forward a practical solution to a practical problem, and I therefore recommend that the House does not accept new clause 1.

Question put, That the clause be read a Second time:—

The House divided: Ayes 244, Noes 278.

Division No. 240] **[7.06 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Beith, Rt Hon A. J.
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blair, Tony
Blunkett, David
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H')*
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*

Griffiths, Win (Bridgend)
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Heppell, John
Hill, Keith (Streatham)
Hinchliffe, David
Hoey, Kate
Hogg, Norman (Cumbernauld)
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George (Knowsley N)
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Kevin (Doncaster N)
Hughes, Robert (Aberdeen N)
Hughes, Roy (Newport E)
Hughes, Simon (Southwark)
Hutton, John
Ingram, Adam
Jackson, Glenda (Hampstead)
Jackson, Helen (Sheffield, H)
Janner, Greville
Johnston, Sir Russell
Jones, Barry (Alyn and Deeside)
Jones, Jon Owen (Cardiff C)
Jones, Lynne (Selly Oak)
Jones, Martyn (Clwyd, SW)
Kaufman, Rt Hon Gerald (Manchester, Gorton)
Kaufman, Sir Gerald (Manchester, Ardwick)
Kennedy, Charles (Ross, Skye and Inverness W)
Kennedy, Jane (Liverpool, Broadgreen)
Khabra, Piara S.
Kilfoyle, Peter
Kirkwood, Archy
Leslie, Christopher
Lestor, Joan (Eccles)
Lewis, Terry
Livingstone, Ken
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Mandelson, Peter
Marek, Dr John
Marshall, David (Shettleston)
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill (Sheffield Hallam)
Michie, Mrs Ray (Argyll & Bute)
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. (Wythenshawe)
Morris, Estelle (Birmingham Yardley)
Morris, Rt Hon J. (Aberavon)
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael (N Warwks)
O'Brien, William (Normanton)
O'Hara, Edward
Oliver, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Pope, Greg
Powell, Ray (Ogmore)
Prentice, Ms Bridget (Lewisham E)
Prentice, Gordon (Pendle)
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Rendel, David
Robertson, George (Hamilton)
Robinson, Geoffrey (Co'try NW)
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie (Dundee W)
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Shaerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew (Oxford E)
Smith, C. (Isl'ton S & Finsbury)
Smith, Llew (Blaenau Gwent)
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel (Dunfermline W)
Steel, Rt Hon Sir David
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth (Gower)
Warning, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan (Sw'n W)
Williams, Alan W (Carmarthen)
Wilson, Brian
Winnick, David
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David (Bolton SE)

Tellers for the Ayes:
Mr. John Cunningham and
Mr. Peter Kilfoyle.

NOES

Ainsworth, Peter (East Surrey)
Aitken, Jonathan
Alexander, Richard
Allason, Rt Hon Michael (Devon)
Allason, Rupert (Torbay)
Amess, David
Arbuthnot, James
Arnold, Jacques (Gravesham)
Arnold, Sir Thomas (Hazel Gr)
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter (Hexham)
Baker, Rt Hon K. (Mole Valley)
Baker, Nicholas (Dorset North)
Baldry, Tony
Banks, Matthew (Southport)
Batiste, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter (Eltham)
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. (Brigg & Cl'thorpes)
Browning, Mrs. Angela
Bruce, Ian (S Dorset)
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butterfill, John
Carlisle, John (Luton North)
Carlisle, Kenneth (Lincoln)
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael (Rochford)
Clarke, Rt Hon Kenneth (Rushcliffe)
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony (Wyre Forest)
Coombs, Simon (Swindon)
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Curry, David (Skipton & Ripon)
Davies, Quentin (Grantham)
Davis, David (Boothferry)
Day, Stephen
Devlin, Rt Hon Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan, Bob

Dunnet, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Evans, David (Welwyn Hatfield)
Evans, Jonathan (Brecon)
Evans, Nigel (Ribble Valley)
Evans, Roger (Monmouth)
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Farmer, Dame Peggy
Field, Barry (Isle of Wight)
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam (Woodspring)
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. (Cambs SW)
Greenway, Harry (Ealing N)
Greenway, John (Ryedale)
Griffiths, Peter (Portsmouth, N)
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil (Tatton)
Hampson, Dr Keith
Hanson, Dr John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Dr Terence L.
Hill, James (Southampton Test)
Hogg, Rt Hon Douglas (G'ham)
Horam, John
Howard, Rt Hon Dr Peter
Howarth, Rt Hon Michael
Howarth, Alan (Stratford-on-A)
Hughes Robert G. (Harrow W)
Hunt, Rt Hon David (Wirral W)
Hunter, Andrew
Jack, Michael
Jackson, Robert (Wantage)
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym (Cardiff N)
Jones, Robert B. (W Hertfordsh)
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela (Erewash)
Knight, Greg (Derby N)
Knox, Sir David
Kynoch, George (Kincardine)
Lait, Mrs Jacqui
Lamont, Rt Hon Norman

[illegible]

(Question accordingly negatived)

New Clause 2

Service, salaries or use of, environment criteria

"—(1) As soon as practicable the Secretary of State shall review such local government areas or parts thereof as the Secretary of State may direct, for the purpose of considering whether to make such proposals in relation to them as are authorised by section 13 of the 1973 Act, and after proposals, if any, to make, and the commissions shall formulate any such proposals accordingly.

(2) The provisions of paragraph 2 of Schedule 1 to the 1973 Act shall apply to a review under subsection (1) above."—[Mr. McGuire.]

Brought up, and read the First time.

Mr. McGuire: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this we may discuss the following: New clause 3—*Cost of reorganisation*—

"—(1) The Treasury shall undertake a review and publish a report on the costs likely to be incurred as a result of the provisions of this Act, and the report shall be laid before Parliament not later than 1st April 1975.

New clause 29—*Review of cost of reorganisation*—

"(1) The Comptroller and Auditor General shall report annually to Parliament on the costs incurred by the Secretary of State, the Staff Commission, Islands Areas, and Regions Commission established by this Act, and by local authorities as a result of the implementation of the provisions of this Act and associated costs, in respect of each of the financial years ending on 31st March in each of 1975, 1976, 1977 and 1978.

(2) It shall be the duty of the Secretary of State and local authorities to provide the National Audit Office with all the information required to complete the reports referred to in subsection (1) above.

(3) In this section, 'local authorities' includes all new authorities and joint boards, including Islands Areas Council, Islands and the Western Isles and each of the Island Area, all existing local authorities including the islands councillors, and joint committees and joint boards."

Amendment No. 21, in schedule 1, page 124, line 6, leave out

"Staff and Review Islands Council"

Commission amendments Nos. 237 and 238.

Amendment No. 22 in page 124, line 10, at end insert—

"Staff and Review	Staff and Review Islands Council

Amendment No. 42 in page 124, leave out lines 40 to 43 and insert—

"Lothian	Edinburgh and Lothian Islands Council, Council and Area Valley Islands Council, Cunninghame Islands Council, Kyle and Carrick Islands Council

Amendment No. 5 in page 125, line 40, after "the Clerk" [Scotland]

Commission amendments Nos. 239 and 240.

Amendment No. 23, in page 125, line 3, leave out "Clerk [Parliamentary]" and insert "Common"

Amendment No. 24, in page 125, leave out lines 4 to 6 and insert

"Cumbernauld and Kilsyth Islands Council and Kincardine Islands Council

Commission amendments Nos. 241, 242 and 243.

Amendment No. 245, in page 125, leave out lines 37 and insert—

"Clyde Highland	Kilmarnock, Cumnock and Doon and Inverness Islands Council
Clyde Highland	Badenoch and Strathspey, Inverness, Lochaber, Skye and Wick and Caithness Islands Council

Amendment No. 26, in page 125, line 37, leave out "Cumbernauld and Kilsyth"

Amendment No. 31, in page 125, leave out lines 39 to 41.

Commission amendment Nos. 244 to 246.

[Mr. Deputy Speaker]

Amendment No. 170, in page 125, line 46, leave out from 'Council' to end of line 39 on page 126 and insert—

'Renfrewshire Renfrew District Council.'.

Amendment No. 270, in page 125, line 46, leave out from

'Council' to end of line 37 on page 126.

Government amendment No. 297.

Amendment No. 271, in page 126, line 38, leave out '(except the areas included in East Renfrewshire)'.

Amendment No. 272, in clause 5, page 3, line 43, at end insert—

'(7) For the purpose of the first ordinary election of councillors, referred to in sub-section (2) above, the electoral wards for each local government area shall comprise the electoral wards for existing district councils insofar as they fall entirely within a local government area established under section 1 of this Act, and provided that where the boundary between two local government areas divides an existing district council ward, the Local Government Boundary Commission for Scotland shall, within eight weeks of this Act coming into force, submit to the Secretary of State proposals for areas within such part district council wards to be added to contiguous district council wards within the new local government area.

(8) Within twenty-one days of receiving proposals from the Local Government Boundary Commission of Scotland in accordance with subsection (7) above, the Secretary of State shall, by order, give effect to the proposals without modification.

(9) An order made under subsection (8) above shall be subject to annulment in pursuance of a Resolution of either House of Parliament.'.

Government amendments Nos. 280 to 285.

Mr. McLeish: I wish to speak to new clause 3 and amendment No. 42.

The debate is important because it covers not only local government boundaries but the important question of how they were determined and the costs of what the Opposition still regard as a half-baked proposal. There has been widespread concern in Scotland throughout the passage of the Bill; that concern has been apparent both during the Committee stage and right up to Report.

The key issue about which we are all concerned is how the Government arrived at some of the boundaries that we see not only in the Bill but in the amendments before us. The Bill has been framed with no consensus in Scotland among political parties, local government or the trade unions. There is no consensus for any form of change. There has been no in-depth independent review. The hallmark of the 73 proposals building on Wheatley was the desire not only to attain consensus but to have an independent commission assess the implications of change and report to the House where decisions were taken.

The boundaries in the Bill are not built on any notion of improved service delivery. It seems ludicrous that we are debating boundaries this evening when no consideration has been given to the link between boundaries and effective service delivery. I shall develop that theme later. Despite the Government's rantings, no regard has been given to historical communities, historical links or natural boundaries.

If the boundary changes are not linked to any of those issues, what we are faced with is simple gerrymandering. The Government do not like that word; they complained in another place about its use. There is no other word to sum up how the Opposition and the people of Scotland feel about a set of proposals that bear no relationship to their needs and aspirations, but much relationship to the needs and aspirations of the Conservative party.

After the trouncing that the Conservatives were given in the regional elections in Scotland, England and Wales, one might have thought that Ministers would be visited with some degree of humility. It is clear from the initial water debate that that has not happened. We wait with interest to see whether that will change in relation to this debate.

No one—even the Government—could argue that policies and boundaries that were built on gerrymandering could ever endure. I warn the Government that we will fight to ensure that the elections that the Government hope will take place next year will be derailed and delayed. The proposals before us, because of their instability, simply could not endure a change of Government? Why are the Government not saying, "Yes, we need to build consensus. Yes, we need an independent review." If they did that, it would save us having to move and debate the issues this evening.

Mr. Stewart: Which of the Government's proposals is the Labour party specifically against? Is the hon. Gentleman saying, for example, that the Labour party is specifically against moving Kincardine-on-Forth into Fife?

Mr. McLeish: The Minister is trying to challenge my humility. The suggestion was daft in the first place. I do not think that I should applaud in any way the Government coming to their senses in one minus way to deliver Kincardine back to its people. We are against the Bill root and branch. It will do nothing for Scottish local government. It will do everything for the Conservative party—

Mr. Stewart: Well, maybe.

Mr. McLeish: I will qualify that. I want to discuss that in a minute.

The Bill does not deserve to survive. The Secretary of State may smile. The Under-Secretary of State, the hon. Member for Eastwood (Mr. Stewart) and his colleague the hon. Member for Edinburgh, West (Lord Douglas-Hamilton) may just carry on with note filling, but the point is that the Bill is thoroughly bad and obnoxious.

On gerrymandering, when the Bill was conceived, the hon. Members for Eastwood and for Stirling (Mr. Forsyth) and some of the other apparatchiks who work out of Conservative central office decided, "Let us build the reorganisation around those two seats. So what we had in the first instance was Stirling becoming a single tier. We need not go into it, but it is legendary"—

Mr. Graham: Eastwood.

Mr. McLeish: My hon. Friend makes the point. That constituency seems to have been the marvellous focus for a Bill, which you, Mr. Deputy Speaker, may not have read, but which, clearly, we have. It is great credit to the Minister that he has been able to wrap the whole of the Conservative machine in Scotland around his little finger to come up with such a daft, divisive and dangerous system. Perhaps he should be applauded for that, but he will get little applause from the Opposition.

Clearly, major issues are involved in the boundaries. I cannot miss the opportunity to say that, last Friday, when the Government tabled new amendments, they also conceived the smallest unitary council so far. We started with 28. Then, through the Government's inspiration—or, I should say, that of the hon. Member for Ayr (Mr. Gallie)

as he rampaged through Scottish councils looking for anyone for whom he could move an amendment—we ended up with 30. On Friday, the figure went up to 32.

I ask the Government to accept a challenge. Can a council covering 47,000 people constitute an all-singing, all-dancing, all-purpose authority? That is what we now have in Central region. I do not doubt for a moment the quality of either councillors or officials, but it is important for us to flag up one point. Fiction has been turned into sheer farce. We now know that Stirling was gerrymandered for political reasons—and we have also discovered that the Government are willing to go to any lengths to demean the processes of review and local government reorganisation. We have seen that with Clackmannan, a council covering 47,000 people.

7.30 pm

I am led to believe that Clackmannan has half the number of schools that my constituency contains. Now its water will be provided by three super-quangos, its police will be provided by one of the eight police authority boards and its fire services will be delivered by one of the eight fire authorities. Sadly, the Stirlings and Clackmannans of the world will be wholly dependent on larger authorities: they will be like colonies of Fife regional council, which will bestride it with its 350,000 people. Where on earth is Clackmannan to find its education and social services? That is not an abstract question. The Minister smiles, but he knows full well that, although the Government's plan may fulfil the politics of madness on the Conservative Benches, it does not fulfil the politics of reality for those poor people in small authorities. They will suffer greatly.

The Minister laughs ruefully, because that is not his agenda. His agenda does not concern the quality of services enjoyed by people in Central region, Lothian, Tayside and Grampian, whose councils will be dismembered. His interest is in what the Government call enabling councils, referring to the ability of any council—regardless of its size—to purchase services wherever it wishes. Health boards do it; health trusts will do it. It is called "purchaser provider". But it simply is not working, and if the Government approve the relevant amendments—the vote may take place tomorrow, because of the scheduling of business—certain people in certain communities all over Scotland will be condemned to much poorer services. We cannot accept that that could be a legitimate aspiration in any reorganisation, Conservative or otherwise. It seems to us that the Government have now come clean, and decided that they are willing to plumb any depths to provide local councils with few services to administer.

One of the key issues behind all the rantings of Ministers and all the gerrymandering has been cost. In new clause 3, we ask for a Treasury inquiry into Scottish Office-inspired madness—for that is all that it can be. I am delighted to see the Secretary of State sitting in on the debate; he was absent during the 170 hours that we spent in Committee, and we sincerely hope that he will wish to contribute to the debate on costs. Costs are crucial. Whether we believe the £720 million figure given by the Convention of Scottish Local Authorities or the back-of-an-envelope job provided by the Scottish Office —which suggested savings of £60 million for 1995-96 —we cannot deny that there is a huge disparity in the estimates of the cost implications of the Bill.

That would be enough to persuade any sane Government to submit the matter to independent scrutiny. We do not argue that the Treasury is independent; but we have a feeling that—when faced with a possible public sector borrowing requirement of £35 billion at the next election, a position in which front-line services are starved of resources and circumstances in which such innovations as "care in the community" have little funding to implement the proposals involved—the Treasury would be happy to investigate the kind of madness that we are seeing in the Scottish Office.

The crucial aspect of costs is the question of staff cuts, with which the question of savings is inextricably linked. It was in the House, at our last Scottish Question Time, that the Secretary of State let the cat out of the bag: for the first time, he talked about redundancies.

Mr. Lang: Rubbish.

Mr. McLeish: The Secretary of State says, "Rubbish." I hope that the Minister who replies will explain away that first reference to redundancies. In the House and elsewhere, the Government have given the impression that these massive savings can be made by means of a painless cut in staff numbers—but the word "redundancy" implies something more sinister and significant. I hope that the Minister will begin to clarify its meaning.

Playing politics with 300,000 jobs in Scotland is not just a sinister process, however; it is even worse than that. The Government were unwilling to write into the Bill the arrangement introduced by the Local Government (Scotland) Act 1973, which automatically transferred all dedicated committee staff to the new authorities. Why? And why did the Government then decide to turn their back on the European acquired rights directive and the transfer of undertakings legislation? Every conceivable legal opinion is telling the Government that of course all the staff will be transferred; whether it takes the courts to do that is immaterial.

The Government have sought to justify this half-baked reorganisation by reference to savings. That is why they did not include in the Bill provisions for those people to be transferred automatically and why they have turned their back on European legislation. Ultimately, however, there will be no savings, because there will be no staff sacrificed on the altar of this reorganisation. The Minister should tell us why the Government are able to ignore both precedent and Europe, and play politics with the future of 300,000 people.

It has already been suggested that 30,000 jobs could be lost—up to 10 per cent. of the current number of jobs in Scottish local authorities. Is the Minister willing to say from the Dispatch Box, "Yes, that is the case," or will he continue to play politics and talk about figures between 700 and 2,000? However we look at the figures, they simply do not add up: the Government are behaving in a sinister fashion, unwilling to own up to the truth about costs.

If we take the labour savings out of the equation, it will mean that the Government will save nothing at all. Unison, the public service union in Scotland, will take the matter to the European Commissioner and to every existing local authority: if they decide that there will be no scrapping of staff but an automatic transfer, the Government will have no savings with which to justify the reorganisation.

The Government amendments constitute a firm commitment to gerrymandering of a high order. They also constitute a commitment to massive savings, when none will be made. If we discount the gerrymandering and the

[Mr. McLeish]

bogus savings, what on earth are we left with? Why did we spend 170 hours in Committee, and why are we to spend two and a half days on the Floor of the House for Report and Third Reading, when the Government have now been fully exposed?

I believe that this is a real tragedy. We gave the Government a chance to rescue themselves in the last debate, and they failed; in our new clauses and amendments on boundaries, we ask them to see common sense. When will they wake up to the fact that there is no suspension of political reality in Scotland? That has not happened over the past 12 months, and it will not happen over the next 12 months. Scots simply do not want this reorganisation, and opinion polls show that two thirds of them do not support the single-tier concept.

What we need is an independent commission, and at least a Treasury first look at the costs involved. We want the people of Scotland to appreciate that what the Government are doing is not in their interests, but in the interests of the Conservative party. I hope that what I have said, and what my hon. Friends will say, will be taken on board.

It is a sad occasion when the Secretary of State and his junior Ministers totally ignore public opinion. There can be no greater and more sinister development in any democracy than when the gap between the Government and the governed grows so large with no prospect of being bridged; at that point, we move from an issue of reorganisation to a dangerous issue of democracy and politics.

Even if the Government do not give a damn about the services enjoyed by 5 million Scots, the effectiveness of the £7.5 billion spent every year on services or the Strathclyde water referendum, do they not have any pride in democracy? Hon. Members on both sides of the House are supposed to support that, but at times it seems that, while the Opposition support democracy, the Government only pay lip service to it. We have reached a dangerous situation in Scotland, and all because the Government will not listen. Tonight, they have an opportunity to listen and to respond. We hope that they do so.

Mr. Salmond: On a point of order, Mr. Deputy Speaker. I understand that Channel 4 news has just released information that the Cabinet Committee will meet on Thursday to consider the selling off of 51 per cent. of the Royal Mail and 51 per cent. of Parcelforce. Have you received notification of a statement on that matter? Given that Scottish Office Ministers are present, and that they must surely have been consulted about such a proposal, perhaps one of them can make a statement at the Dispatch Box to confirm that Channel 4 report.

Mr. Deputy Speaker: I have received no notification of anything, other than the fact that the House is debating new clause 2.

Mr. Stewart: The hon. Member for Fife, Central (Mr. McLeish) made an astonishing attack on Clackmannan and East Lothian district councils, which are the subject of Government amendments before the House. I expected the hon. Gentleman to speak to the Opposition new clauses but he chose not to do so.

For the record, new clause 2, to which the hon. Gentleman did not refer, is unnecessary because the legislative powers to which it refers already exist. The hon. Gentleman referred to costs. New clause 3, which he did not address at any length, suggests that the Treasury should make a fundamental review of the costs of reorganising local government in Scotland. That demonstrates a fundamental misunderstanding of how central Government conduct their business. With the greatest respect to the hon. Gentleman, he and his colleagues displayed that misunderstanding in Committee, when they constantly suggested that the Scottish Office was putting forward figures without the Treasury's consent. That kind of scenario is completely inconceivable.

Mr. McLeish: Will the Minister confirm that he suggested to the Treasury that this muddled mess might cost £720 million? Did that happen?

Mr. Stewart: No. The Treasury has rather more sense than that. My right hon. and hon. Friends at the Treasury have more sense than to believe the figures presented by the hon. Member for Fife, Central. As he raised the point, I will refer to his own estimates of council tax rises in Fife, which he represents, following reorganisation. They suggest that band D council tax in Dunfermline would rise from £621 to £1,061, and in Kirkcaldy from £664 to £1,094.

Mr. McLeish: May we have the Minister's estimates?

Mr. Stewart: I am not giving the hon. Gentleman my own estimates; I am simply giving him the estimates of Labour-controlled Fife regional council.

Mr. John Home Robertson (East Lothian): How many Conservatives are on that council?

Mr. Stewart: Not a lot. That is precisely my point. That council cannot reasonably be regarded as some kind of crypto-Conservative organisation, yet it estimates that a single-tier Fife authority would produce savings of £4.9 million per annum. That is the estimate of Labour-controlled Fife regional council.

7.45 pm

Mr. Foulkes: Does the Minister agree that all the arguments relating to Fife apply equally to Ayrshire?

Mr. Stewart: No, I do not agree—but I have no doubt that the hon. Gentleman will seek to catch your eye, Mr. Deputy Speaker, so I hope to be able to respond to his points later. I will have to take fully into account the points made by the hon. Members for Cunninghame, North (Mr. Wilson) and for Cunninghame, South (Mr. Donohue) in favour of the Government's present proposals for Ayrshire.

Mr. Connarty: Before we debate who prefers what in relation to democratic responses and public feeling about representation, perhaps we may focus on costs. Has the Secretary of State asked the Treasury to make a reasonable and rational assessment of the report on which he based his figures, compared with that produced for COSLA by the Chartered Institute of Public Finance and Accountancy? They seem to take different views and to give different estimates. In Committee, more credibility was attached to the CIPFA report. Has the Secretary of State asked for an independent assessment of costs? That aspect will affect every other decision on resources and services, as my hon. Friend the Member for Fife, Central (Mr. McLeish) said.

Mr. Stewart: I can reassure the hon. Gentleman that we in the Scottish Office are in constant and close touch with the Treasury.

Mr. Canavan: The Treasury tells him what to do.

Mr. Stewart: The hon. Gentleman suggests that the Treasury tells me what to do, but Labour Members suggest that the Treasury ought to tell us what to do. That is the purpose of their new clause. The hon. Gentleman cannot have it both ways.

Mr. Canavan: We are calling for an independent element in assessing the costs.

Mr. Stewart: Labour's amendment suggests that the Treasury should have an estimate of the costs. I am saying that that happens in any event. It is inconceivable that any major Government measure is adopted without the Treasury's full involvement. That has been the case in relation to the Bill, as with every Government Bill that is put before the House.

The hon. Member for Fife, Central did not refer specifically to new clause 29, which would involve the National Audit Office in the auditing of local government reorganisation costs. I am sorry about that because I was going to say that the amendment's heart was in the right place but that it is unnecessary because the NAO has a relationship with central Government costs, not local government costs.

My right hon. Friend the Secretary of State hopes to catch your eye later, Mr. Deputy Speaker, to respond specifically to points made by hon. Members representing highlands constituencies, because the highlands case was not, by agreement, debated in Committee.

It may help the House if I said something about costs and and about the Government amendments. My main point in answer to the hon. Member for Fife, Central is that the estimates to which he has referred to, and especially the COSLA estimates, assume, first, that more than 3,000 local government staff will be made redundant and paid extremely generous sums—my understanding is that the sum would be between £100,000 and £200,000 each—and, secondly, that they will all be replaced by new staff. I regard that as a ridiculous and unreasonable proposition and certainly the Government would not finance a scheme of that nature.

Moreover, estimates by individual local authorities of all political persuasions throughout Scotland consistently show savings as a result of the Government's proposals. The Scottish National party authority of Angus shows savings of £8.45 million over the status quo; the Borders shows savings of £22.4 million, for the unitary authorities in Tayside; Dundee shows savings. I have already referred to Fife and I know that the hon. Member for Fife, Central will have studied Fife regional council's estimates in great detail.

Mr. McLeish *indicated dissent.*

Mr. Stewart: He is wrongly shaking his head.

Mr. McLeish: I do not like statistics.

Mr. Stewart: The hon. Gentleman says that he does not like statistics. *[Interruption.]*

Mr. Dalyell *rose—*

Mr. Stewart: I shall give way when I have finished the point.

Fife is suggesting that the Government's proposals would result in savings, over 15 years, of some £68 million.

Mr. Dalyell: May I ensure that we have understood exactly what the Minister said? Do I misquote him in saying that, when he was talking about compensation to employees, he said that the Government would not finance figures of that nature? The figures are put at £100,000. There are many employees, who have to make decisions about their futures and their careers, and who would like to know exactly on what basis they are to be compensated. If the Government are saying that they are to compensate in a niggardly manner, that ought to be known.

Mr. Stewart: I accept that the hon. Gentleman has raised a legitimate point. What I regard as completely unreasonable is the proposition that local authorities—because. ultimately, it is their responsibility—would make people redundant at an enormous cost and then take people on to replace them, which is the essential assumption made in the COSLA figures. In the Bill, we are introducing powers to control such things.

Mr. Welsh: Why is no transitional figure given for property in Scotland when the figure has been calculated for England and for Wales? Will the Minister comment on COSLA's point about the staff turnover effect, following on from what he said? Does he dismiss that idea, and does he think that that would not have an effect on costs?

Mr. Stewart: Of course there must be staff turnover; nobody denies that. The hon. Gentleman asks about property. I hope that he will recognise that the decisions are for local authorities—and, as I understand it, his own SNP-controlled local authority has no particular difficulty over that matter.

Government amendments Nos. 287, 292, and 295—which relate to Dundee—reflect the undertaking that I made in Committee to look closely at the boundary of the city. They have the effect of including Invergowrie in Perthshire and Kinross. In response to the reasoned arguments advanced by the hon. Members for Dundee, East (Mr. McAllion) and for Dundee, West (Mr. Ross) and by the City of Dundee district council, we proposed to include in the city the Balgarthno area to the east, Birkhill cemetery, Clatto Moor and Baldovan Wood, and an area to the east of the Forfar road. The case put to us was that those areas were integral parts of the city's overall strategy for future development.

The only essential difference between the amendments and the case put to the Government by the hon. Members for Dundee, East and for Dundee, West was over Strathmartine. The community council there argued that the area is predominantly rural, and we have respected that view, which favours an Angus link.

Mr. Ernie Ross (Dundee, West): I do not want to delay the House in any way, because I hope to catch your eye, Mr. Deputy Speaker, but I do not think that the Minister is being at all honest with the House. When he answered my hon. Friend the Member for Dundee, East in Committee, he almost misled him by the way in which he said that he would introduce amendments to reflect what my hon. Friend said. As I shall show if I catch your eye, Mr. Deputy Speaker, the amendments in no way meet the points put to

[Mr. Ernie Ross]

the Minister by Dundee district council, my hon. Friend and myself. The Minister knows as well as I do that his father is still very disappointed about what he is doing here tonight.

Mr. Stewart: My father always expresses his views with great lucidity. May I say to the hon. Members for Dundee, East and Dundee, West that I do not accept that general criticism? I accept, of course, that the Government have not agreed to what was proposed by Dundee district council, but in essence we have agreed to all the proposals put forward by the district council except those in relation to Strathmartine, which the community council indicated it wanted to remain in a rural authority.

Mr. McAllion: The Minister knows very well that the Scottish Crop Research Institute at Milnefield is one of the areas which, as I clearly explained in Committee, has been excluded from Dundee—as has the Tay estuary nature reserve. A whole series of areas that were raised with the Minister in Committee have been kept out of Dundee, and very few concessions have been made to the case that I put on behalf of Dundee district council.

Mr. Stewart: I am not disputing the geographical facts with the hon. Gentleman; I am saying that I believe that, in the face of conflicting arguments, we have responded to the case put by the City of Dundee district council. We have not entirely accepted the case that has been advanced but we have conceded that the case—which I thought was the most important point—for Balgarthno and the industrial estate there was valid. It is clear from the amendments that the Government have listened.

There is a detailed amendment to the boundary in relation to Luss and there is a major change to the Government's proposals in relation to Central region. We decided that there should be three councils in Central region—Clackmannan, Falkirk and Stirling—based on the existing district council boundaries. That was an extremely difficult decision to make.

It was clear that the Government's original proposal to link Clackmannan, Falkirk and Kincardine was not generally acceptable. We therefore decided that Kincardine-on-Forth should go back into Fife. We then faced a choice between one council or three for Central region.

I emphasise that the fact that we decided in favour of three councils was not a criticism of Central regional council, which has many achievements to its credit. However, there is no doubt that the district councils—and Falkirk and Clackmannan in particular—put forward a very pragmatic case to the effect that they would be able to supply the necessary services to their people, if they were on their own, by co-operating with neighbouring councils and with the private and voluntary sectors.

8 pm

Mr. Connarty: The Minister must realise that I would express concern because the original amendment, which was tabled by my hon. Friends and me and which was debated and discussed at great length in Committee, proposed that Stirling and Clackmannan should be together; that was the recommendation of the Wheatley commission for the district authority without the education and social services functions allocated to it. That was the proposal put forward in Committee.

The Government must explain at greater length why they rejected the two-council solution. If it was not to be one council, I cannot understand why the Minister should diminish the size and resource base of local government in Stirling, of which I was previously the leader, and of Clackmannan, which I know very well, to the point where we think it will not be viable in the long term.

Mr. Stewart: I fully accept that there is a balanced argument here. However, the view expressed by the hon. Member for Falkirk, East is not the view that Clackmannan district council put to the Government. That council put forward the view that

> "As a unitary authority the District Council would continue . . . maintaining a flexible and responsive approach to decision-making and internal management."

It stated that the council

> "has enthusiastically embraced the concept of enabling and working in partnership."

It added that that

> "has not been solely in response to the Government's view, but was more a result of an appreciation of the needs and aspirations of the area and its people and the need to reach pragmatic, practical solutions which involved working with other interested parties and service providers."

That was the view of Clackmannan district council which, as the House is aware, is not run by the Conservative party. It is a Labour authority. It believed that it could deliver the necessary services as an enabling council.

Clackmannan district council concluded that it believed that

> "it is uniquely placed to carry this structure of local government forward as a unitary authority and to build on it as a model of quality local government for the future."

Those are not the words of the Scottish Office. They are the words of Clackmannan district council. I accept entirely the point made by the hon. Member for Falkirk, East that different arguments apply and that reasonable people can take a different view. The view that we eventually took was that the question about Central regional council turned on the Clackmannan case. We eventually agreed to accept the view put forward by Clackmannan district council.

Mr. George Robertson: Does the Minister agree that all that verbiage has nothing to do with the real point? The way in which Central region was divided up had everything to do with a vain attempt at keeping Stirling district as a future fiefdom for the Minister of State, Department of Employment, the hon. Member for Stirling (Mr. Forsyth). The logical way out of the conundrum in Stirling was to link Clackmannan and Stirling districts together into a functioning local authority. The fact that we now have three unitary authorities in the centre of Scotland has everything to do with an attempt at gerrymandering the map and nothing to do with real local government.

Mr. Stewart: I am very surprised that the hon. Gentleman is suggesting that Labour-led Clackmannan district council is somehow part of a plot involving Tory gerrymandering. I have read out the position of Clackmannan district council—the wee county. Its position is perfectly acceptable. Of course, we had to consider the decision very carefully—*[Interruption.]* Opposition Members laugh, but I am saying that, given a difficult choice, the Government eventually accepted the case of Labour-led Clackmannan district council.

I want now to consider the Government amendments in relation to the split between East Lothian and Midlothian. That again, was a matter of judgment as several considerations pointed in both directions. We received very strong representations from East Lothian which, again, is a Labour-led district council. It argued that it should be an independent council. If Opposition Members are saying that the Labour leaders of Eastwood—[HON. MEMBERS: "Eastwood?"]—of East Lothian; that was to make sure that Opposition Members are awake.

Mr. Home Robertson: I must point out to the Minister that there is a substantial distinction between Eastwood and East Lothian.

I am grateful for what the Minister is saying and, above all, I welcome the fact that the Government have accepted defeat for their original outrageous proposal which would have split the historic county of East Lothian between Livingston and the eastern borders. However, people in East Lothian very much value the quality services provided for them directly now, not only by East Lothian district council, but also by Lothian regional council. Will the Minister undertake to allow the new, comparatively small single-tier authority of East Lothian to budget to continue to directly deliver that full range of local services that the people value so highly at present?

Mr. Stewart: Yes, the hon. Gentleman and I have discussed these matters. Given the representations that we have received from East Lothian district council in response to the questions that I asked at the meeting that the hon. Gentleman and I attended, we are convinced that East Lothian can deliver the services of a unitary authority to its people effectively in terms of service quality and costs.

The final Government amendment in the group represents a change in Renfrewshire which will be of particular interest to the hon. Members for Paisley, South (Mr. McMaster) and for Paisley, North (Mrs. Adams). The amendment moves the Ralston ward from East Renfrewshire authority to Renfrewshire. Both hon. Members will welcome that proposal.

Mr. Gordon McMaster (Paisley, South): From the original proposals for Renfrewshire, all the areas except Barrhead, Neilston and Uplawmoor, have now been taken back into what was West Renfrewshire authority. That also means that the new East Renfrewshire authority, as proposed by the Minister, will comprise exactly his parliamentary constituency boundaries. He knows that boundary well. I raised the matter with him in Committee. On 28 April, I received a reply—

Mr. Deputy Speaker: Order. That is a very long intervention.

Mr. McMaster: It is short and relevant, Mr. Deputy Speaker. In a parliamentary answer on 28 April, the Minister said that the A727, which is a boundary listed in the Bill, is no longer a classified route, and when it was a classified route it ran from Clarkston to Cathcart.

Mr. Stewart: Those problems will be resolved as a result of the Government amendment. I hope that that will be warmly welcomed by the hon. Members for Paisley, North and for Paisley, South.

Mr. Graham *rose—*

Mr. Stewart: I have responded to a number of points made by Labour Members. I know that a large number of hon. Members wish to contribute to the debate.

Mr. Dalyell: Will the Secretary of State give way?

Mr. Stewart: Not at the moment.

I shall sum up the Government's amendments by saying that all of them respond to genuine concerns that have been expressed on a non-party political basis. On that basis—

Mr. Graham: On a point of order, Mr. Deputy Speaker. I accept that we must sit here all night listening to the Minister. However, he has not mentioned the fact that a democratic referendum took place in his constituency—

Mr. Deputy Speaker: Order. That has absolutely nothing to do with the Chair.

Sir David Steel (Tweeddale, Ettrick and Lauderdale) *rose—*

Mr. Stewart: I shall give way to the right hon. Gentleman.

Sir David Steel: The Secretary of State has not dealt with the other amendments on the list of selection, including my amendment No. 5. I am grateful to him for giving way because it saves me from trying to make a speech, which will particularly delight my hon. Friends.

May I further entice the Secretary of State to accept my simple amendment No. 5? As he will know, the co-ordinating committee which is preparing for the new authority of the borders believes that its title should be the Scottish Borders Council to bring it into line with Scottish Borders Enterprise and the Scottish Borders Tourist Board. I hope that he will agree.

Mr. Stewart: I am sorry, but I must disappoint the right hon. Gentleman. I do not agree with the amendment—first, because there may need to be a longer period of consultation; and, secondly, because the new council will be able to change its name to the one suggested by the right hon. Gentleman if it wishes to do so. On balance, that is a sensible way to proceed.

Mr. Charles Kennedy (Ross, Cromarty and Skye): I am grateful for the opportunity to contribute briefly, given the number of hon. Members who wish to contribute to the debate. In particular, I shall address my remarks to amendment No. 169 which stands in my name and that of my hon. Friend the Member for Caithness and Sutherland (Mr. Maclennan), who is beside me.

I underscore what the Minister said at the Dispatch Box. By prior agreement—I am grateful to all those who were involved in that agreement—we now have the first opportunity in the proceedings, given that there was no highland Member serving on the Committee, to discuss what is in many ways the most radical boundary proposal for local government across the whole of Scotland. Under the proposal, all the existing local government structure in the Highland region at present will be dismantled and replaced by a single council which will cover half the land mass of Scotland—it will be bigger than Wales and, indeed, almost as big as Belgium.

I know that both the Minister and the Secretary of State for Scotland have been good enough to meet delegations from both sides of the argument. My other hon. Friend the Member for Inverness, Nairn and Lochaber (Sir R. Johnston) is also present and will be hoping to catch your

[Mr. Charles Kennedy]

eye, Mr. Deputy Speaker, as will my hon. Friend the Member for Caithness and Sutherland, given the debate that has taken place.

I make it clear from the outset—although the Minister and the Secretary of State are aware of this—that my hon. Friend and I speak from a north highland perspective, in particular Caithness and Sutherland and Ross and Cromarty, and we will be recommending a two-council option. My other hon. Friend the Member for Inverness, Nairn and Lochaber will wish to speak against that and in favour of what is presently proposed by the Scottish Office. In so doing, he will be representing the views of one of the districts in my constituency, Skye and Lochalsh, which shares the view put forward by the Government. That district does not share the view that I am putting forward this evening, although the other two districts in my constituency, Ross and Cromarty and that part of Inverness district which falls within my parliamentary seat, share that view, as do the Caithness and Sutherland district councils.

I am against the single Highland council that has been proposed, basically, for reasons of gut instinct. It is much too large and, accordingly, it will be much too remote. It as simple as that. It has been argued by some—indeed, some hon. Members in the Labour party have argued the point; the hon. Member for Cunninghame, North (Mr. Wilson) has argued it elsewhere—that, in the highland context, the opposition to what the Government are proposing is not as it may have been in certain other areas, but it is a defence of the status quo.

I do not agree with that. I am in favour of single-tier local authorities. Like many others in the highlands, I viewed the introduction of the Bill as a great opportunity to bring local government closer to people and to simplify it. In my constituency experience, it is clear that people do not adequately distinguish, or understand sufficiently well the distinction, between the functions carried out by districts and the functions carried out by the existing Highland regional council. Therefore, I do not accept the status quo as a defence.

8.15 pm

In asking the Secretary of State to think again, I shall argue a few points. First, I refer to public opinion. As the Scottish Office knows, the Association of Highland Districts commissioned a public opinion poll which showed that no less than 83 per cent. of 1,000 respondents across the highlands were against the imposition of a single Highland council. In a parliamentary answer to me yesterday, the Secretary of State confirmed that almost exactly the same proportion—83 per cent.—of those who had written to the Scottish Office were against what was being proposed and were in favour of the two-council option. Indeed, with an entire year at its disposal, and with the backing of the Highland region, the Scottish Office has been unable to amass more than 51 respondents in favour of what is proposed.

Secondly, I refer to the cost. There will be savings, whatever happens. Under the proposal, we are talking about abolishing eight district councils and having only one local authority for the whole area, so there will be savings, whether there is one Highland council or two. The Association of Highland Districts estimates its savings to be some £2 million per annum.

Thirdly, as we heard in the earlier debate, the proposal is completely inconsistent with what the Scottish Office is bringing forward elsewhere in Scotland. How can we have one local authority with fewer than 50,000 people in one part of Scotland, yet another local authority with more than 200,000 people for the whole of the highlands? It does not make sense.

Fourthly, I refer to a strategic overview. We speak against the backdrop of the highlands having secured objective 1 funding. We are all pleased about that. That is an example of a single authority being able to provide a strategic overview and argue its case not only at the national level but at the European Union level, too. I must point out that the campaign for objective 1 status involved more than Highland regional council; it involved other local authorities both to the north, the west and the south. If there were two Highland councils, that degree of co-operation would be essential.

Officially, Highlands and Islands Enterprise has come out in favour of one local authority, but its constituent parts, the local enterprise companies—including Ross and Cromarty Enterprise in my constituency, which favours more than one local authority—are by no means unanimous.

Fifthly, I refer to the quality of democracy. If the proposal goes ahead, how will the authorities live up to the ideals and aspirations that the Secretary of State set out in the White Paper? There will be a massive democratic deficit. We will be getting rid of scores of local councillors in terms of the total number for the highlands. Even going to the top end of the scale in terms of the number of councillors that there might be, I cannot see how one authority can effectively deliver useful, worthwhile, and genuinely local democracy with a certain number of councillors when set against areas that would be the size of wards, as well as the range of functions that they would have to administer.

Finally, we tabled the amendment tonight almost in a probing sense to find out whether there had been any movement of minds in the Scottish Office, and also to find out whether the Government might yet be amenable to further consideration, with a view to further changes at a later stage in another place.

After the local elections, it was made clear that the Scottish Office was into listening and trying to work with the grain of public opinion. Here is a good issue where the Scottish Office can do just that. It is not even a party political issue in the highlands, as all parties have the divisions of opinion which are clear from my party's ranks tonight. I hope that the Secretary of State will think again and will indicate that when he winds up.

Mr. Martin O'Neill (Clackmannan): I shall speak to amendments Nos. 289 and 290, and I start by congratulating Clackmannan and Falkirk district councils on securing what they wanted for their respective areas.

Clackmannan waged a spirited, imaginative and energetic campaign which built on the high regard in which it is held by the community. Falkirk district, for its part, never swayed from its view that a unitary authority based in the main town in the district would serve the people better than a council administered from Stirling.

I suppose that the hon. Member for Stirling (Mr. Forsyth) is satisfied with the outcome of his campaign since he has won an authority based on the boundaries of his own constituency, along with the villages of Cowie,

Fallin and Plean from my constituency. I am not sure whether the hon. Gentleman's cup of ambrosia will be overflowing, and it may become a poisoned chalice. The recent local government results showed that Labour was a clear 13 points ahead of all Tories—both independent and official—compared with only 3.6 per cent. in 1990.

The amendments deal with four authorities which currently deliver services to my constituency. For the benefit of the House, I should explain that Clackmannan county constituency covers the whole of Clackmannan district, which has 12 wards in it, and which, in turn, has six Central region wards. On top of that, there are another four district wards—two in Stirling and two in Falkirk—which comprise in turn another two wards of Central region.

When the composition of the new unitary authorities was being considered, one can imagine my surprise when the proposals which appeared first in the White Paper and then in the Bill made such a dog's breakfast of the Central region area. Before the publication of the White Paper, I went to see the Secretary of State to express my concern at the proposed authority, which was rumoured, of Falkirk and Clackmannan districts.

Mr. Lang *indicated assent.*

Mr. O'Neill: The Secretary of State nods his head. I pointed out to the right hon. Gentleman that the two areas were not linked and that they were separated by the River Forth. He did not know at the time that Kincardine bridge, which is the nearest crossing of the Forth to the two areas, may be in Falkirk in the south, but it lands in Kincardine —hence the name, I suppose—in the north, in Fife.

I can only imagine that my brief geography lesson had a salutary effect on St. Andrew's house, since that part of Fife was then put into the new authority. While the Secretary of State had an excuse—after all, he was educated at an English public school—the Minister benefited from the excellent education service which was provided by the old Fife county and therefore had no excuse.

Only after the debacle of the Committee, where the Minister could not guarantee a majority for the defence of the clause, did the Government see reason and return Kincardine to Fife. That, of course, resulted in the collapse of the Falkirk and Clackmannan option.

I do not want to take up the time of the House with Falkirk, as my two colleagues who represent the bulk of that district may wish to do so. It would be churlish of Clackmannan to say that it was only the Government's desire to create a Stirling authority, or the wrong-headedness of their aim to lump it with Falkirk, which resulted in what we have at present. Although it has resulted in the creation of a unitary authority with a population of about 47,000, it must be said that, since 1980 —since when there has been overall Labour control—a series of outstanding councillors have worked with excellent chief executives to provide a local authority that has been imaginative and cost-effective in delivering services.

Every council house has both central heating and double glazing, and while Clackmannan may not be the only authority to offer a mortgage rescue scheme, it certainly is the smallest in Britain to do so.

We have heard about economies of scale. We have not heard about critical mass, but my hon. Friend the Member for Fife, Central (Mr. McLeish) could have applied it in his arguments against Clackmannan. We are told that somehow there is a size below which an authority cannot fall. I hope that my hon. Friend the Member for Fife, Central is paying attention to this point because it is central to a reasonable assessment of the chances of the authority taking root and giving services.

Under virtually every criterion which one could choose to apply to the size of a service-delivering body, Clackmannan seems to be below it. As for its being a district authority and providing the range of services which districts are required to do, size has not been a disadvantage so far. Indeed, it has been able to secure leveraged financing arrangements for a number of projects which, through input from outside agencies in both the public and private sectors, have realised ambitious schemes.

I shall mention only one which is contained in the excellent publicity material that has been provided for the debate. An investment of £100,000 by Clackmannan district council in the Tillicoultry urban renewal project has attracted support from other agencies to the order of some £5 million.

The authority has become noted for its pragmatism and its willingness to work with the private and public sectors. There are those who say that such a small authority will not have the resources or expertise to operate a proper education service or to make adequate social work provision. I have to say that the jury is still out on those charges. The problems certainly would have been far greater had it not been for the excellent facilities and staff which it will inherit from Central region.

It seems that, in the restructuring, Central region will be swept aside. It, too, fought a hard and straight campaign to defend its record. Unfortunately, such was the Government's commitment to creating the Tory island in the central belt around Stirling that Central was sacrificed. But why did the Government think that they could carve up Central and preserve Fife?

The two authorities are roughly the same size and they are coterminous in a number of areas. I realise that the answer is not simple and certainly there are problems with which Central region has had to deal with over the years. For a start, the name is not particularly attractive and the officers and councillors of Central region, in adopting the heart of Scotland concept as a defence, gave an indication of that.

There were other problems. Certainly in my area there was a view that insufficient attention had been paid to road development in Clackmannan and that the administration was too remote. It must be said that the news about substantial road improvements, the opening of local offices and the attempts to create local advisory groups was welcome, but I suspect that it will, sadly, be too late to mend the damage that has been caused by bruising disagreements on planning matters.

In the early stages of its life, Central region had a decade of apparent inertia and indifference. As one who has represented a constituency within Central region for the past 15 years, I must say that, if we had had the purposeful dedication and fight that we have had in the past five years for resources and services by Central region in the preceding 10 years, we might have seen a different authority emerging from the review procedure.

I am happy, however, that last night the Labour group of Central region for the first time appointed two members

[Mr. O'Neill]

from Clackmannan to be the leaders of the planning and economic development functions. I recognise that the region has attempted to bridge what has become a gap with some of the areas. That must be put on record as evidence of Central region's good intent and of the fact that it is a shame that the region will not feature in what goes ahead.

As the debates of previous months have shown and those during the Bill's remaining progress will show, the changes that we are discussing are, frankly, neither wanted nor needed. I am conscious that the people of Cowie and Fallin and Plean, for whom Tory politicians are as relevant as the dodo or the dinosaur, are in danger of being consigned to a right-wing-controlled Stirling district, if the Government's assumptions about the electoral outcome are correct.

8.30 pm

I am greatly worried about fragile communities, where one in three of the men is out of work, being sacrificed as some sort of adventure playground, which is what we would have in a Stirling unitary authority. The resolution of that problem is not to be found by splitting that part of Stirling off from Stirling. The resolution of a problem of that character would be the combination of Stirling and Clackmannan in one authority, where there could be a proper mixture of industry, commerce and the like.

Nothing said in Committee or this evening and nothing that is likely to be said in the days ahead will alleviate the fears and anxieties of my Catholic constituents in Clackmannan district, whose children will have to go to St. Modan's in Stirling—outwith the area where they can exercise any democratic control—to a school to which they will have to travel and for which the provision is unclear in a number of respects. I raised the matter on the day that the White Paper was published, but we have yet to receive the sort of assurances that will satisfy that community in my constituency.

While I congratulate my colleagues in Clackmannan on their achievements and wish them well, they will now have to prove the doomsters wrong. When Labour—in office—looks at local government, it will direct its attention to authorities like Clackmannan and Falkirk. If the administrative hurdles that lie in the way of change are overcome, the hardest thing about the changes might be that those small and potentially under-resourced authorities will have to make them work. If the Bill is enacted and they have to face that challenge, I can only wish them all the best. Their problems may well be greater, however, than any of us assume at present.

I would like to be proved wrong, but I fear that the Government's intentions in creating a Tory Stirling will force everything else into second place. That is why I can give only a mixed welcome to the success of my colleagues in Falkirk and Clackmannan in achieving what they wanted. I wish them well and will work with them to achieve the best, but on balance I am a little pessimistic.

Mr. Salmond: I support amendments Nos. 25 and 26, which I and my colleagues tabled, and I hope to be able to move them at the appropriate time.

The amendments concern the establishment of Banff and Buchan as a unitary authority within the new set-up, taking it out of the proposed Aberdeenshire option which is favoured by the Government. There are a number of arguments behind the amendments and I shall deal with them as quickly as possible.

First, public opinion is overwhelmingly on the side of the amendments. In a survey of 3,332 residents in Banff and Buchan, 93.6 per cent. were in favour of the Banff and Buchan option. The options presented were either Banff and Buchan or Aberdeenshire, as proposed by the Government. Among the remaining 6.4 per cent., there were more "don't knows" than people who supported the Aberdeenshire option.

In the regional elections, a week past Thursday, there was a further test of opinion on the options because, in the Cruden, Ugie and Boddam ward in my constituency, a sitting district councillor, who supports the Aberdeenshire option, ran against a sitting SNP regional councillor, who supports the Banff and Buchan option. I do not pretend that that was the only issue in the campaign, but it was none the less an interesting test of opinion. The sitting district councillor came bottom of the poll and was even beaten by the Conservative candidate, which was no mean achievement in my constituency.

On that test of opinion, there has been a resounding vote in favour of the Banff and Buchan option. The community councils in the constituency are in favour of that option; 17 out of 18 of the sitting district councillors and eight out of nine of the newly elected regional councillors are in favour, as is, of course, the Member of Parliament.

Therefore, as far as we can ascertain, public opinion is overwhelmingly in favour of a unitary authority in Banff and Buchan. The Minister had the grace to acknowledge that fact in Committee. In his remarks on the amendments he made it clear that he did not dispute the fact that public opinion favoured the Banff and Buchan option. Two months ago, when a cross-party delegation from the Banff and Buchan campaign met the Minister, he acknowledged the public opinion argument, but wanted to see some detailed financial estimates. As he can confirm, he was presented with a detailed assessment within a week from Richard Blackburn, the chief executive of Banff and Buchan district council.

That assessment considered the capital and revenue implications of the Banff and Buchan option compared with the Government's Aberdeenshire proposal. It was no macro-aggregate garbage in, garbage out, model, where one plugs in certain numbers and, given the assumptions, gets certain numbers back out. It was a detailed estimate—a detailed look at the proposed committee structure, the cost of amalgamating computer systems and the travel costs of the various options. Each and every aspect of the finances of the two proposals was examined.

The Blackburn report concluded that there would be an immediate £5 million saving on capital costs with the Banff and Buchan option and a stream of revenue savings, equivalent to a £25 saving in the council tax in the district. Significantly for other hon. Members who might be interested, there would also be savings in the other two component authorities concerned—Kincardine and Deeside and Gordon. As far as I am aware, that was the only detailed financial assessment of the proposals. It was not a global overview, but a detailed blow-by-blow assessment of the proposals' implications and it is a very powerful document.

What is wrong with the Aberdeenshire authority proposal? It has attracted very little public support. In the original consultation document only five responses were in

favour of that option, compared with 63 in favour of Banff and Buchan. The Aberdeenshire option therefore has little or no support. However, the hon. Member for Kincardine and Deeside (Mr. Kynoch) has given it support and caused great offence in my constituency, given that in the Standing Committee he was able to make a case—with cross-party support—on grounds of public opinion for the adjustment of boundaries that immediately concern his constituency.

There was some annoyance in my constituency about the fact that he professed in *The Press and Journal* today his opposition to Banff and Buchan as a unitary authority. If the Government maintain their position, which is totally against public opinion in my constituency, fingers will be pointed in the direction of the hon. Gentleman as someone who put a spoke in the wheel of a proposal that has overwhelming public support.

Aberdeenshire is a doughnut option—not because the hon. Member for Kincardine and Deeside supports it, but because, like a Polo mint, it will have a hole in the middle. The proposed authority will have no centre, because its natural centre is the city of Aberdeen.

The hon. Member for Linlithgow (Mr. Dalyell) made an excellent point in Committee—to the irritation of some of his colleagues—when he demanded to know of the Minister where he thought the headquarters of the proposed Aberdeenshire authority would be. Any detailed assessment would prove that there are no suitable chambers or headquarters within the proposed Aberdeenshire area equipped to cope with an authority of 46 members, who on a reasonable estimate would require 6,300 sq m of accommodation at their headquarters.

Currently, in Aberdeenshire there are a number of headquarters and district councils. Viewmont in Stonehaven accommodates 12 members of Kincardine and Deeside district council. Gordon House in Inverurie copes with 16 members of Gordon district council. The biggest of the current headquarters is county hall in Banff in my constituency which, in the old Banffshire authority, coped with 30 members. But none of the current headquarters buildings could remotely cope with the sort of council that is being suggested in the Government's current proposals.

That means that the first act of the new Aberdeenshire authority, if it comes to fruition, will be a straight choice of either establishing its headquarters in the present regional headquarters of Woodhill house in Aberdeen, outside its own local authority area; or, alternatively, building a purpose-built, high-cost new local authority headquarters somewhere in the new Aberdeenshire. I cannot believe that anybody would seriously argue that the new authority will endear itself to the population either by headquartering outside its own area or by embarking on a high-cost building scheme. It is a nonsense proposal.

The authority area, as suggested by the Government, encompasses 630,000 hectares. It is only marginally smaller in size than Dumfries and Galloway and, under the current proposals, only Highland is bigger in size than these two. While Highland and Dumfries and Galloway are existing regional councils, the proposal would involve the creation of a new authority of that enormous size.

As I understand it, the argument in favour of Aberdeenshire put by the hon. Member for Kincardine and Deeside is for a strong buffer authority around the city of Aberdeen. Yet Aberdeenshire without Banff and Buchan would still have a population of 125,520—not just a substantial authority in terms of the Government map, but much bigger than the authorities around the city of Edinburgh, for example. That is bigger than West Lothian, Midlothian and East Lothian. Absolutely crucial to the calculation is the fact that both Gordon and Kincardine and Deeside have rapidly growing populations.

In the comprehensive submissions that have been put forward by the Banff and Buchan campaign committee, a number of examples have been given to demonstrate why Banff and Buchan—although it has some similarities—is quite different in complexion from the two authorities, Gordon and Kincardine and Deeside, with which it is proposed to lump it. One difference is obviously population change.

From 1981 to 2001, both Gordon and Kincardine and Deeside are projected to be rapidly growing population areas, with growth rates of 30 per cent. and 40 per cent. In contrast, Banff and Buchan has a relatively stable population, with a projected population growth of only 5 per cent.

Figures in the census for commuting demonstrate the difference between the authorities. In Banff and Buchan only 6 per cent. of the working population commute, presumably, to the city of Aberdeen. In Gordon and in Kincardine and Deeside, the percentages of commuters are 35 per cent. and 32 per cent. The Government are proposing to lump together two fast-growing commuting authorities with an authority which has a more stable, non-commuting population. The tensions implicit in that arrangement, with the natural demands for capital resources of the two authorities which have growing populations and will require increased capital costs, are evident for all to see.

I suspect that we could approach the local government map in terms of unitary authorities in two ways. According to the proposal that has been put forward, Banff and Buchan would be by no means the smallest unitary authority on the map—certainly not after the new changes have been made. In fact, it would be only the tenth smallest. It would be bigger than Orkney and Shetland, Western Isles, Stirling, Moray, East Renfrew, Clackmannan, East Lothian and Mid-Lothian.

I do not think that the Government can hold the argument that a population area with gross domestic product per capita of £10,000—which is very high in Scottish terms—and a substantial economically active and enterprising population is not capable of sustaining a unitary authority.

The choice in terms of unitary authorities seems clear. The Government could go for a strategic unit which would allow local authorities to have strategic planning roles. If it did that, the natural authority would not be Aberdeenshire; it would be the Grampian region. Alternatively, it could go with the argument which tries to meet community interests—a unitary authority that commands the loyalty and support of the people who live in that authority. If that is the path which the Minister wants to go down, there can be no gainsaying the fact that the appropriate unit in the north-east corner of Scotland is Banff and Buchan.

In its 20 years of existence as a district, Banff and Buchan has commanded an enormous degree of loyalty from its population—as has been demonstrated by the number of people who have rallied to the cause of seeing it survive as a unitary authority. I hope very much that the

[Mr. Salmond]

Minister will be able to give some indication that the Government will now pay some attention to the force of public opinion in my constituency.

8.45 pm

Mr. Ernie Ross: Earlier in the debate, in responding to my hon. Friend the Member for Fife, Central (Mr. McLeish), the Minister referred to Dundee and to Government amendment No. 287. I wish to speak about that for a few minutes.

The Minister said that he had responded to the excellent case presented by the city of Dundee district council, with the support of all the political parties represented on that council—Conservative, Scottish National party and Labour. He also said that he was responding to the comments of my hon. Friend the Member for Dundee, East (Mr. McAllion), who made and expanded on several points in the Standing Committee. In column 215 of the Committee *Hansard* the Minister said:

"I expect to bring forward amendments that would reflect the case made by my hon. Member for Dundee, East."

I was present at the Committee sitting, but I cannot remember any blinding flash of light striking my hon. Friend at that time, although I recall him saying that he was grateful to the Minister for what he had said. In column 216, my hon. Friend went on to say:

"I recognise, however, that the Minister is being very positive and helpful towards the people of Dundee."—[*Official Report, First Scottish Standing Committee*, 10 February 1994; c. 215-16]

If what is contained in the Government's amendments and what the Minister has said today are supposed to be helpful to Dundee, my hon. Friend will wish to intervene and perhaps to have a word with the Minister after the debate to clarify one or two things. The people of Dundee East Conservative Association, of which the Minister's father is a formidable member, will also want clarification. The Minister knows that his father does not agree with what is being said in the Chamber today, which will dramatically affect the possible success of a single-purpose authority in Dundee.

The Minister attempted to allay our fears by saying that he had responded to the majority of comments made by Dundee district council. He gave us the cemetery and Balgarthno, and we certainly welcome that; it is very necessary for industrial use.

Mr. McAllion: Is my hon. Friend aware that the Minister conceded on Birkhill cemetery only because nobody in that cemetery can vote for the Conservative party in elections?

Mr. Ross: I would not want to disagree with anything that my hon. Friend says. The people of Dundee are grateful that the Minister has given us Balgarthno. We require it if we are to continue the fine work being undertaken in Dundee to help to regenerate the area.

The Minister knows Dundee very well—as I have said, he has family connections there—and he knows that the people, we are seeking to attract are saying that, to attract industry, we need high-quality housing in the area. The weight of the argument put by local authorities, by all political parties, by my hon. Friend in Committee, and by both him and me when we came to see the Minister, is that we needed Belldovan and Balmuir so as to have high-quality housing which would add to the attractiveness of Dundee as a place where industry might locate.

We need Strathmartine hospital for the same reason, although whether it should be closed is another matter. When that hospital is closed and the building no longer serves the health board, there will be an existing service site which will be of extreme benefit to any local authority seeking to expand its housing. That is another reason why we argued for Strathmartine hospital.

As my hon. Friend the Member for Dundee, East said in an intervention, it is essential that Mylnefield and the crop research institute based there should be retained within the Dundee boundary. The Minister knows of the excellent work being undertaken by Mylnefield and Dundee university, the one complementing the other. If that is outside the boundary, it will be more difficult for the two organisations to co-operate.

Equally, the Minister knows that much work has been carried out by Dundee district council on the Tay estuary nature reserve. He knows that a plan was put forward, in which Perth district did not wish to participate, and Dundee district council was prepared to continue with the nature reserve. We are close to designating that area a nature reserve, but it cannot be made a nature reserve if we know for a start that Longforgan is going to the new Perth area and that the reserve and the concept of the reserve and the estuary will not be supported by Perth district council.

The Minister is, in effect, killing the possibility of creating the Tay estuary nature reserve, and people who are interested in wildlife and the countryside will be very disappointed. *[Interruption.]* My hon. Friend the Member for Dundee, East says that the Minister is nodding as though he is agreeing. He has it in his power simply to push his right hon. Friend the Secretary of State's case aside, since he is summing up, and to accept the proposals succinctly made and well argued by my hon. Friend the Member for Dundee, East in Committee.

There are other reasons. As my hon. Friend the Member for Dundee, East made clear in Committee—I am sure that other hon. Members will refer to this today—a little event took place just over a week ago.

Mr. Foulkes: On 5 May.

Mr. Ross: On 5 May, as my hon. Friend reminds us. On that occasion there were some interesting results, because two of the local Conservative councillors made great play of supporting the Government's position during those elections. In the case of Longforgan and Sidlaw, former Councillor Angus Brown was the defender. He made it his job to go out and work to ensure that Longforgan and Sidlaw would be outside the new Dundee boundaries and he was rewarded by being sacked by the Scottish National party, which took that seat. It seems that the local population in Longforgan and Sidlaw rejected the Government's arguments as well. They did not want to be associated with what was intended to be a Conservative-controlled district in the future.

In Monifieth, a long-standing Conservative councillor, Mrs. Dorothy Portillo, made it clear before she stepped down that she did not agree that Monifieth should be taken out of Dundee. She was replaced by Councillor Donald McNaughton, who is currently a district councillor on Dundee district council. He was a candidate, but when he tried to become a regional councillor he had his head

chopped off by the SNP. It does not seem to have done the Government any good. The gerrymandering has paid off. The Secretary of State has the opportunity now to rectify the nonsense that he has created and to correct the mistakes made by the draftsmen and draftswomen when they tried to ignore the case put forward by Dundee district council.

There is also the case of the vanishing petition. The Government listened in Committee and made great play of listening to local communities. In the local community of Longforgan, a concerned individual put a petition in the local grocer's shop and left it there so that the people who used that grocer's shop—almost to a person, they were people from the village—could sign to say if they agreed. The petition said:

"Save our village . . . Keep the village of Invergowrie within the same authority as Dundee."

That petition was submitted to the Minister on 6 or 7 April this year, and it seems to have vanished. To this day, the person who sent it to the Minister is still awaiting an acknowledgement. We are not even sure whether the people had signed the petition and whether the Minister took it into account when he reached his conclusions.

Mr. Stewart *indicated assent.*

Mr. Ross: The Minister nods. Did he reflect that when he spoke to the people whom he directed to draw the lines on the new map? Did he tell them about the petition from Longforgan?

Mr. Stewart *indicated assent.*

Mr. Ross: Did he tell his hon. Friend the Member for Tayside, North (Mr. Walker) about the petition? Did he ask him to comment on it? Did he ask his hon. Friend to investigate whether the people of Invergowrie agreed with him and wished to go outwith Dundeed?

Mr. Stewart *indicated dissent.*

Mr. Ross: The Minister shakes his head. He did not ask the hon. Member for Tayside, North. I am sure that the hon. Gentleman will be disappointed. He is not here at the moment and I apologise for mentioning him when he is not here, but I am sure that he would be disappointed to know that his constituents in Longforgan do not wish him to be their Member of Parliament if he happens to be selected in the future and the Bill is passed. They want to stay inside Dundee, as the people of Dundee wish to retain those aspects of the outlying areas that were submitted by Dundee district council.

As my hon. Friend the Member for Dundee, East said in Committee, the gerrymandering will have to be corrected. When a Scottish Parliament comes into being, it will have to make it clear that the place for Monifieth and Longforgan is in a unitary authority within Dundee.

Mr. Foulkes: I should love to spend some time talking about the astonishing decision in relation to Clackmannan, which makes a mockery of the whole Bill and shows that there is no strategy behind the Government's proposals, but as time is limited I shall concentrate on amendment 42, which I hope the Minister will read. It is on page 1834 and, in addition to being signed by my hon. Friends the Members for Hamilton (Mr. Robertson) and for Fife, Central (Mr. McLeish), who are Opposition Front-Bench spokesmen, it is signed by my hon. Friends the Members for Cunninghame, North (Mr. Wilson), for Cunninghame, South (Mr. Donohoe) and for Kilmarnock and Loudoun (Mr. McKelvey)—and, of course, myself.

The amendment is in favour of an all-Ayrshire council. Ayrshire is a long-standing historical unit, very similar to Fife, as my hon. Friend the Member for Dunfermline, West (Ms Squire) knows only too well. The arguments in favour of an all-Ayrshire authority are identical to those in favour of a Fife authority. The Minister argued in favour of Fife in Committee.

When my hon. Friend the Member for Kilmarnock and Loudoun and I went to meet the Minister with a non-party delegation from Ayrshire, members of the delegation asked the Minister, "What is the difference?" They wanted to know why the Government were putting forward a strategy for Fife which was different from that for Ayrshire. The Minister was unable to answer them. They could not detect any difference in the arguments for an all-Fife authority from those that they put forward for an all-Ayrshire authority. Nevertheless, the Government propose to split Ayrshire into three, which is artificial, more expensive, much more complicated and unwanted, and the authorities will not be able to organise strategic services.

It is artificial because Ayrshire is a traditional unit. Kyle and Carrick was carved out to try to satisfy the Conservatives in Kyle and Carrick. Given the results on 5 May, that will not be the case any more, but that was the original strategy. Cunninghame was then carved out to satisfy the councillors—just the councillors—there, leaving Kilmarnock and Loudoun to be thrown into an artificial union with Cumnock and Doon valley.

9 pm

My hon. Friend the Member for Kilmarnock and Loudoun and I are the best of friends—councillors in Kilmarnock and Loudoun and in Cumnock and Doon valley also get on well together—but no justification for the measure has been put forward, except that those areas were left over once Cunninghame, north Ayrshire, and Kyle and Carrick, south Ayrshire, were created. If an argument can be put forward for Clackmannan being a single-tier all-purpose authority, it could equally be put forward for Cumnock and Doon valley. If the Cumnock and Doon Valley authority had been selfish enough and concerned only about its own interests, it might have put that argument forward. All credit is due to Cumnock and Doon Valley for thinking beyond the interests of individual councillors to the best provision of services such as education, social services and roads.

The Government's proposal would also be more expensive. The document that the Minister received from the delegation that my hon. Friend and I took along showed that it would cost council tax payers £2 per week more. I hope that the Minister has read that document. He said that he would pass it on to the Secretary of State and consult him. Why should the people of Ayrshire pay £2 a week extra for a split that they do not want? That paper clearly showed that there is a disparity of office accommodation. The shortfall amounts to 180,000 sq ft because headquarters will have to be created for south Ayrshire, north Ayrshire and east Ayrshire and the offices are in entirely the wrong place.

The proposal is more complicated because we shall have not a single-tier authority but a multi-tier authority,

probably with as many as five tiers—water and sewerage, fire and police, various joint boards and the councils. It will be much more complicated and much less efficient.

The proposal is also unwanted. Community council after community council in the area, from Prestwick to Mauchline and up to Kilmore, have said that they want an all-Ayrshire authority. Many of my hon. Friends will have received an excellent letter from our old friend Bob Beattie, for whom we have great respect, arguing that case. The Ayrshire chamber of commerce, and businessmen in the area, have also argued the case. Bishop Maurice Taylor of the Roman Catholic Church and all the representatives of the Church of Scotland have argued the case for an all-Ayrshire authority. So the three-way split is not wanted by the representatives of the people of Ayrshire.

On strategic services, the three authorities will be unable to run services such as roads, social services and education. The paper presented to the Minister shows that they would have difficulty even providing a new secondary school in terms of the new capital building programmes. Those small authorities will be hobbled and unable to provide the full facilities required, such as vital special services for the mentally and physically handicapped, through the capital building programmes.

After my hon. Friend the Member for Kilmarnock and Loudoun and I had taken a delegation to see the Minister, David Donaldson said that he had received a courteous hearing from the Minister, as indeed he had. I was about to say that he was non-political, and he is now, although he used to be a Tory candidate. Someone who was a Tory candidate in the 1950s is wise to be non-political now. He said that he hoped for a positive response on Report and added:

"If the Government proceeds with its planned three way split it will mean the people of Ayrshire are unnecessarily disadvantaged, facing increased costs, reduced services or even both.

The Minister gave the delegation a very courteous hearing and we are hopeful of a positive response at the Report Stage."

I hope that the Government's answer will be to accept amendment No. 42 and the wishes of the people of Ayrshire for a continuation of Ayrshire and the services that it can provide. The arguments which are so powerful in relation to Fife are equally powerful in Ayrshire. I hope that the Minister will recognise that today.

Mr. Gallie: The hon. Member for Fife, Central (Mr. McLeish) opened the debate by suggesting that there was no consensus for change in respect of single-tier local authorities. The hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) contradicted that view, and I believe that he was right. At the last general election, all hon. Members in the Chamber said in our manifestos that we aimed for single-tier authorities, and the Government are delivering.

I wish to speak mainly on amendment No. 42. I shall not repeat the words that I used in Committee on Thursday 10 February. What I said then stands now. I have heard nothing new from Opposition Members today that would change my view on the standing of Ayrshire. I urge Ministers to hold firm with the opinion of the Committee, which accepted without question the intention to create three authorities in Ayrshire. There is all-party support within Cunninghame council for a north Cunningham authority. In Kilmarnock and Loudoun there is majority support for it. In Kyle and Carrick there is majority support among the elected representatives. My hon. Friend the Minister cannot turn his back on those factors.

While I do not want to repeat my own words in Committee, I should like to quote those of the hon. Member for Linlithgow (Mr. Dalyell) who, acknowledging that he was acting as the ventriloquist for his hon. Friends the Members for Cunninghame, North (Mr. Wilson) and for Cunninghame, South (Mr. Donohoe), said:

"There is widespread support in Cunninghame for the proposition that if reorganisation is to go ahead, it should be on the basis of three authorities".

I agreed with the hon. Gentleman then, and I agree with him now. He went on:

"My hon. Friend the Member for Cunninghame, North convened a public meeting in Largs last summer, immediately after publication of the White Paper. He set out his own approach —that if there is to be a single-tier local government structure, the most viable politically attainable option to go for is for Cunninghame."—[*Official Report, First Scottish Standing Committee*, 10 February 1994; c. 263-64.]

That is to say, north Ayrshire.

Mr. McKelvey: Will the hon. Gentleman give way?

Mr. Gallie: I am sorry, but I do not have time.

I ask my hon. Friend the Minister to stick with the principle of local accountability and local responsibility. The proposals for Ayrshire attain just that.

Dr. Jeremy Bray (Motherwell, South): Amendments Nos. 30 and 31 are the only ones that relate to Lanarkshire. We in the county are used to thinking of it as a whole. This applies to travel to work, to education, to health provision, more recently to the Lanarkshire Development Agency, and to the immense task of replacing Ravenscraig and the steel industry, whose loss has left such a big hole not only in Motherwell but in the whole life of Lanarkshire.

Even with the present Motherwell district, we have to work with area housing offices to bring services near to the people. That would have been perfectly possible in a Lanarkshire solution for services that need to be close to the people. The county of Lanarkshire would have been a viable, defensible solution. Yes, it would have been a single-tier authority with an electorate larger than that of the city of Glasgow, and no doubt that would have frightened the Government to death. Instead, the Government's proposals have all the disadvantages of widely dispersed authorities in north and south Lanarkshire, and none of the coherence of areas corresponding to local communities.

North Lanarkshire has never been a regional or sub-regional entity in its own right for the delivery of any local government or national Government services. It is not a city; it is a loose amalgam of small and medium-sized communities. It has no centre and no north-south direct public communication links. It lacks any coherent social, community or journey-to-work links. The proposal totally disregards natural and man-made barriers in terms of transport and land form, which will not be removed or easily overcome by any local government reorganisation.

Faced with this, the Motherwell district council proposed three new local government areas in Lanarkshire, without the option of the whole and without the option of merely local communities. It proposed the adoption of the natural boundaries marked by the M8 and M74, dividing Lanarkshire into three radial zones whose communication links with Glasgow also offer the advantages of internal communications within each of the areas.

The district council did its best to secure the support of other districts—in particular, Clydesdale—which would have joined Motherwell in that pattern. I did my best to put

the case to colleagues and to the Minister, and I think that the Minister tried, rather belatedly, to secure consensus, even among such people as pass as Tories in Lanarkshire, of whom there are not many. He failed, as, I am afraid, did the council and myself, to secure the necessary consensus to produce a logical solution for Lanarkshire.

The facts remain, however, and the ground will not go away. The proposed boundaries have no logic and I do not see them surviving any proposals that will emerge, either from the Government or from Labour's local government reform, which will be based on different principles.

The lesson for us in Motherwell is that we have to continue working constructively with our neighbouring communities, as we have done in the immense task of industrial redevelopment, and to build future proposals together with our neighbouring communities so that we can put forward agreed proposals which have mutual confidence and reflect a common strength of view to the mutual benefit of us all. I am sorry that the Government have not given us such a lead in their approach to this round of local government reform, which will in no way last.

Sir Russell Johnston (Inverness, Nairn and Lochaber): I shall always be grateful to the late Willie Ross for giving me the opportunity to serve on the Royal Commission for Local Government in Scotland, which sat between 1966 and 1969. It was from its recommendations that the regional structure, of which Highland is one, emerged.

The contrast between what Willie did and what the Government have done could not be more marked. Acting against a background of urgent pressure for reform—and there was urgent pressure at that time—he appointed an independent and politically balanced commission. From the House, apart from myself, a Liberal, there was the late Tom Fraser from the Labour party and the late Betty Harvie Anderson from the Conservatives, both of whom I came to regard with great respect and affection.

It was a consensual exercise, slow and careful, and John Wheatley was an immaculately fair chairman. I am very sad to see that work thrown away, for the motivation for change now is certainly party political. I am quite sure that, had the wayward ways of politics produced, in Strathclyde regional council, for example, a Conservative majority, we would not be debating legislation tonight; we would not be talking about change at all. Particularly in Ayrshire, Stirling and Renfrew, change, not reform, is the right word.

My experience on the royal commission leads me to oppose amendment No. 169 in the name of my hon. Friends the Members for Ross, Cromarty and Skye (Mr. Kennedy) and for Caithness and Sutherland (Mr. Maclennan), with whom in most matters I am in happy equilibrium.

I am well aware of the enthusiasm for all-purpose authorities. The note of dissent signed by Betty and me on the royal commission's report would have achieved it on a regional basis. We opposed the two-tier structure, not simply because of the separation of housing and social work, to which the Seebohm committee was unanimously opposed, but also because we felt that the alternative was regions with the main functions and genuinely strong community councils based on the old burghs, with general competence powers. That would have worked well and would have allowed also for devolution within the regions, which Highland has already operated and looks to improve.

Before turning briefly and specifically to the amendment, I remind the House of the principles of local government on which we on Wheatley agreed, and give the House a one-sentence quotation from the report. They were power, effectiveness, local democracy and local involvement. What did we say about power?

"What we have always had in view is a type of structure in which there could be a real shift of power from central to local government."

Sadly, the opposite has taken place. In Highland, by maintaining one council, I feel we can at least retain some of it.

9.15 pm

For a long time I represented the largest constituency in the United Kingdom. It covers 4,900 square miles and is larger than Cyprus. I now represent the second largest constituency—the constituency of my hon. Friend the Member for Ross, Cromarty and Skye is, by a small margin, the largest constituency—and I am not impressed by arguments on size. Better travel links and technology have overcome the problems. I have no doubt that Highland is a coherent region with common feelings and culture and a need to work together.

It is worth stressing that the retention of Highland region results in minimal functional change. The only major transfer is housing, which I deplore, but it is in decline as a function. I do not agree that the quality of democratic control will be diminished. To the contrary, I consider that during the past two decades Highland region has demonstrated that it is a sensitive and efficient local authority.

On the views of the existing district councils, Lochaber, Badenoch and Strathspey, and Inverness in my constituency favour the two-council option of the amendment. Skye and Lochalsh, in the constituency of my hon. Friend the Member for Ross, Cromarty and Skye, does not, as he said. By agreement with him, I speak for them, as I did in Parliament for nearly 20 years.

The chief executive of Skye and Lochalsh, David Noble, produced a paper setting out the unanimous views of his council that is admirably succinct but too long to allow me, in the tight time frame available, to read it all out. However, I shall read two paragraphs that encapsulate the argument for one council against two clearly and directly. Mr. Noble says:

"The administrative centres for the two Councils will almost certainly be sited within a few miles of each other, probably in Inverness and Dingwall. In practical terms, these centres will be no more local to peripheral areas"—

that also applies to Caithness in the case of my hon. Friend the Member for Caithness and Sutherland—

"than a single Council's administrative centre in Inverness.

Two Councils will need joint working arrangements for a whole range of vital services. These include information technology, specialist education services, European issues (vital in consideration of the Objective 1 arguments) and refuse disposal. There will also be statutory joint committees for Police, Fire and Valuation. The single Council will give clearer accountability and more effective democratic control of these services."

I agree with him. In the case of Nairn, after what I can only describe as some confusion—I am sure that the Minister will agree—it is clear that it wishes to be part of the Highland region and also supports a single Highland council.

As hon. Members will understand from my preliminary remarks, I am not happy about the Government's general approach to local government change. What they have

done over the past decade has weakened local government hugely, and what they propose will weaken it further. However, in the case of the Highland region, they are right, and staying with one council for the highlands makes sense.

Mr. Lang: I am conscious that in intervening at this stage of the debate, I am doing so before the hon. Member for Caithness and Sutherland (Mr. Maclennan), who has been here throughout it, has had the chance to contribute. However, as time is moving on, I hope that he will understand that it is appropriate for me to respond to the points made so far. The highlands were not discussed in Committee and there was general agreement that it would be appropriate to discuss the issues involving the highlands on Report.

Before addressing the proposals specifically, I shall respond to the comments of the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) about the Wheatley commission. I have great respect for what it did; had it not done the work that it did, it would have been impossible for us to contemplate embarking on the reform of local government without some sort of commission. It was the codification and work done by Wheatley that gave us the foundation on which we could build. The vast majority of boundaries are either regional or district boundaries as set out in Wheatley.

The hon. Gentleman will remember that the Wheatley commission's proposals were amended substantially and by the House from 48 to 65 in major ways that I could cover, but which have been covered in earlier discussions.

I deal now with the question of the highland region and amendment No. 169. I agree with the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy). It is a difficult issue; it is one of the most difficult issues of all the boundaries. In taking the view that I and the Government do, we have given close thought to the conflicting pressures of, on the one hand, local loyalties, the pressure to respond to local issues and keep local government as local as possible, and, on the other, the need for efficiency founded on a strong resource base.

As we have heard, there are genuinely conflicting views on what the new structure for the highlands should be. In response to our public consultation, support has divided between a single Highland authority and a number of smaller units based on a range of possibilities, such as districts, groups of districts or counties. Proposals have since emerged for a two-way split, advanced by the Association of Highland District Councils and reflected in the amendments before the House.

My hon. Friend the Member for Eastwood (Mr. Stewart), the Under-Secretary of State, met the hon. Members for Caithness and Sunderland and for Ross, Cromarty and Skye, with representatives of the association, to hear at first hand the case for a two-way split. I have had separate meetings with the association and Highland regional council. I pay tribute to the positive and constructive way in which the case has been presented by both sides.

I acknowledge that the north-south split is a genuine compromise—proposed by the association—for those who have concerns over a single Highland authority proposal. I acknowledge also a number of letters in recent weeks in support of the two-way split from various businesses operating in the highlands area: community councils, individuals and so on. But that support—also indicated by a survey, to which the hon. Member for Inverness, Nairn and Lochaber referred—must, of course, be balanced against the views of those in favour of a single Highland authority. Strong support for that option has come from the business community, the voluntary sector, community councils and individuals. Supporters of a Highland council include Highlands and Islands Enterprise; the highland branch of the CBI; the Highland health board; the Scottish Landowners Federation; and a number of community councils.

Skye and Lochalsh district council also favours the single Highland authority and has entered into preliminary discussions with the regional council on how service delivery and decision making can best be decentralised. The Government attach great importance to the issue of decentralisation in those large rural authorities. Moreover, Nairn district council has moved recently from its position of favouring a link with Moray to one of fully supporting a single Highland council.

Of course, there is no easy reconciliation of the conflicting arguments, and no solution will please everyone, but there is little doubt about the integrity of the highlands in terms of history, geography, culture and recreation. People identify strongly with the highlands. A survey commissioned by Ross and Cromarty district council revealed that 82 per cent. of respondents strongly identified with the highlands. Beneath the Highland level, I believe that the identity is at county rather than community level. In an area such as the highlands, whether there are one or two councils, the focus must be on effective decentralisation to ensure a genuinely local input to the service delivery and decision taking.

Much of the highlands—around 60 per cent.—is focused on Inverness and the Moray Firth area. The validity of drawing a line through that area, as proposed by the north-south split, and by amendment No. 169, must be questioned. Indeed, Skye and Lochalsh district council has pointed out that it does not fit readily into either north or south, and that there is no north highlands or south highlands identity. That view was reinforced by several responses to our consultation. It has also been pointed out that dividing the western highlands between two local authority areas could fragment efforts to develop important local policies relating to the Gaelic language, crofting, tourism and fishing.

Overall, I share the view of the hon. Member for Inverness, Nairn and Lochaber. I believe that there are compelling arguments in favour of the single authority, in terms of identity, service delivery, and economic planning and development. While it is not necessarily an overriding factor, there are also clear financial advantages. It is worth pointing out that some 85 per cent. of resources in terms of major local authority services are already delivered at regional level.

Coopers and Lybrand Deloitte touched on the question of cost, which was raised by the hon. Member for Ross, Cromarty and Skye, and has, I understand, suggested that one council would cost £4.4 million less than the status quo, whereas two would cost £6.2 million more than the status quo.

Mr. Robert Maclennan (Caithness and Sutherland): The Secretary of State, in answering the representations that have been made from those who favour two highlands councils, has made the perfectly fair point that it was a matter that could best be deliberated on in the forum of the

House. Although we have heard two powerful speeches presenting each side of the argument, they have been brief, and many arguments have not been deployed by either of the protagonists.

Does the right hon. Gentleman accept that it would not be sensible to conclude the argument here tonight, and that it should be continued in the upper House? He could then listen to some of the arguments about the quality, as well as the quantity, of democracy—arguments such as that advanced by two former Conservative parliamentary candidates in my constituency, who point out that only a third of the seats in the region have been contested since the local government reorganisation. There is indeed a sense in which the north highlands are quite different from the more developed conurbations of Inverness and Fort William.

Mr. Lang: Given the hon. Gentleman's knowledge and experience of his constituency and the highlands in general, I accept that he deserves the recognition of such distinctions. I also accept his complete right to argue the case, and to continue to argue it beyond the completion of the Bill's stages in this House. The debates in another place are a matter for their lordships; if the hon. Gentleman seeks to interest them, they may well be interested in pursuing the issue further.

I think that I owe it to the House to give a firm steer in regard to the Government's view as a result of the extensive consultations that have taken place, and the careful consideration that we have given to all the points that have been made. As I said earlier, they were presented very well and comprehensively by both the Association of Highland District Councils and the region.

At the end of the day, it is the Government's considered view that the best way forward for the highlands area is to establish a single Highland authority, with effective decentralisation involving area committees. I think that that would combine the many benefits of one council, and reflect the local loyalties that shone through very clearly in response to the public consultation no less effectively than a two-way split. Against that background, I hope that the hon. Gentleman will withdraw amendment No. 169.

Mr. Thomas McAvoy (Glasgow, Rutherglen): I am aware of the time constraints, but I should not like the debate to pass without some reference to the record of Strathclyde regional council. It is a first-class council, one of the best in the history of the country. Unfortunately, if the Bill goes through, Strathclyde will be fully appreciated only when it no longer exists and people no longer have access to the services that it provides.

The hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) referred to the Wheatley commission. I am afraid that we in Cambuslang and Rutherglen do not have such fond memories of that commission: it took away our independence and made us part of Glasgow district council. The alliance has not been a happy one, and certainly does not reflect the wish of people in Cambuslang and Rutherglen to have their own community identity. It is not a question of any resentment of Glasgow people; we in Cambuslang and Rutherglen are used to a much smaller unit, and we simply feel that Glasgow is too big.

Community campaigns have been mentioned. I do not know why the Government do not take account of the 15,000-signature petition presented to Parliament by Cambuslang and Rutherglen, the aggregate attendance of more than 3,000 people at public meetings and the fact that 3,000 people have sent written communications to the Scottish Office. That local community campaign raised more than £3,000—money that was raised for the community and the aims that it supported.

The Government have laid themselves open to charges of gerrymandering by creating councils in different areas of the country with a smaller population than Cambuslang and Rutherglen. I am not necessarily opposed to that; there is a genuine difference between me and some of my hon. Friends in that regard. I believe that the case for or against smaller councils is still to be proved. I recognise that what is happening to Clackmannan is the wish of local people, and time alone will tell whether it can work.

I congratulate Clackmannan council on getting what it fought for—but it must be pointed out that larger populations, in Cambuslang and Rutherglen and elsewhere, have been denied the opportunity of a community focus by the Government's plans.

The proposal for Cambuslang and Rutherglen is the establishment of a South Lanarkshire authority. Although the Government may be able to say that the people in the area concerned voted for South Lanarkshire in Glasgow district council's referendum, it must be said that my colleagues in the district council badly mismanaged that referendum. They allowed the Government to say that my constituents favour South Lanarkshire. If Cambuslang and Rutherglen end up in South Lanarkshire council, the blame will fairly be laid at the door of Glasgow district council.

In common with some of my hon. Friends, I have not moved amendments because the consensus on the Opposition side of the House is that the Government are determined to have their way. I spoke at length with Ministers, to try to persuade them otherwise. In common with my hon. Friends, I am not into gesture politics and moving an empty amendment, when I know full well that the Government will not accept it. Many of my hon. Friends are in the same position.

I warn and advise the Government that the Cambuslang and Rutherglen cause and case has not ended yet and will be pursued in the other place. I am totally opposed to the Bill and shall vote against it—even if it includes a Cambuslang and Rutherglen council. The motivation behind it is the negation of local democracy and taking power away from local authorities. It is clearly anti-democratic.

If the Bill is passed, we shall delay it as long as possible, until we are nearer to a Labour Government. Even if it eventually ends up on the statute book, a Labour Government will destroy the legislation, make sure that it is not implemented and, through a Scottish Parliament, have a proper independent review of Scottish local government.

9.30 pm

Mrs. Irene Adams (Paisley, North): I shall speak to amendment No. 297, and I am delighted that Ralston, West Dykebar, Paisley, North and Paisley, South will return to Renfrew district. That is undoubtedly due to endless representations by my hon. Friend the Member for Paisley, South (Mr. McMaster) on behalf of that area.

I was denied a place on the Standing Committee that considered the Bill, having to pull out to allow the Secretary of State to skulk away and leave the hon. Member for Eastwood (Mr. Stewart) to present the Bill's

[Mrs. Irene Adams]

gerrymandering proposals. There will be none more delighted than the people of Ralston, who voted overwhelmingly in a referendum against being included in Eastwood district council. I am sure that was in no small way due to the fact that Paisley grammar school refused to opt out of Strathclyde education authority, with 80 per cent. of parents voting to remain within it.

If I ever doubted that gerrymandering was going on, I have no doubt now. In returning Ralston and West Dykebar to Renfrew district, the hon. Member for Eastwood has left the Tory safe haven that is his parliamentary constituency a council area.

What of the people of Barrhead, who have no connection with an Eastwood council? Barrhead has been a borough for 100 years. Newton kirk, which has been part of the Paisley presbytery since the Reformation, will now be contained in a different local authority. Only 2 per cent. of the people living in Barrhead work in Eastwood.

Can the Minister give any historical, geographical or other reason—other than political gerrymandering—for taking Barrhead into Eastwood district council? There is none. Apart from anything else, how can the Minister justify the cost of taking Barrhead out of Renfrew district council, which will otherwise remain intact, and putting it into Eastwood? There is no logical, historic or geographical reason for that action.

I have no doubt that the result of the Ralston by-election persuaded the Minister to put that area back into Renfrew district. When the numbers were added up, he was not sure that bringing Ralston in would leave him with a safe enough Tory majority in the council—so Ralston went back to Renfrew district.

I plead with the Minister at this late stage to show some decency and put Barrhead back where it belongs in Renfrew district council.

Mr. Dalyell: Having heard the Minister give encouragement to Queensferry community council, may I ask what his attitude is to starred amendments Nos. 302 and 303 on the question of Queensferry coming out of Edinburgh and moving into West Lothian?

I have two questions on costs. The COSLA report identifies the fact that, due to the changes in the number of authorities carrying out the various functions, there will be significant variations in the numbers of employees with the individual skills and status required by the new authorities compared to the old authorities.

That inevitable mismatch will mean that large numbers of staff will qualify for redundancy or early retirement because they will not be able to find a suitable post in the new authorities. At the same time, a large number of new staff will require to be employed to fill the additional specialist posts, which will be created in other services such as education and social work. The key point is that those new staff will not be replacing the staff being made redundant, but will be filling new posts requiring different skills.

Does the Minister accept that that mis-match will occur, irrespective of the net change in total staff numbers that may eventually result from the reorganisation? If so, how has that factor been taken into account in the Government's estimate of transitional costs? May I add that some of us have doubts about whether the Minister was legally correct in his suggestions that an authority could pay compensation and reappoint people to similar or not very different posts? There is some doubt about the legal interpretation of the Minister's implications that somehow or another pots of gold were to go to certain employees, unless the Government acted otherwise. That is not legally possible as I understand it.

My second point is that there will also be a mis-match in the availability of property for the new authorities—a matter which was discussed at some length in Committee and to which the hon. Member for Banff and Buchan (Mr. Salmond) referred. In some of the new authority areas, there will be a surplus of property, but, in many instances, it will be virtually impossible to sell or lease it because of its location or character, while in other authorities, there will be a shortage of suitable property to accommodate all the staff required.

There will be an added problem with the need to adapt certain premises for specialised purposes such as information technology and communications systems. In Committee, we were never given any assurances about that matter, other than that the costs of the IT aspects would amount to £40 million or more. Those questions were never answered in Committee.

How have those factors been taken into account in the Government's estimate of transitional costs? Will the Minister undertake to ensure that the necessary capital consents will be made available for the new authorities as required to permit them to locate all staff in suitable accommodation in the areas of their authorities? I should like answers to those questions.

Mr. Norman Hogg (Cumbernauld and Kilsyth): I rise to support the amendments in respect of my constituency, in a last-ditch effort to retrieve the position in my area. I have never done this before, but I am speaking on behalf of my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith) who would have contributed to our proceedings, if only they had been better managed. That is not a criticism of the Opposition Whip, who has done a good job tonight, but I know that he has been bullied by the Front-Bench spokesmen.

It is quite the most ill-considered Bill of which I have had experience in the 15 years that I have served in the House. I cannot remember such a badly drafted piece of legislation. It has everything to do with trying to retrieve a situation for a political party which has all but vanished from the political scene in Scotland. This is now a Government without authority, but certainly a Government who govern in a wholly authoritarian way.

My constituency, which is to be the subject of this gerrymandering, was never part of Lanarkshire. It was always part of Dunbartonshire. Traditionally, the services came from Dunbartonshire; traditionally, there was a county council which provided the major services. They continued through Strathclyde regional council when it took over from the county council. Only the health service and social work are located in the Monklands district into which it is proposed that we be placed. Many patients are referred to Glasgow hospitals and not always to Monklands general hospital. Lanarkshire has never provided services for my constituency.

We do not even go shopping in north Lanarkshire. I am a director of a bus company which offers bus services throughout Lanarkshire. However, there are no bus communications with the area to which it is proposed that we should move. The Tories will be pleased to hear that the

bus company is driven by market forces. However, there is no market for bus services in Airdrie. No service provision has been made, simply because there is no demand for it.

Cumbernauld is its own community, and it has developed in that direction. Kilsyth is its own community, but it is heavily dependent on the economic provision that Cumbernauld makes in the shape of jobs and services. The Government are proposing a totally artificial authority. My hon. Friend the Member for Motherwell, South (Dr. Bray) pointed out all the problems associated with the creation of a North Lanarkshire authority. He was right to do that and I will not rehearse the arguments that he advanced.

There is no doubt that the correct authority for my area is East Dunbartonshire. It would more properly be termed Lennox. If the Government were doing the right thing by local government and determining the right structure of local government for the purpose of providing services, that is the authority that would be created, because it would return to a situation that developed over a very long period. That was the right structure for local government.

The Government are gerrymandering for a purpose that now escapes us. They cannot return councillors, no matter what the situation might be. It is clear that the Government cannot, and will not be able to, return Members of Parliament. As I said at the outset, the Government are an authoritarian Government who have lost authority in Scotland. They have no right to be doing what they are doing.

Mr. Stewart: The hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) ended up by saying that the charge against the Government that we were gerrymandering was wholly inaccurate. However, I may have misinterpreted him.

I thought that the arguments of the hon. Member for Paisley, North (Mrs. Adams) were a little misplaced. She accused me of gerrymandering in the new East Renfrewshire authority. She argued that the Government should take the five wards of Barrhead and Nielston out of East Renfrewshire authority. Of those five wards, two are currently Conservative marginals and three are Labour. How they can involve a charge of gerrymandering beggars belief.

Mr. Graham: Why is the Minister such a big feartie that he does not want to talk about the referendum which was held in his own constituency and showed overwhelmingly that the people of Barrhead and Nielston want to stay in Renfrew district?

Mr. Stewart: I replied to that point in Committee. I find it astonishing that it is the Labour party's official position that the East Renfrewshire authority should be smaller than that proposed by the Government.

A number of serious points have been raised by hon. Members on both sides of the House during these debates. The slightly barbed congratulations from the hon. Member for Paisley, North were reflected by the hon. Member for Clackmannan (Mr. O'Neill).

9.45 pm

A number of hon. Members, including the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), raised perhaps one of the key questions: why is there a difference between our conclusions with regard to Ayrshire and the Central region on the one hand and Fife on the other hand. The hon. Gentleman made a strong case for an Ayrshire authority, as he did in Committee.

I shall summarise the arguments by saying that with regard to Fife, there is a combination of the historic identity and an existing authority which clearly has support. There is no clear alternative to a single-tier Fife authority which commands general support. Of course, there are alternatives. That is perhaps the key difference between our treatment of Fife and our treatment of Central and Ayrshire. But, in saying that, I must emphasise—

Mr. McAllion *rose—*

Mr. Stewart: I shall finish this point and then give way to the hon. Gentleman.

That is no criticism of Central region; nor is it a criticism of the case that has been put forward for a single-tier Ayrshire. That case has been put forward by perfectly reasonable people on a non-partisan basis. But on balance, we concluded—as my hon. Friend the Member for Ayr (Mr. Gallie) suggested—that there is substantial support for the three-authority option for Ayrshire.

Mr. McAllion: The Secretary of State said that there was popular support for the retention of Fife regional council as it exists. If he looks at the situation in Tayside, he will see that there is popular support for the retention of Tayside regional council as it exists. Four out of five voters who voted in the Tayside regional council elections voted for parties that are committed to retaining the regional councils as they exist.

Mr. Stewart: I am not saying that there is some sort of perfect answer to the questions. There is no perfect answer; there is the best possible answer. There is substantial support for the City of Dundee authority.

Mr. O'Neill: Can the Secretary of State tell us what rationale he applied to the problem with regard to the resource base? There is some anxiety that the Clackmannan authority will have a resource base that is too narrow. Can he make it clear why he thinks that the resource base will be broad enough to carry out the functions that a pragmatic authority—by his own definition—such as Clackmannan will be able to do?

Mr. Stewart: The hon. Gentleman raises a fair point.

Mr. Ernie Ross: Give us an answer.

Mr. Stewart: The hon. Gentleman will get an answer. We had to consider that point carefully with regard to the alternative, essentially, of the single-tier Central council option. We were convinced by the case put by the Clackmannan district council and the discussions that we had about how it would run a single-tier authority. The district council emphasised—the hon. Member for Clackmannan will know the document perhaps better than I do—the enabling authority role which it defined as partnership with other authorities and the voluntary and private sectors. Eventually, we decided that that was a convincing case.

Mr. Foulkes: The Minister has been consistently courteous and kind in saying that the arguments put forward have been powerful. I must say, with due respect, that I do not find his arguments very powerful in relation to Central, Fife and Ayrshire. May I offer one alternative: that in Ayrshire and Central, there are two existing

[Mr. Foulkes]

authorities—Kyle and Carrick and Stirling—which are Tory-controlled, and there are two Tory Members who have been leaning on him? In Fife, thank goodness, there are no Tory authorities; nor are there any Tory Members. The Minister has just merely satisfied the hon. Members for Ayr (Mr. Gallie) and for Stirling (Mr. Forsyth) and their acolytes in Stirling and in Kyle and Carrick.

Mr. Stewart: I do not accept that. Hon. Members from both sides of the House have been leaning on me in relation to local government boundaries, and quite right, too.

May I turn, however, to the case put forward by the hon. Member for Banff and Buchan (Mr. Salmond)? As he knows, I met a delegation from Banff and Buchan and there is substantial local support for a Banff and Buchan council. I accept that the case that the hon. Member put forward is tenable, and it is perfectly possible and conceivable that Banff and Buchan could be a single-tier council.

However, we reached a balanced judgment to continue with the Aberdeenshire option, with a new authority which would be strong, effective and efficient, which would be able to deliver the full range of local authority services and which would not be overshadowed by its city neighbour. However, the hon. Member for Banff and Buchan will no doubt wish to continue to pursue his case in another place.

While we have decided to go ahead with the Aberdeenshire option, I would not wish it to be perceived that the Banff and Buchan option was not fully and carefully considered by the Government.

Mr. Salmond: The Minister has set out his conclusions, but I will not be able to pursue the matter personally in another place unless something dramatic happens. [*Laughter.*] I think that I have burned my boats in that direction.

In Committee, the Minister was generous enough to recognise the force of the public opinion arguments in favour of Banff and Buchan. Will he acknowledge the strength of the financial case that was put to him after the meeting which he has described?

Mr. Stewart: A carefully considered financial case was put to the Government. However, on balance, we concluded that the case for a large Aberdeenshire authority, with a population of about 220,000—a strong, effective and efficient authority—was preferred as our option for the future.

I turn briefly to the speeches that have been made in relation to Lanarkshire by the hon. Members for Motherwell, South (Dr. Bray), for Cumbernauld and Kilsyth and for Glasgow, Rutherglen (Mr. McAvoy). The last is a doughty campaigner for his area, while, as he said, he does not accept the basis of the reform proposals. Those hon. Members will know that other hon. Members from Lanarkshire constituencies have also been to see me, and they have suggested that there is considerable support for the south Lanarkshire option.

I accept that hon. Members have highlighted problems in relation to north Lanarkshire. With some reluctance, I must agree with the hon. Member for Motherwell, South that a consensus has simply not emerged on the alternative proposals for the area. We conclude, therefore, that it would be sensible for the proposals to continue as Government policy and we recommend them to the House.

Hon. Members generally criticised the Bill's effect on local democracy. I hope that the House will accept that in Committee and on Report the Government have been extremely flexible. Again and again, we have responded to all-party campaigns that have advocated change to the original boundaries. That has been right and proper. The boundaries proposed in the Bill have been improved substantially by consideration in this House and I commend them, but I must recommend that the House votes against new clauses 2 and 3.

Question put and negatived.

New clause 3

COST OF RE-ORGANISATION

'.—(1) The Treasury shall undertake a review and publish a report on the costs likely to be incurred as a result of the provisions of this Act; and the report shall be laid before Parliament no later than 6th April 1995.'.—*[Mr. McLeish.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 243, Noes 282.

Division No. 241] **[9.55 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Beith, Rt Hon A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunningham, Jim *(Covy SE)*
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge Hl)*
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dunnachie, Jimmy
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick

Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Livingstone, Ken
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Michael *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Stevenson, George
Strang, Dr. Gavin
Straw, Jack
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jim Dowd and
Mr. Alan Meale.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howarth, Alan *(Strat'rd-on-A)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David

Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Richard
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Kirkhope and Mr. Bowen Wells.

Question accordingly negatived.

Further consideration adjourned.—[*Mr. Andrew Mitchell.*]

Bill, as amended (in the Standing Committee), to be further considered tomorrow.

Mr. Brian Wilson (Cunninghame, North): On a point of order, Mr. Deputy Speaker. I witnessed an incident—*[Interruption.]*

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. I am trying to deal with a point of order. I cannot do so unless I can hear it. Will hon. Members leaving the Chamber do so quietly, please, and will those beyond the bar stop their discussions?

Mr. Wilson: I witnessed an incident in the Division Lobby after you, Mr. Deputy Speaker, had called for the doors to be closed. A doorkeeper was wrongly treated by an hon. Member, resulting in a slight injury to his hand. I assure you, Mr. Deputy Speaker, that it is not the numbers that I am worried about, but it is disgraceful that a servant of this House should be treated with such arrogance by a Member of the House. Will you make inquiries and report on it tomorrow?

Mr. Deputy Speaker: I shall have the incident investigated.

Mr. Tam Dalyell (Linlithgow): May I ask for guidance on a matter of procedure? Starred amendments Nos. 302 and 303 appeared on the amendment paper, relating to the royal borough of South Queensferry. Technically, what happens to starred amendments? Do they come back in another place, or are they covered by the procedures that we have just gone through?

Mr. Deputy Speaker: The Speaker will consider that matter tomorrow.

BUSINESS OF THE HOUSE

Ordered,

That—

(1) at the sitting on Thursday 19th May, notwithstanding the provisions of Standing Order No. 14 (Exempted business), the Speaker shall—

(a) put the Question on the Motion in the name of Mr. Secretary Heseltine relating to the draft Coal Industry (Restructuring Grants) Order 1994 not later than one and a half hours after it has been made;

(b) put the Question on the Motion in the name of Sir John Cope relating to the Value Added Tax (Education) Order 1994 not later than one and a half hours after it has been made; and

(c) put the Questions on the Motions in the name of Mr. Secretary MacGregor relating to the draft Railways Pension Scheme Order 1994 and the draft Railway Pensions (Protection and Designation of Schemes) Order 1994 not later than Ten o'clock;

(2) at the sitting on Monday 23rd May, the Speaker shall put the Questions necessary to dispose of proceedings on the Third Reading of the Local Government etc. (Scotland) Bill not later than Seven o'clock.—*[Mr. Andrew Mitchell.]*

Suckler Cow Premium

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Andrew Mitchell.]*

10.12 pm

Sir Peter Emery (Honiton): It is unusual for me raise a constituency case on the Floor of the House. Such matters are best sorted out in correspondence or by negotiations between the parties. It is only when other methods have apparently been exhausted that I take the step of carrying the matter forward in an Adjournment debate. This is such a case. Initially, it was taken up by the National Farmers Union in a number of approaches to local officers of the Ministry of Agriculture, Fisheries and Food. When that brought no results, not surprisingly, my constituent approached me to see whether I could assist him.

The case put to me and the refusal of MAFF to do anything to rectify a matter arising from the error incensed me because I thought that an injustice had been suffered by my constituent. Having corresponded with the Ministry, which, after further officials had been to see my constituent, culminated in two letters from my right hon. Friend the Secretary of State, I am left with no course other than to bring the matter before the House.

Mr. E. J. Purchase farms at Woodhead farm, Branscombe. Anyone who knows this part of Devon will understand how difficult it is to work the land, with the combes and the valleys of a very hilly countryside. Thus, to begin with, Mr. Purchase's efforts are worthy of all support. He and his father before him have had a suckler herd of more than 50 cows on his farm since 1953.

Over the past few years Mr. Purchase has submitted his claim for the suckler cow premium. He has done so himself on the form provided by the Ministry. He understands the working of the system. From 1988 until 1992 the application had to be submitted by 31 January of the next year. To Mr. Purchase nothing seemed amiss. He received his form SCP 1 1991/92 at the end of September or the beginning of October. I have sent a copy to the Ministry. The form states clearly that the closing date for the receipt of the application is 31 January 1993. There is no doubt about it: it is in print.

Mr. Purchase did not know of a change that was known to MAFF before the form was sent out. MAFF had moved the goal posts. It had changed the date without altering the rule book or the form and, to make matters worse, without amending the explanatory notes. This is not in dispute, and I hope that the Minister will not attempt to dispute it. It is admitted by his right hon. Friend the Secretary of State in a letter dated 10 February. The Ministry attached a corrigendum—a notice of alteration of date—not to the form SCP 1 but to the explanatory notes.

I ask my hon. Friend the Minister of State, for whom I have great respect, to accept that Mr. Purchase is as honest as the day is long. He tells me that he has never seen the corrigendum, nor does he recall having received the notes for guidance. However, being the sort of man that he is, he will not swear that they were not in the envelope. All he can say is that he has not seen them, and he thinks it very possible that he received none of them. He holds that he had no knowledge of the change of date.

I want to put a simple question to the Minister. This man has normally submitted a request for premium payment. He did not have to look at the notes at this occasion as he had done the same thing for years and years. The money is important to him. The previous year the figure was more than £2,500, and, at a rate of more than £59 per suckling cow, the amount in question would have been about £2,900. If Mr. Purchase had known about the altered date, would not he have ensured that his form was submitted in time? As the money is important, of course he would. Would a sensible farmer knowingly flout the due date? Of course not. This is even more obvious from the fact that, without the suckler cow premium payment, Mr. Purchase would not receive the suckler cow premium quota allocation that is essential if he is to receive any premium payments in the future. This makes it even more important that he meet the Ministry's requirements.

It has been suggested to me in letters from the Ministry that my constituent might apply under the suckler cow premium quota scheme for the allocation of quota. But this is no answer; nor would it provide any assurance that he would obtain the level of quota to which he would have been entitled if he had submitted the forms and they had been accepted.

Lastly, I must point out to my hon. Friend that I am not suggesting that we should set an entirely new precedent. It is no use him saying that the EC regulations do not really allow us to alter the dates, because he has done so, and so has the Ministry.

In Wessex and the North-East region, late applications from farmers were honoured because the Minister accepted that the corrigendum "was not clearly visible": that is an exact quotation from a letter from her on 10 February. It was not visible to Mr. Purchase; he did not see it, he did not know it and, what is more, MAFF cannot swear either that the explanatory notes were sent to Mr. Purchase in the envelope—they might well have been left out—or, if they were, it cannot say absolutely that the corrigendum might not accidentally have been knocked off before the rules were dispatched.

In those circumstances, only two facts are absolute, and they are quite clear. Mr. Purchase submitted the claim form meeting absolutely the date for receipt of that form on the form itself. In a court of law there would be no doubt that he would have won from there onwards.

I believe—and I must ask the House to believe—that Mr. Purchase has never seen the corrigendum. That the alteration was mentioned in the farming press is surely no defence for the Government. I read the farming press fairly regularly, and I did not realise that the dates for submission of claims had been altered, and, if I did not, I do not see why my constituent necessarily should have done.

The conclusion is that Mr. Purchase is suffering an injustice. The Government cannot be in the right and therefore, whether by an ad hoc payment or by whatever means the Government wish to make or take, Mr. Purchase must have his position restored. He must be paid his premium; he must have his suckler cow quota granted as of right rather than by the premium quota scheme unless the Minister will guarantee that the premium quota allocation for which Mr. Purchase has applied, as he is a sensible man, is at the level for which he should have qualified.

I cannot believe that my Government and the Minister can do other than correct the matter. It would be indeed scandalous not to do so. I have confidence in the fairness of my hon. Friend and that he will ensure that this quite obvious injustice is rectified.

10.22 pm

Mr. Paul Tyler (North Cornwall): With the consent of the right hon. Member for Honiton (Sir P. Emery), I intervene briefly to support his case, not just on behalf of his constituent, but, as I understand it, on behalf of a number of similar cases. They may not be precisely identical, and perhaps the Minister will tell us whether there are a number of cases that precisely equate to the case that the right hon. Gentleman has brought before the House.

There is an important point of principle here. There have been far too many cases in recent months and years of comparatively small administrative changes or inaccuracies by the Ministry which have resulted in major financial disadvantage to the farming community because there were changes of dates, changes of circumstances, changes in criteria or changes in the rules.

It seems that nobody in the Ministry is prepared or permitted to use their discretion or their common sense. That would appear to be the case even at the top of the Department with the Minister herself. Nobody seems to be in a position to take the benefit of the doubt and apply it to the constituent, the individual farmer. That seems to be a wholly regrettable situation that does no credit to the administration of complex procedures. I hope that the Minister of State will be able to explain whether that is because of some internal Ministry regulation, rule of conduct or decision, or whether it is because of some regulation imposed from Brussels by the European Union.

There seems to be a strong case for some form of tribunal, some appeal procedure, or some arrangement by which the Minister can act as arbiter when it is a question of giving the benefit of the doubt. If that system is not in place already—I hope that there is some such system—I am convinced that it will be necessary in the next few weeks if, as seems only too likely, the discrepancies, mistakes and alterations made by the Ministry on its integrated administration and control system documentation cause a great many other forms to arrive late and major financial disadvantage to farmers as a result.

I warmly support the initiative of the right hon. Member for Honiton. I believe that, not just in the south-west of Britain, but in other parts of the country, there will be similar concerns. I hope that the Minister will be able to meet them this evening.

10.24 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Michael Jack): I congratulate my right hon. Friend the Member for Honiton (Sir P. Emery) on obtaining this Adjournment debate. I wish to place on record my sincere appreciation his great kindness in giving me notice of the subjects that he wanted to cover. It has enabled me to target my investigations precisely on the matter that he has rightly drawn to the attention of the House this evening.

At the beginning of the debate I was pleased to see the hon. Member for North Cornwall (Mr. Tyler) in his place as I thought that he was at least showing an interest in west country farming matters. I was less pleased when I heard what he had to say. It would do him no harm to look at some of the reasons why Community-based schemes are tightly drawn. They are fashioned in that mode to avoid fraud. I am sure that, as someone who supports and takes a keen interest in European matters, he will understand that under such circumstances the element of discretion in schemes inevitably has to be limited. If it were not, we, the Community, and everyone else could rightly be criticised for being unable to account for what are, in sum, large amounts of money.

The hon. Gentleman was less than charitable in some of his comments about the way in which the schemes are administered by the Ministry of Agriculture, Fisheries and Food and its regional offices. The majority of forms are filled in correctly by farmers and processed correctly, as we shall see in relation to the integrated administration and control system.

I wish to turn to the substance of the remarks of my right hon. Friend the Member for Honiton. He has drawn our attention to the great importance that his constituent, Mr. Purchase, attaches to the matter. Suckler cow premium payments are important and I take careful note of my right hon. Friend's points on finance and Mr. Purchase's future entitlement to quota. I shall return to that issue at the conclusion of my remarks.

My right hon. Friend has already described the background to the case. At the heart of it was the question whether his constituent, Mr. Purchase, was notified of the change in the closing date of the 1992 suckler cow premium scheme. One of the many changes to the suckler cow scheme resulting from common agricultural policy reform was that the closing date of the scheme had to be in the calendar year when applications were made, so we brought forward the closing date of the 1992 scheme from 31 January 1993 to 15 December 1992.

In order to leave farmers in no doubt about that change, we prepared a corrigendum slip to be attached to and sent out with the Ministry's claim forms and explanatory notes for the 1992 scheme. We used a corrigendum to avoid any delays to the opening of the scheme in 1992. There would have been delays if the forms had been reprinted. The corrigendum alerted potential claimants to the fact that the closing date was now 15 December 1992, not 31 January 1993. In the south-west region, the corrigendum was stapled to the front of the explanatory notes dispatched by my Department. It was a brightly coloured, A4-sized piece of paper that looked something like the document that I have in my hand.

The explanatory notes, with corrigendum and claim form, were dispatched to all producers with an interest. The mailing list for the notes and forms was based on our computer records. I have verified with our regional director, who was in my office this afternoon, that that list would have included those farmers who, like Mr. Purchase, had previously claimed suckler cow premium. The literature was dispatched in June or at the latest early July —not September, as my right hon. Friend mentioned.

As well as issuing the corrigendum, the Ministry put out press notices during 1992 giving the new closing date. They were issued at both national and regional level. The new closing date was reported in the farming press. It was also—I should like to draw my right hon. Friend's attention to this—reported in the "NFU Journal" for its members in Devon and Cornwall, of which Mr. Purchase is one.

I should make it clear that we understand how important it is for farmers to be aware of closing dates. We also endeavour to send claim forms and explanatory leaflets to those who claimed under a particular scheme the year

before. But at the end of the day it is up to farmers to decide whether they qualify for subsidies, and to send us correctly completed claim forms before the closing date.

In their remarks, my right hon. Friend and the hon. Member for North Cornwall mentioned flexibility. I am afraid that the rules on closing dates form part of the European Community legislation on the suckler cow scheme and others. It means that we have little discretion to accept claims that are late. There are some cases from 1992, however, on which, as my right hon. Friend mentioned, we have been able to exercise that discretion, after the agreement of the European Commission. Those cases were in two of MAFF's nine regions, Wessex and the north-east, and in Northern Ireland.

There, in contrast to the position in the south-west region and to the case of my right hon. Friend's constituent, the corrigendum was put inside the literature rather than stapled to the front. Some farmers in those areas appear to have put the document aside on the basis that there was no indication on the front of the literature that the date had changed. But I reiterate that the farmers in those regions were in quite a different position from those in the south-west, such as Mr. Purchase.

As my right hon. Friend said, Mr. Purchase handed in his 1992 claim form at the Ministry's Exeter regional service centre in early January 1993. Although that was before the original closing date of 31 January 1993, it was well after the revised closing date of 15 December 1992. It was also after the final date of 31 December 1992, beyond which claims could not be accepted at all, even for payment at a reduced rate. My right hon. Friend wrote to my right hon. Friend the Minister about Mr. Purchase's case in January 1994.

In that letter, to which my right hon. Friend adverted, my right hon. Friend the Minister summarised the course of events, which have been described to us this evening. My right hon. Friend described how Mr. Purchase's claim was rejected. My right hon. Friend also recorded that Mr. Purchase had said that he had never had any indication that the closing date had been altered. That was obviously a serious matter into which we needed to look carefully. My right hon. Friend the Minister asked the Ministry's regional director in the south-west to get in touch with Mr. Purchase urgently and to report back to her.

The regional director, Mr. Highman, and Mr. Purchase met on 15 February 1994. Mr. Highman reported back on the same day. It is not my normal practice to publish internal Ministry minutes, but because I think that it would be helpful to the House, I shall read relevant sections of Mr. Highman's minute of his meeting with Mr. Purchase.

Much of the conversation centred on establishing whether Mr. Purchase was able to produce his explanatory notes, which, had they not had the corrigendum attached, would have been without staple holes. After the debate, I will send my right hon. Friend a full copy of the document so that in no way can he think that I am quoting selectively. It says:

"Mr. Purchase told me that when his 1992 suckler cow literature arrived he simply looked at the claim form, registered that, as in previous years, a 31 January deadline applied and then put the claim form away for future action during the second half of January. Subsequently, he visited his cousins who farm in north Devon and was told that the deadline had been changed. He promptly got in touch with my RSC and submitted his late claim on 11 January 1993. Later in the year he read about the concession that had been granted to those who had submitted late claims in the Bristol and Northallerton areas and so naturally assumed that the same concession would apply in his case. He was therefore dismayed when our rejection letter of 12 July arrived.

I pressed Mr. Purchase to produce his copy of the 1992 explanatory notes or to explain what had happened to it. He could not produce the form and freely admitted that he could not recall seeing it. He told me that the suckler cow premium literature would have arrived at a time when he was having his house re-roofed. Accordingly, all his papers were boxed and put away during this period. Apart from firmly registering the suckler cow premium deadline and placing the claim form in his diary at an appropriate point for future action, he could not recall seeing any other documentation. Accordingly, when he was subsequently told of the change in date he was unable to find the explanatory notes and cannot therefore prove his case one way or the other."

Sir Peter Emery: My hon. Friend cannot prove that the notes were delivered. My constituent cannot prove that he did not throw them away with the envelope, but I do not think that the Government can prove that they were necessarily in the envelope. That is the difference: if they were not in the envelope, the date applies.

Mr. Jack: I shall try to deal with that point as I continue my speech, but I have checked with our regional director the precise process that had been involved in producing the batch of forms, together with the corrigendum. I am assured by the regional director that that was done in a batch operation, and that—as far as can be said—all forms went out with the corrigendum attached to them. That is why I attach particular importance to the location of the explanatory notes: clearly, if they were found without holes in them there would be a case. I shall come to that in a moment.

The minute concludes:

"In the end I told Mr. Purchase that in the absence of the explanatory notes and given his honest admission that he may or may not have seen them, it would be difficult for the Minister to exercise discretion in his favour. We talked for a little longer and he clearly indicated that, given that over the years he had always conscientiously claimed for 50 or so suckler cows and was not therefore a 'Johnny-come-lately', he could not help but think that it would be harsh if MAFF could not be lenient in his favour. In a similar vein he argued that since so many others had been given the benefit of the doubt when they had said that they had not seen the corrigendum, he too should be believed when he said he had not seen it.

It seems to me that we will never be able to prove one way or the other whether or not Mr. Purchase ever received the explanatory notes with or without our corrigendum slip attached. To be fair he has not tried to suggest that we were at fault in this respect and accepts that whilst it is possible that we failed to send the notes or forgot to add the corrigendum slip, it is equally just as possible that, to use his own words, 'I might not have bothered to look further than the claim form which showed the date of 31 January which I expected to see. I suppose it could be a case of familiarity breeds contempt.'"

I hope that my right hon. Friend agrees that that quotation paints a picture of an honest man appealing to our better nature, but acknowledging that that there could have been error on both sides, including his. As I have said, I spoke to the regional director today; I am content that his report gives an accurate version of the interview.

The problem is that we have insufficient evidence to show that Mr. Purchase did not receive the corrigendum. We have actively sought such evidence from him: if, for example, he were able to produce a copy of his explanatory notes and there were no staple holes indicating that a corrigendum had been attached—as I told my right hon. Friend a moment ago—we would pay him. But, in his interview with the regional director, Mr. Purchase suggested that he might have received the corrigendum and

[Mr. Jack]

not taken any notice of it. In the light of that information, my right hon. Friend the Minister felt unable to reverse the earlier decision not to pay Mr. Purchase.

I appreciate that this may not be the answer that my right hon. Friend would prefer, but I should make it clear that if he or his constituent has any new evidence to offer my Department will be delighted to look at it. I should add that, after my right hon. Friend and his constituent have had an opportunity to reflect on what I have said tonight, I should like to invite him to a meeting with me—and with senior MAFF officials—to discuss the matter further. That is an open invitation.

I want to end on an optimistic note. My right hon. Friend himself mentioned that 1992 was also the reference year for suckler cow premium quotas. Because Mr. Purchase did not submit a valid 1992 claim, he did not receive an allocation when quotas were made last autumn. However, Mr. Purchase has applied to the national reserve for quota. Allocations from the reserve have not yet been finalised, but I am glad to say both that Mr. Purchase appears to be eligible and that there appears to be enough quota in the reserve for the category under which he applied. That means that, although my right hon. Friend's constituent will not have received the suckler cow premium for 1992, he should be able to receive it for 1993 and future years, up to the limit of his quota allocation.

I am grateful to my right hon. Friend for raising the case and to the hon. Members for North Cornwall and for Clwyd, South-West (Mr. Jones), and to my hon. Friends the Members for Taunton (Mr. Nicholson) and for Torridge and Devon, West (Miss Nicholson) for joining us in the Chamber tonight. It is always important that individual cases be examined in detail. I hope that my right hon. Friend will consider kindly my remarks and will accept the invitation that I extended to him.

Mr. Tyler: Can the Minister say in how many cases over the whole of England suckler cow premium has, with the Minister's discretion, been allocated when the applications were not originally eligible?

Mr. Jack: If I am wrong, I will correct the *Official Report*, but to the best of my memory, in the two MAFF areas that I mentioned some 16,000 cases were amended, where a clear error on our part was observed and we sought to put it right straight away. In the south-west, there may have been five or six other cases where there was doubt. My remarks this evening focused entirely on a particular case.

When one considers the total number of applications, by far the greatest proportion are handled without any problems. In this case, many thousands of farmers were able to complete the form perfectly adequately and without any difficulty.

By that magic process of osmosis that occasionally affects Ministers at the Dispatch Box, I can say that the number of cases in which there was a problem was not as large as I said. In fact, there were some 500 cases. If there is any doubt, I shall write to the hon. Member for North Cornwall to clarify precisely the numbers involved.

Sir Peter Emery: I thank my hon. Friend for his reply. Of course I accept his invitation. I thank him for meeting at least half my claim, but I shall return to say that the Government owe my constituent £2,900, and I shall fight like blazes to make certain that he gets that money.

Mr. Jack: I look forward to my right hon. Friend's continuing tenacity in the proper pursuit of his constituent's interest. I thank him again for raising the matter tonight.

Question put and agreed to.

Adjourned accordingly at eighteen minutes to Eleven o'clock.

House of Commons

Wednesday 18 May 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT

European Commission

1. **Mr. Mackinlay:** To ask the Secretary of State for the Environment on what environmental issues Her Majesty's Government are in dispute with the European Commission.

The Secretary of State for the Environment (Mr. John Selwyn Gummer): There are no outstanding cases.

Mr. Mackinlay: Does the right hon. Gentleman understand that some of us find that answer quite amazing? It is known that the Government have been tardy in implementing the water directives, with the consequence that the Commission brought us before the European Court. Can he assure us that the nitrogen oxide directives will be implemented in full, especially in the east Thames corridor, which does not have the air quality monitoring units that exist elsewhere? They are desperately needed because of the high and rising incidence of asthma in the south-east of England.

Mr. Gummer: The United Kingdom has an extremely good record in implementing and enforcing European Community law. Between 1988 and 1992, a number of environmental complaints against the UK were examined by the Commission, but they resulted in only 2 per cent. of the European Court of Justice environmental judgments against member states. That makes our record very much better than that of most other member states.

The hon. Gentleman was surprised by my answer only because he has been taken in by the publicity of his own Front Bench, which always runs down Britain instead of supporting its very fine environmental record.

Mr. Sykes: Is not it wrong for the hon. Member for Thurrock (Mr. Mackinlay)—a constituency that is not exactly everyone's idea of an environmentally sensitive area—to trump up charges and create divisions in a week when his party is daily beset by divisions, left, right and centre?

Mr. Mackinlay: At least the hotels do not fall in the sea.

Mr. Gummer: The House will accept that in these matters it is better to keep to the relevant fact, which is that there are no outstanding cases against the United Kingdom. That shows that we are doing our best to meet the very high standards that we set ourselves and which other countries do not meet to the same degree.

Mr. Simon Hughes: I hope that the right hon. Gentleman will be a little more open with the House and admit that there are areas in which the European Community has said that we should do things, but where the British Government and people have not. The obvious example is the one that he admitted to the House just over a week ago: that we have only 80 per cent.—not 100 per cent.—compliance with the bathing water directive and the need for clean beaches.

Will the right hon. Gentleman now introduce a package that will allow us to obey European law and comply with the directive? Will he work out, across the parties, if necessary, and with local authorities and other agencies how the money can be found to implement that?

Mr. Skinner: Go on: tell him he's a two-faced Liberal.

Mr. Gummer: I always try not to state the obvious from the Dispatch Box.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) must accept that we are meeting the requirements of the European Community to which we are signatories. The hon. Gentleman is suggesting that we should do so faster than we have agreed. He will remember that he has not suggested that we should spend even more than the £3,000 million a year that we currently spend. As usual, he wants us to do more than the EC wants, but he is not prepared to pay the bill. Whenever he is offered the bill, he tells his constituents that someone else will pay.

Mr. George Howarth: Does the Secretary of State accept that, despite his protestations to the contrary, the problem is seriously growing? How does he explain that, in coastal towns, 40 per cent. of the raw sewage goes straight into the sea? How can he explain or defend the fact that on the urban waste water directive—another thing to which the Government have signed up—there is no programme in place to meet the compliance which is expected by 2005? The Secretary of State is finding excuses not to do things. When will we have a Secretary of State who tells us how he will meet the directives in the time expected of him?

Mr. Gummer: We are committed to meeting our requirements and obligations and we are spending £3,000 million a year. The hon. Gentleman can hardly say that. When challenged last week, the Labour party produced no figures or facts and no policy on water at all.

The hon. Gentleman should remember that, in terms of European Court of Justice judgments, Italy, Belgium, Germany, France, Greece, Netherlands and Luxembourg all have worse records than the United Kingdom. We have one judgment against us, which shows how very much better we are doing than most other EC countries.

Mr. Mans: Does my right hon. Friend agree that, in many Select Committee reports associated with the environment, it was clear that much of the evidence which the Commission brought forward in relation to the directives was faulty? The Commission is now modifying considerably the criteria on which these directives are based. Again and again it was shown that the British Government are well ahead of the game, compared with many other member states of the European Community.

Mr. Gummer: I have had further discussions with the Commission and its view—it is also the view of the United Kingdom—is that we have to base matters on the best available science. It seems to me that the only place where people think we are not meeting the requirements and are not seeking to take the lead on the environment is in the House of Commons—on the basis of what are, I think, party political arguments rather than facts.

Local Government Finance

2. **Mr. Illsley:** To ask the Secretary of State for the Environment what proposals he has to alter the qualifying date for council tax transitional relief or introduce an exemption from the date in extenuating circumstances.

The Minister for Local Government and Planning (Mr. David Curry): None, Madam.

Mr. Illsley: Is not it incumbent on the Government to bring in some measure for people who have been prejudiced by the qualifying date for transitional relief? The Minister will be aware of a couple in my constituency who, on the qualifying date, had living with them temporarily their daughter and son-in-law. Because the following year the same date was carried forward, they will never be able to take advantage of transitional relief.

Should we be looking at a better use of transitional relief, bearing in mind the fact that Barnsley claimed about £345,000 whereas Wandsworth claimed an incredible £22 million? That works out at £4 per household in my constituency, compared with £195 per household in Wandsworth.

Mr. Curry: If transitional relief was to be a permanent system, where there had been anomalies one would have to put them right. But by its very definition, it is transitional. We had to have a simple and clear system and we took the last day of the community charge and the first day of the council tax, which was the obvious comparison. It was inevitable that a handful of people would be disadvantaged by that, but, no matter where we had taken that particular point, some people would have been disadvantaged.

I am aware of the hon. Gentleman's constituents, but the fact that the scheme is transitional and that we set up as simple a scheme as possible means that it is unrealistic to try to make more complications. As for Wandsworth, it must be clear from an arithmetical point of view that starting with a community charge of zero and moving to a different system will cause a much steeper transition than for councils that started from a lot more than zero. It is arithmetic, not a deception.

Mr. Jessel: Is my hon. Friend aware that Liberal-controlled Richmond-upon-Thames borough council increased the council tax, with or without transitional relief, by more than any of the other 32 London boroughs? There were no extenuating circumstances for them and, on 5 May, they lost six council seats.

Mr. Curry: I am pleased to hear what my hon. Friend says. Where the level of taxation and the level of performance of local councils was a strong issue in the elections, Conservative councils, with their record of low taxation, did very well. I have no doubt that people who voted otherwise last week will soon discover what they voted for. They may have their revenge in a few years' time.

Housing

3. **Mr. Soley:** To ask the Secretary of State for the Environment what proposals he has to use Government-owned housing to assist housing associations and councils to meet housing need.

The Minister for Housing, Inner Cities and Construction (Sir George Young): Government Departments are urged to make best use of their empty residential property, through disposal where possible, or by leasing to local housing providers. We encourage local authorities and housing associations to consider the scope for using empty Government-owned homes to meet housing need.

Mr. Soley: Is not it time to stop the nonsense whereby the Government dump thousands of empty Government-owned properties on to the private market and therefore depress house prices, which is bad for the economy? Through leaseback or other schemes, the Government could transfer those houses to housing associations and councils in areas such as Bromley, where there are empty Air Force homes at Biggin Hill, or Slough, where former Army and Air Force homes are empty. Two local authority areas could get people out of bed and breakfast, save money and help restore the economy.

Sir George Young: The hon. Gentleman will be pleased to learn that only last month 119 Ministry of Defence properties in Finningley were sold to the South Yorkshire housing association and that more than 1,000 MOD properties are on lease to local authorities or housing associations. It must be right for the MOD to put on the market those properties that it does not need and to give first-time home buyers the opportunity to acquire them. I see nothing wrong with that policy.

Mr. John Marshall: Does my right hon. Friend accept that housing need would be less if local authorities had fewer empty council homes? He will remember his visit to Hackney, where 9 per cent. of local authority housing stock is empty.

Sir George Young: My hon. Friend is right. There are 71,000 empty local authority homes. That is more than the total number of families in temporary accommodation. The main culprits are Labour-controlled local authorities. It would be in the interests of meeting those housing needs if we could make better use of the potential.

Homelessness

4. **Ms Coffey:** To ask the Secretary of State for the Environment when he intends to bring forward proposals to change the current homelessness legislation.

Sir George Young: I hope to announce the Government's conclusions before the summer recess.

Ms Coffey: Will the Minister confirm that, of the 9,500 responses to his Green Paper, an overwhelming number criticised the Government's proposal to remove the homelessness safety net? Will he listen to the advice that has been given to him by housing and care professionals and withdraw his proposals?

Sir George Young: The hon. Lady will know that the consultation document contained not one but a range of proposals and that some of those proposals—for example,

putting more emphasis on prevention and making better use of the private rented sector—commanded support. The Government will of course reflect on the weight of the representations. When we announce our decisions, I hope before the summer recess, I trust that some of the more alarmist propaganda that has been flying around will be put to rest.

Mr. Burns: Will my right hon. Friend go some way towards dispelling some of the alarmist comments that have been made? Does he accept that the consultation paper keeps a safety net for the most vulnerable members of society and that it prevents queue-jumping, which causes so much misery to those who are pushed down the list because of queue-jumpers?

Sir George Young: As I said in the debate on 26 January, there is no question of vulnerable people, including families with children, not having a home or not having any suitable accommodation. I agree with what my hon. Friend said at the end of his question. It is right to have a fair approach to the allocation of rented housing and to allocate on the basis of need, not on the basis of whether, at some time in the past, people acquired the label of being statutorily homeless.

Mr. Battle: Given the number of adverse responses and the tone that the Minister has now adopted on the Government's consultation paper on access to housing, will he confirm that he believes that a better way to approach the matter is to consider the code of guidance given to local authorities about allocation, rather than to change the laws by repealing good homelessness legislation, which ensures that the homeless have a statutory right to a secure home?

Sir George Young: No, it would be wrong at this stage to rule out primary legislation. Some of the proposals in the Green Paper need primary legislation and at this stage I am not disposed to rule that out.

Private Rented Accommodation

5. **Mr. Garnier:** To ask the Secretary of State for the Environment what action he has taken to increase the availability of private rented accommodation.

Sir George Young: The private rented sector has expanded considerably since deregulation in 1989. A number of initiatives have been developed to revive the sector and increase the availability of rented accommodation.

Mr. Garnier: Does my right hon. Friend accept that the Harborough district local draft plan, which requires the building of several thousand houses in the villages of Billesdon, Great Glen, Kibworth Beauchamp and Kibworth Harcourt, will do nothing whatever to increase the availability of rented private housing? Does he also accept that what it will achieve is to destroy those villages in particular and rural south-east Leicestershire in general?

Sir George Young: As my hon. Friend will know, the Harborough plan is in draft form at present. Proposals will be formally placed on deposit for objections to be made later this year and my hon. Friend has rehearsed a number of those objections. They can then be examined at a public inquiry.

Mr. Pike: The Minister will recognise that there would be little private rented sector housing if it were left purely to market forces and that rent allowances are absolutely crucial to underpinning the private rented sector. Does he recognise the difficulties that have been caused to local authorities because of the increased portion of the rent allowance that they must meet, which is causing problems to many local authorities at present?

Sir George Young: There would be even less private rented accommodation if we had listened to the Labour party over the past 20 or 30 years. The factor that the hon. Gentleman mentioned—the percentage of housing benefit that falls on local ratepayers—is taken into account each year.

Mr. Brazier: Does my right hon. Friend accept that the provision of more private sector accommodation is central to the idea of providing diverse solutions to the problems of homelessness, but that that should not distract us from the central point that he made earlier: that we must continue to have a unified list with genuine flexibility for local authorities if they are to be free to tackle homelessness in the way they wish to do?

Sir George Young: I agree with my hon. Friend. I hope that all hon. Members will welcome the increase in the number of households renting from private sector landlords. The figure has increased from 1.6 million in 1988 to just under 2 million in 1993. If one is genuinely trying to increase the supply of good-quality accommodation to help those in housing need, that increased supply is something that all of us who share an interest in housing should applaud.

Water Disconnections

6. **Mr. Foulkes:** To ask the Secretary of State for the Environment what representations he has received concerning disconnections of domestic water supply.

The Minister for the Environment and Countryside (Mr. Robert Atkins): My right hon. Friend receives representations regularly.

Mr. Foulkes: The Minister will agree that it is a disgrace that, at the end of the 20th century in England and Wales, nearly 250 families have their water supply cut off every week. Does he agree that as it will continue to be illegal in Scotland for water to be disconnected, it would be sensible to apply that to England and Wales as well?

Mr. Atkins: I cannot comment on what happens in Scotland—that is a matter for my right hon. Friend the Secretary of State for Scotland. Disconnections have been available since the Water Act 1945, so they are hardly new, but the number of disconnections is going down regularly each year.

Mr. Dickens: Does my hon. Friend agree that a "no disconnect" policy would be a "no pay" policy, that most disconnections are reconnected within 48 hours while the remainder occur in empty properties and that water boards give people many options to pay? What on earth are we talking about?

Mr. Atkins: My hon. Friend will be delighted to know, as I am, that the area that supplies water to our constituents

had a survey in November last year among well over 1,000 representative householders, 82 per cent. of whom said that they wanted the disconnection policy maintained.

Mr. Chris Smith: However, is not it a demonstration of peculiar incompetence even for this Government that the Minister tells us that disconnection is essential in England and Wales, while on 14 April the Parliamentary Under-Secretary of State for Scotland not only said that disconnections should remain illegal in Scotland, but placed a clause in the Local Government etc. (Scotland) Bill specifically to that effect? Should not the Government be saying the same thing everywhere in Britain: that the disconnection of domestic water supplies—the removal of the means to life and health—has no place in a civilised society?

Mr. Atkins: I am an Englishman and I can speak only for England. In England, for which I have responsibility, the number of disconnections is going down. According to the regional company responsible for water supplies in the north-west, the vast majority of its customers want the disconnection policy to be maintained. I must remind the House that the policy to allow for disconnections was included in the Water Act 1945, so nothing has changed.

Mr. Clifton-Brown: Does my hon. Friend agree with my experience of dealing with constituents who need to be disconnected that the water companies generally deal with them very sympathetically? Does he also agree that if people do not pay, the water companies have to increase their charges for everyone else to make up for the shortfall?

Mr. Atkins: In the present circumstances, a court judgment must be made and only if the arrears are still outstanding is there the possibility of a disconnection order being made. That is an exhaustive procedure and, as I have already told the House, the number of disconnections is decreasing annually. That policy is, apparently, supported by water users and consumers, who wish it to be maintained.

Standard Spending Assessments

7. **Mr. John Evans:** To ask the Secretary of State for the Environment what plans he has to revise the present standard spending assessments system.

Mr. Curry: We intend to discuss with the local authority associations a number of possible changes in standard spending assessments.

Mr. Evans: Does the Minister agree that, in view of the corruption in Westminster city council, revealed by the BBC "Panorama" programme on Monday night, and the apparent connivance of Ministers to rig grant to Westminster, perhaps the only worthwhile revision would be to remove the grant allocation system from the hands of Ministers and put it in the hands of an independent grant commission?

Mr. Curry: I do not agree with that for one minute. The Select Committee on the Environment examined the way in which SSAs were distributed and concluded that it was done entirely objectively. I have no doubt that the Labour party ran over the system with a fine-toothed comb, but it has not managed to discover any bias in the system—because it is not there. For a member of the Labour party, which spends its life talking about quangos, to propose setting up another one is slightly curious.

Mr. Ian Bruce: Does my hon. Friend agree that the area cost adjustment, which applies only in the south-east of England, has absolutely no basis in fact or logic and that the sooner it is done away with the better? Once that happens, areas such as Dorset will start to benefit from the real costs of providing services rather than working under a fudge factor, which was introduced to stop the high-spending Labour councils in London going bankrupt.

Mr. Curry: I do not agree with my hon. Friend. The area cost adjustment would not exist if there were no objective reason for it. We examined it carefully. We must, however, consider the way in which it tapers as it leaves central London. I have made it clear to the local authority associations that it will be one of the focuses for the continued review of SSA systems.

Mr. Snape: Has the Minister seen the Department of Environment's "Index of Social Deprivation", which reveals that Sandwell is the ninth poorest borough in England? Many other black country boroughs feature in that list of deprivation. Is he aware that, today, the Tory leader of Walsall council said that the Government must face the fact that the shire counties have been treated much better than inner-city areas? Does not that sort of national corruption of local government finance deserve a "Panorama" programme of its own? Is not it about time that the Government recognised the fact that local authorities, particularly Labour-controlled ones, are being held back from what they are trying to do by the financial rigging of the Government?

Mr. Curry: That is completely untrue. If the hon. Gentleman looks at the councils that receive the largest grant, he will see that they are all in the inner cities and Labour controlled. If he reads further from the "Index of Social Deprivation", he will discover that Westminster comes 26th and St. Helens comes 54th. That justifies the differential, does it not?

Dr. Spink: Is my hon. Friend aware that in a recent report of the Select Committee on Education it was proposed that the education element of the SSA should be removed and that it should be calculated under an alternative common funding formula? Will he consider that report and discuss it with my right hon. Friend the Secretary of State for Education?

Mr. Curry: I am perfectly willing to discuss improvements in the system. At the moment, the system is formula-driven. What matters in that case is to ensure that the formula picks up real needs as sensitively as it can and distributes them to where the need is. Therefore, we shall have to continue to review some elements, especially of social need, and we shall do so. People try to make out special cases for this, that or the other. It is always possible to argue that it would be nice to have more money here or more money there, but there is an absolutely equitable system of distribution and no one has been able to prove to the contrary. They cannot prove it because it is not true.

Mr. Straw: In the new spirit of rationality that has broken out between the Front Benches, the Minister must surely recognise that one of the reasons why the Conservative party had its worst results for more than 50

years in the local elections and the Labour party its best results for 13 years, is a lack of confidence in the impartiality of the SSA grant system. There was overwhelming criticism of that system not only from the Labour party but from council tax payers, who simply could not understand the fairness of the system. As the Environment Select Committee made many criticisms of the SSA system, and as the Audit Commission recommended an independent grant commission, why does the Minister continue in his refusal to consider that and to begin discussions across the Chamber about that sensible proposal?

Mr. Curry: I did quite a lot of knocking on doors during the local election campaign—*[Interruption.]*—especially in Wandsworth, Westminster and Kensington, and I was not engaged in spontaneous discussion about the SSA system at many of them. We have an objective system and the local authority associations co-operate with it fully. We are committed to ensuring that we make that system as finely tuned as possible without its becoming so complex as to be incomprehensible. We have set out on a good course. A further review is under way and I see no reason to change that.

Mineral Planning Guidance

9. **Mr. Gunnell:** To ask the Secretary of State for the Environment if he will make clear in his revision of MPG3 that environmental acceptability is in the national interest in relation to opencast applications.

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): The draft revised guidelines withdraw the strong presumption in favour of opencast development which existed previously and replace it with a test of whether a proposed opencast application is environmentally acceptable. Those guidelines are now up for consultation and we are considering all comments carefully, with a view to publishing final guidelines in the summer.

Mr. Gunnell: I thank the Minister for that reply. Local people, however—especially in West Yorkshire—are so used to losing appeals against opencast applications that they will need to see the policy worked out in practice. Will he make it clear to planning inspectors in the future that national interests for coal must not be pitted against the environment, and that the quality of the environment matters and is in the national interest?

Mr. Baldry: In Leeds, only two opencast applications have been lost on appeal. The system is extremely fair in that regard. As I have made clear to the House on many occasions, the revised guidance will impose a test of whether an application is environmentally acceptable. I should have thought that the whole House would recognise that as an advance on the current situation.

Mr. Oppenheim: With cheap coal readily available on world markets, is it not madness to rip up the countryside of our crowded island? However, bearing in mind the fact that we are meant not to be being nasty to each other at the moment, will my hon. Friend gently remind Opposition Members that decisions on opencast mining used to be made by the Department of Energy, which habitually passed applications on the nod, before a Conservative Government devolved that power to county councils? Can we now continue with that fine record of tightening controls on opencast mining?

Mr. Baldry: That is exactly what the draft planning guidance does. It imposes a tough environmental test. If there were an application for opencast mining on a green-field site, the local mineral planning authority would have to bear in mind the fact that it is a green-field site when deciding whether to allow that planning application. Obviously, different criteria would apply if it were considering a derelict land site.

Mr. Henderson: Does the Minister accept that the hon. Member for Amber Valley (Mr. Oppenheim) has hit the nail on the head? People in the north and the midlands where opencast mining is proposed are overwhelmingly opposed to opencast developments. If opencast opportunities arose in Suffolk, Coastal or Oxfordshire, the Minister and his boss would find that public opinion there was the same. In conducting the review, will the Minister accept that public opinion does not believe that environmental acceptability is a sufficiently strong test because of the amount of judgment involved and that the need for coal should also be demonstrated before approval is given?

Mr. Baldry: No, it is not the purpose of the planning system to determine whether there is a requirement for a specific mineral. Rather, it must strike a balance. In this instance, the planning system must strike a balance between economic need and environmental acceptability. That is what this planning guidance does, and I believe that it will do it extremely well.

Mrs. Angela Knight: My hon. Friend will be aware that local communities dislike the prospect of opencasting. Three such proposals affect my constituency. Will he assure me that his new MPG3 guidelines will take fully into account the environmental impact of opencasting, including the consequence of increased heavy traffic on the road network in surrounding towns and villages?

Mr. Baldry: If hon. Members look at the draft guidance they will see, set into it in considerable detail, the factors that local planning authorities must take into account: visual impact, noise, transport movements—exactly the concerns mentioned by my hon. Friend—dust, and water pollution. The mineral planning authorities will have to bear in mind a range of environmental considerations in determining whether a planning application is environmentally acceptable. I am therefore more than willing to give my hon. Friend the assurance that she requests.

Inner Cities

10. **Mr. Mudie:** To ask the Secretary of State for the Environment when he last met the Association of Metropolitan Authorities to discuss inner cities.

Mr. Gummer: I met Jeremy Beacham on Monday 9 May.

Mr. Mudie: The Minister will be aware that local authorities fear and believe that the single regeneration budget is a device for disguising spending cuts. Why did the urban programme—the main policy and vehicle for combating deprivation in inner cities—spend £236 million

two years ago, whereas this year it is spending £85 million, which is a cut of £151 million? Does that not confirm that the fears of local authorities are correct?

Mr. Gummer: No, it confirms that the urban programme has been superseded by a number of other programmes that we are using to deal with the problems of our inner cities. The hon. Gentleman will note that in the past we used to go to the United States and other countries to see how they did things and to learn from them, but now they come to see what we are doing. For example, when my right hon. Friend the Prime Minister visited President Clinton, Mayor Murphy of Pittsburgh drew attention to the success and model provided by our urban policy. It is now the United States experts who come to the United Kingdom to learn, rather than the other way round, and the Germans and Australians are following suit.

Mr. Devlin: Is it not encouraging how Labour-controlled authorities such as Hartlepool, Stockton-on-Tees and Middlesbrough have taken a leaf from the partnership ethic expounded by the Teesside development corporation and other development corporations and have put forward successful city challenge bids, enabling them to use budgets provided by the Government and the private sector to rebuild inner city areas?

Mr. Gummer: My hon. Friend is entirely right. The establishment of the integrated regional offices and the single regeneration budget has been widely welcomed even by people who are politically opposed to us, because they see that we can approach the problems of the inner city in an integrated and holistic way instead of in a partial manner. I therefore hope that the Opposition will continue their support, as they do in the countryside.

Mr. Vaz: Will the Secretary of State acknowledge that, far from solving the enormous problems faced by urban areas, the single regeneration budget will make life much more difficult for the people who run our major towns and cities? Will he assure us that the shortfall in urban aid which the introduction of the single regeneration budget has created will be made up in full by the Government as a matter of urgency?

Mr. Gummer: I do not want to transgress the delicate feeling in the House at the moment, but when we announced the single regeneration budget the hon. Gentleman said that it was a cover for a cut and that there would be less than £1.4 billion in 1994-95. In fact, we announced £1.4 billion—precisely the figure that we had given—so the hon. Gentleman has asked a question about something that does not exist. We are putting very significant amounts of money into the inner cities. This is working extremely well and is very widely welcomed. What is more, it is over and above the substantial main programme of investment. The hon. Gentleman should concentrate his fire on reality and stop trying to pretend that things are going wrong in areas where we are doing extremely well.

Mr. Anthony Coombs: Does my right hon. Friend agree that the best way to revive inner cities is to give the people who live in them a direct investment in the making of decisions that affect their lives? Does he agree that housing action trusts, local management of schools and grant-maintained schools do precisely that? Is it not somewhat hypocritical for the Labour party to argue for greater local decision-making while opposing each and every such measure?

Mr. Gummer: I am very much in favour of the subsidiarity to which my hon. Friend refers. Speaking to an audience that included a very large number of Labour councillors, I noticed that when I said that I wanted more subsidiarity from national to local government they cheered, but when I said that I thought that there ought to be more subsidiarity from local government to schools and other organisations they booed. For them, subsidiarity seems to stop at a particular level; I believe in reaching down to the smallest possible unit in running the government of the country.

Local Government

11. **Mr. Wareing:** To ask the Secretary of State for the Environment what plans he has to restore powers and functions removed from local government during the past 15 years.

Mr. Curry: The functions of local government have always been subject to change. The Government believe that responsibility should be delegated to the level most consistent with competence, practicality and cost-effectiveness.

Mr. Wareing: Does the Minister realise that millions of people, of all parties and of none, deplore the fact that local authorities have been denuded of so many of their powers and functions since the Conservative Government came to power? Local self-government has been replaced by a vast quangocracy stuffed with Tory placemen and placewomen who are accountable to no one other than the most highly centralising Government in all Europe. Does that not amount to disfranchisement of the electors at local level?

Mr. Curry: I never quite understand why the hon. Gentleman is so attached to the impenetrable bureaucracy of Whitehall, county hall and town hall. What we are concerned about is the delivery of services closer to the people. It is the people who count—not the bureaucrats or, for that matter, the councils. The hon. Gentleman will know that, for example, in Merseyside there is an urban development corporation, on the board of which there are three councillors, spending £156 million; a city challenge programme with provision of £131 million; a task force; and an objective 1 programme of £354 million. If he takes such exception to all of those, I am sure that we can arrange to cancel the funding.

Mr. Nicholas Winterton: Representing, as I do, a part of the borough of Macclesfield in Cheshire, which has one of only two councils in the whole north-west region that still have overall Conservative control, may I ask my hon. Friend whether he accepts that among some Conservative Members there is a strong feeling that if local government is to continue to exist it must have a range of reasonable and sensible responsibilities? Otherwise, we shall not get people of the right calibre to serve on councils. Will my hon. Friend ensure that local authorities continue to have proper, full and meaningful responsibilities so that we may continue to have that level of government in the United Kingdom?

Mr. Curry: Of course—that is precisely why, for example, care in the community and the administration of housing benefit have recently been passed back to local government. What matters is the quality of the service to the person who is receiving it. That is what government at all levels is about. It does not matter so much who delivers a service; what matters is that it should be provided efficiently. The obsession with county hall, city hall or Whitehall seems to me to be forgetting the essential ingredient—the person on the receiving end, whom government is there to benefit.

Mr. Janner: When considering restoring powers to local authorities, will the Minister do so in the light of the 1991 "Index of Local Conditions", which shows relative deprivation in our cities and which the Minister slid into the Library this morning without even providing copies for the parliamentary press? Will he look at what has happened since he took powers away from local authorities such as Leicester which, instead of being one of the wealthiest cities in Europe, is now among the 10 per cent. most deprived areas in this country?

Mr. Curry: If the hon. and learned Gentleman thinks that that is a function of local government powers, he is rather more imaginative than I had credited him. Local government has a remarkable opportunity in the shape of the single regeneration budget and programmes such as city challenge. Local government can act as an assembler of all the resources of the community to tackle particular problems. That is a new and much more exciting challenge than it has had in the past. The single regeneration budget, working with the private sector and public authorities, can make this work. Perhaps the hon. and learned Gentleman should spend his time telling Leicester to get stuck into all that, instead of complaining about its powers.

Mr. Matthew Banks: While my hon. Friend discusses the possibility of returning powers to councils, especially in Merseyside, will he give me an assurance today that my constituents in Southport will have the chance to have returned to them the powers associated with unitary authority status which they enjoyed before 1974? Will he assure me that the Local Government Commission will listen to their pleas as early as 1995, so that we can get out of Sefton and get back on our own again? Sandgrounders rightly deserve that opportunity.

Mr. Curry: We have made it clear that when the Local Government Commission has completed its review of shire England we shall direct it to look at the boundaries of metropolitan areas where there is a strong case for its doing so.

Mr. Straw: Nothing better confirms the degree to which current Ministers and the party in Government have become infected with the virus of centralisation than the threat that the whole House heard the Minister issue to my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing)—the threat that the funding for various bodies in Liverpool would be cancelled if my hon. Friend did not like what was going on. Does the Minister not understand that it is exactly that kind of arbitrary and capricious exercise of power that voters object to?

If the Minister is seriously concerned to return power to the people, why has he been a member of an Administration who have has passed more than 144 separate Acts centralising more and more power over local authorities and taking away from locally elected people the control of more than £24 billion of public spending?

Mr. Curry: The hon. Gentleman does not want power to the people—he wants power to the councils, which is not always the same thing. That is the fundamental difference between us. We have passed power to the people. We have passed power to school governors, to parents and to people who live on council estates. That is what passing power to the people means. Why is the hon. Gentleman obsessed with passing power to councillors, which is by no means the same thing or the most efficient way of doing things?

Mr. Wareing: On a point of order, Madam Speaker. In view of the deplorable reply given to my question by the Minister, I give notice that I intend to raise the matter on the Adjournment.

12. **Mr. Lester:** To ask the Secretary of State for the Environment what financial savings could accrue to the council tax payers of Broxtowe if the joint districts proposal for the introduction of single-tier local government in Nottinghamshire were implemented.

Mr. Baldry: As the review is still in progress, all aspects of local government reorganisation in Nottinghamshire are a matter for the Local Government Commission, including the costing of options for structural change.

Mr. Lester: Is it not important, in the interim, that local constituents understand that the principal element in their new council tax bills is the amount levied on behalf of the Labour county council and not the proportion levied by their district council?

Mr. Baldry: Yes, one of the strong arguments in favour of unitary authorities is the straightforward idea of accountability. Having two local authorities can often confuse people and it is not always clear which is rendering a particular service. As my hon. Friend says, this can present particular difficulties in relation to council tax bills, since the lion's share—that rendered by the county council —has to be collected by the district council.

Mr. Heppell: Is the Minister aware that the figures range from about £600 million to more than £1 billion for the transitional changes? Those changes will have to be met by cuts in services as the Government do not plan to put in any other money to meet their cost. Was there a delay in Nottinghamshire because the commission now recognises that no one in Nottinghamshire either wants the change or wishes to pay for it?

Mr. Baldry: I do not think the hon. Gentleman's last comment is accurate. I suggest that he reads the comments of his Front-Bench colleagues in our local government debates.

Mr. Atkins: He should not bother.

Mr. Baldry: My hon. Friend says that the hon. Gentleman should not bother, but it might be helpful for him to see that Opposition Front-Bench spokesmen purport to be in favour of unitary authorities. As to savings, some of the figures that have been bandied around are grossly exaggerated. Certainly each of the reorganisations agreed so far by the Local Government Commission estimates that the savings and receipts at the outset will well outweigh the

initial costs and that thereafter the savings will be continuous year on year. We have made it clear that we expect substantial long-term savings to follow the Local Government Commission recommendations.

Environmental Protection Agency

13. **Mr. McGrady:** To ask the Secretary of State for the Environment what discussions he has had with his ministerial colleague in Northern Ireland concerning the establishment of an environmental protection agency.

Mr. Atkins: My officials are in contact with their opposite numbers in Northern Ireland, where my right hon. and learned Friend the Secretary of State for Northern Ireland's approach reflects the differing circumstances there.

Mr. McGrady: I thank the Minister for his reply, but I am not sure that I understand what he means by the differing circumstances. He must be aware that some four years have passed since 1990, when the Select Committee on the Environment recommended strongly that such a board be set up in Northern Ireland. Since then, the Government have commissioned a thermal oxide reprocessing plant which, with the regulations attached to it, can allow a 900 per cent. increase in toxic atmospheric discharge and a 1,100 per cent. increase in the toxic discharge into the Irish sea. Is the Minister aware that people living on the eastern coast of Northern Ireland are concerned that the Department is both poacher and gamekeeper in environmental protection and that such an agency is urgently needed as an independent assessor?

Mr. Atkins: I am only too well aware of the hon. Gentleman's concerns as I was the Minister who took the decision, in the face of the Environment Select Committee, which came to interview me at Stormont on exactly the answers that were given. I recall that the answer was simply that I had a commitment to set up an environment agency in due course, that in Northern Ireland, where the Department of the Environment in Northern Ireland has different responsibilities, there was no need for it at that stage, but that the Department of the Environment, represented by me as its Minister, was by no means opposed to such an agency.

Water Industry

14. **Mr. Richards:** To ask the Secretary of State for the Environment what was the level of investment in the water industry in 1978-79; and what is the expected level in 1992-93 expressed in constant prices.

Mr. Gummer: On a comparable basis at constant prices, water industry capital expenditure in 1978-79 was about £1.1 billion. By 1992-93, it had almost trebled to some £3.2 billion.

Mr. Richards: Is my right hon. Friend aware that about three weeks ago I opened phase 1 of a new sewage treatment plant in Kinmel bay in my constituency costing £23 million? Will my right hon. Friend and his hon. Friends now come to sunny Rhyl for their summer holidays, so that they can swim in the beautiful clean sea and enjoy the wonderful amenities there for family holidays?

Mr. Gummer: There is no doubt that Rhyl and the rest of that particularly beautiful north Wales coast is a fine place for a holiday and I am looking forward very much to doing some canvassing in the European elections in that area.

Mrs. Anne Campbell: Is the Minister aware that the cost of this investment has been borne by many people who cannot afford to pay—that is, water rate payers and even those on low incomes? Is he further aware that this is leading to a very high rate of water disconnections in my constituency—the third highest in the country? Is it not time he stopped this extortion by water companies from people who cannot afford to pay?

Mr. Gummer: It is difficult to put the hon. Lady's question alongside the constant demands of Labour Members for even more spending. Where do they think the money comes from? In the end, it comes from the consumers of water. There is no other way of delivering these very large sums of money. As the hon. Lady is concerned about the situation, I hope that she will support the very careful and cost-effective way in which we are ensuring that we spend what is necessary without overspending. I am sure that her electors in Cambridge will want her to affirm her support, even though she may have to vote against her own Front Bench.

Mr. Nicholls: Although that may be jolly good news in Wales, the standards imposed by the European Commission on the west country mean that people in that region face an intolerable burden, with some 650,000 water charge payers being responsible for cleaning up one third of the nation's coast. While I accept that that is an obligation imposed by the EC and not Her Majesty's Government, will my right hon. Friend tell us what steps are being taken to ensure that the intolerable burden imposed by Europe will be ameliorated?

Mr. Gummer: I agree with my hon. Friend who, with his colleagues, has been consistent in pressing on me the very serious matter that he has raised here. We have looked at the way in which the burden falls upon all consumers so that it is as cost-effective as possible. I know that Mr. Ian Byatt is completing his discussions with the water companies and that we should have some direct figures very soon. I hope that my hon. Friend recognises how closely we have been watching the situation. I know that he has pressed hard on behalf of his constituents and others on this matter.

Local Referendums

15. **Mr. Gordon Prentice:** To ask the Secretary of State for the Environment what assessment he has made of the advantages and disadvantages of increasing the use of local referendums.

Mr. Baldry: I have made no assessment of the advantages and disadvantages of increasing the use of local referendums.

Mr. Prentice: Does the Minister appreciate that referendums are commonplace in Europe and are one way of enriching and revitalising public debate? After 15 years

of Conservative Government during which local authorities have lost powers, functions and relevance, would not the increased use of local referendums be one way to re-involve people in civic debate?

Mr. Baldry: That is absolute twaddle.

Sir Anthony Durant: Will my hon. Friend not dismiss the idea of referendums too easily? Will he also consider doing away with rate capping so that we can then expose those councils which spend wildly and a referendum can be held at the subsequent local government elections?

Mr. Baldry: My hon. Friend makes an interesting point. If it were not for council tax capping, large numbers of Labour authorities would be only too keen to spend council tax payers' money like confetti.

Ozone Layer

16. **Mr. Deva:** To ask the Secretary of State for the Environment what action the United Kingdom is taking to phase out the production of substances damaging the ozone layer.

Mr. Gummer: The production of halons has already ceased, CFCs and carbon tetrachloride will cease by the end of this year, and methyl chloroform by the end of next year.

Mr. Deva: Does my right hon. Friend agree that congratulations are in order on the Government's achievement of those achievable targets? Does it not vindicate my view and that of the Government that it is far better to set targets which are easily achievable than to set targets which cannot be attained and which other countries have no intention of attaining?

Mr. Gummer: I agree with my hon. Friend, but I think that where we can raise the standards we ought to do so. I am pleased to say that the European Community as a whole is moving faster than the Montreal protocol requires with regard to chlorofluorocarbons, carbon tetrachloride and hydrochlorofluorocarbons. We have shown that, wherever we can, we will move faster than we are required to do.

Local Government Commission

17. **Mr. Hutton:** To ask the Secretary of State for the Environment if he will make a statement about the progress being made by the Local Government Commission.

Mr. Curry: The Local Government Commission has submitted final recommendations for 10 shire county areas. It is due to announce initial recommendations for a further group of shire counties, including Cumbria, in June.

Mr. Hutton: I am grateful to the Minister for that reply. Can he give me an assurance that, before any final proposals for Cumbria are made by the Local Government Commission, there will be full and wide public consultation with my constituents and those elsewhere in the county so that the final shape of local government in the county of Cumbria can enjoy widespread and continuing public support?

Mr. Curry: As the hon. Gentleman knows, the commission must make initial recommendations and then a final recommendation. Up to that point, there is no role for the Government. When the commission makes its recommendation, we shall consult widely before we lay an order before the House. I expect that the hon. Gentleman will want to make representations at that time, and we will of course listen to him.

Mr. Barry Field: Will my hon. Friend ensure that the commission, which is charged with reviewing parish and town council representation in local government areas, points out to Opposition Members that under existing legislation it is possible to call a poll? If local authorities want a poll, they can already have one if they are enparished—rather than listen to the first cuckoos of spring on the Opposition Benches.

Mr. Curry: My hon. Friend, who has the advantage of representing an area that is about to be reorganised, speaks from great experience. I defer to his judgment.

Water Meters

18. **Mr. Burden:** To ask the Secretary of State for the Environment what steps he is taking to monitor the installation of pre-payment water meters in council properties.

Mr. Atkins: A number of water companies are currently conducting trials of pre-payment water devices. The Director General of Water Services is monitoring the progress of these trials.

Mr. Burden: Will the Minister consider the case of Severn Trent Water, which installed some 700 pre-payment devices? That has already led to about 400 disconnections. As the Water Act 1989 lays down clear guidelines under which water supplies can be disconnected, and as pre-payment devices do not appear to comply with those guidelines, does the Minister believe that water companies are acting lawfully or unlawfully?

Mr. Atkins: I am convinced that the companies are acting lawfully. If that were not the case, it would be a matter for the Director General of Water Services. Metering, which is largely the subject of the hon. Gentleman's question, is still being discussed throughout the length and breadth of the country and there remain differing views.

Points of Order

3.31 pm

Mr. Alfred Morris (Manchester, Wythenshawe): On a point of order, Madam Speaker, to seek your guidance. I have just been given what appears to be the wholly authentic information that, overnight, what has been described as a stack of amendments will be tabled to the Sale of Goods (Amendment) Bill [*Lords*] for consideration this Friday. I am informed also that the express purpose of the amendments is to delay still further the Report stage of the Civil Rights (Disabled Persons) Bill, which was subjected to such odious treatment here on 6 May. If that is so, it must be a gross and contemptuous affront to this House.

I have been asked by disabled people to express again their deep anguish and anger at the tactics being used to deny them full citizenship. It must be, at the very least, discourteous to the House to table, overnight, numerous amendments whose purpose, I am told, is to wreck the Civil Rights (Disabled Persons) Bill, when many right hon. and hon. Members will be leaving the House tonight to attend the funeral on Friday of our late and beloved colleague, John Smith, and will not even have seen the amendments before they leave.

Madam Speaker: I cannot comment on what is at the moment a hypothetical situation. Friday's proceedings will be regulated by the Chair when the time comes.

Mr. D. N. Campbell-Savours (Workington): On a point of order, Madam Speaker. You will have noticed that the Minister of State told my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing) that if he persists in asking questions of the nature that he did, funds given to organisations in my hon. Friend's constituency would be at risk. [*Interruption.*] Oh yes—let there be no doubt about what we heard. The Minister should be asked to withdraw his remark. When something similar happened in 1981, I complained to the Privileges Committee, because Ian MacGregor, then chairman of the British Steel Corporation, was involved. The Privileges Committee held a number of sittings to adjudicate on whether that incident took place, because it was seen as a threat. On that occasion, the threat was that funds would be cut off from my own constituency, for investment in the British Steel Corporation. Will you, Madam Speaker, ask the Minister to withdraw his comments?

Madam Speaker: Order. Nothing that I heard was out of order. However, I compliment the hon. Member for Liverpool, West Derby (Mr. Wareing) because he is dealing with the matter in precisely the right manner.

Mr. David Winnick (Walsall, North): On a point of order. Madam Speaker. I apologise for my voice, but I am sure that it will soon come back. [*Interruption*] Well, I would not wish to take a vote on that.

Will you, Madam Speaker, give further consideration to the point that was raised by my right hon. Friend? I wonder whether you understand—I am sure that you do, but I put it in that way—the feeling of anger that exists among disabled people at the way in which the Bill, which is aimed to help them, is being obstructed and frustrated at every turn by the Government. Is there any way that you can try to ensure that the Civil Rights (Disabled Persons) Bill is allowed to be debated again on the Floor of the House, instead of the obstruction that the Government—

Madam Speaker: Order. That is not within my authority, and the hon. Gentleman and the House know that it is not.

Mr. Tony Banks (Newham, North-West): I wish to raise a point of order of which I have given the Minister concerned prior notice.

In a written reply to me on 25 April, the hon. Member for South Ribble (Mr. Atkins) stated that the Government intended to make an order under section 22 of the Wildlife and Countryside Act 1981 to lift a layer of protection from three species of birds of prey. He said that the Department of the Environment had consulted some 7,000 organisations, including, I might add, the British Association of Tortoise Keepers, and the British Cactus and Succulent Society, though I have never seen a bird of prey seize either a tortoise or a cactus.

However, it appears that the Government sent the consultation paper to the wrong branches of the Government's advisory bodies: the Joint Nature Conservation Committee and English Nature, with the result that the latter's ornithologists were never properly consulted.

In a further reply to me on 3 May, the same Minister stated—

Madam Speaker: Order. The hon. Gentleman is entering into a debate. What is the point or order for me? What would he like me to do about it?

Mr. Banks: What I should like you to do about it is get some justice back into this place, when a Minister has, perhaps inadvertently, misled the House, because he said that the Association of Chief Police Officers had been in favour of lifting protection from birds of prey. ACPO—

Madam Speaker: Order. The hon. Gentleman is arguing a case. He must not argue a case across the Floor of the House. What he is saying to me is that he does not believe that the information that was provided to him is correct.

Mr. Banks: No, the organisation concerned has stated publicly that the Minister has misled the House.

Madam Speaker: Order. I am on my feet. I am sure that the hon. Gentleman, who knows his way around the House and how to put matters right, will use the procedures of the House to do so.

Mr. Banks: That is precisely what I am trying to do, because I want the House to know exactly what has happened—

Madam Speaker: Order. On points of order, it is not a question of the House knowing. Points of order are something that I have to deal with. If the hon. Gentleman wishes the House to know, he must use the Order Paper, through either questions or early-day motions. That is the way to inform the House, and not to use points of order, which is an abuse of our system.

Mr. Banks *rose*—

Madam Speaker: Order. That is the end of it. I am on my feet. The hon. Gentleman knows how to use the Order Paper to correct something. If he uses that method, the whole House will know what the position is.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): On a point of order, Madam Speaker. During Question Time, when I asked a question about water disconnections in England and Wales in relation to the position in Scotland, where disconnections are illegal, the hon. Member for South Ribble (Mr. Atkins) said, "I am an Englishman and I can only speak for England." I ask, therefore, whether you will disqualify him and people who think like him from voting tonight on the Local Government etc. (Scotland) Bill, because he has no right to do so. That Bill is not wanted in Scotland.

Madam Speaker: The hon. Gentleman has high hopes, which will not be fulfilled.

Mr. Bruce Grocott (The Wrekin): On a point of order, Madam Speaker. May I seek your help in ensuring that an issue of public debate is reflected in the House? Like everyone else, I heard on all the news bulletins this morning, including interviews with the President of the Board of Trade, about plans to privatise the Post Office. There were also the lead stories in a number of national newspapers. You will know that the duty of the House is to reflect the debate, concerns and interests that are being voiced in the country.

Has there been a request from the Secretary of State to make a statement to the House on that privatisation, not least because if it goes ahead for a sale of £1 billion, which is the figure being quoted, my constituents' property will be sold against their will, without a vote? I want to know when the £1.5 million per constituency, which, pro rata we should receive—

Madam Speaker: Order. I think that the hon. Gentleman is asking me whether a Minister is coming to the House to make a statement on that matter. No Minister has informed me that he or she is seeking to make a statement today.

Mr. John Austin-Walker (Woolwich): On a point of order, Madam Speaker. It is related to, but separate from, that raised by my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris).

I seek your guidance, Madam Speaker, on a matter concerning the procedures of the House—and, indeed, the responsibility of the House and its Members. I understand that one of your roles is to protect the rights of hon. Members—and, in so doing, to protect the rights of the House and to uphold the House's dignity, and respect for the House and its decisions. I raise this matter not only to seek clarification for myself and colleagues—[HON. MEMBERS: "Get on with it."]

The matter on which I seek your guidance, Madam Speaker, is the authority of decisions made by the House. The hon. Member for Exeter (Sir J. Hannam) moved a motion that was carried by the House; what I—like members of the public—cannot understand is the fact that the Government have chosen to ignore decisions reached by the House. I believe that, as a result of that, the House has been brought into disrepute. I wonder what remedy there is in the House to ensure that a decision made by the House can be put into effect.

Madam Speaker: There is nothing mandatory about the House's decision. If the hon. Gentleman seeks to amend our procedures in any way, he may wish to make some reference to the Procedure Committee. I think that he already knows that references have been made to the Committee in relation to private Members' Bills.

Mr. John McAllion (Dundee, East): On a point of order, Madam Speaker. Since entering the House in 1987, I have been repeatedly reminded that this is a unitary Parliament governing a unitary state, and that every citizen in that unitary state is entitled to the same protection under the laws passed by the House. Can you explain how it is possible that disconnecting consumers from the water supply can be illegal in Scotland, while consumers are being disconnected from the supply in England and Wales?

Madam Speaker: The answer is no.

Mr. Jack Straw (Blackburn): On a point of order, Madam Speaker. May I seek clarification on a matter that arose in your exchanges with my hon. Friends the Members for Liverpool, West Derby (Mr. Wareing) and for Workington (Mr. Campbell-Savours)? You told my hon. Friend the Member for West Derby that the matter of the threat issued by the Minister might be dealt with by way of an Adjournment debate. Do you accept, however, that Opposition Members feel the utmost concern about the fact that a threat to withdraw funding was made? We feel that such a threat must not be a matter only for the individual Member involved; it may be a matter for the whole House. Potentially, the issue of such a threat could be a breach of privilege which ought to be dealt with by means of the proper procedures.

Madam Speaker: If the hon. Gentleman believes that it may be a breach of privilege, he should write to me. I think that I have answered correctly, and that the hon. Member for Liverpool, West Derby (Mr. Wareing) has taken the right action—in proposing to raise the matter on the Adjournment as soon as possible.

Sir Michael Neubert (Romford): On a point of order, Madam Speaker. May I revert to the point of order raised by the right hon. Member for Manchester, Wythenshawe (Mr. Morris)? I do not know the nature, number or sponsors of the amendments tabled to the Bill that is to be considered on Friday. May I point out to you and to the right hon. Gentleman, however, that I served on the Standing Committee? It was unexpectedly controversial —there were a number of Divisions—and hon. Members could well have taken the opportunity to table amendments on Report. Can you confirm, therefore, that that does not necessarily bear the interpretation that the right hon. Gentleman has placed on it?

Madam Speaker: The hon. Gentleman is quite correct. That was not a point of order but an explanation; all the same, it was helpful. I am grateful to the hon. Gentleman.

Mr. Roger Berry (Kingswood): On a point of order, Madam Speaker. May I make a similarly helpful comment in relation to the Civil Rights (Disabled Persons) Bill?

Madam Speaker: Order. No. I have taken points of order about that, and I understand the feeling of the House. We must now wait and see what happens on Friday.

BALLOT FOR NOTICES OF MOTIONS FOR FRIDAY 17 JUNE

Members successful in the ballot were:
Mrs. Jacqui Lait
Mr. Martyn Jones
Ms Rachel Squire

BILL PRESENTED

PARDON FOR SOLDIERS OF THE GREAT WAR

Mr. Andrew Mackinlay, supported by Mr. Peter Bottomley, Mrs. Gwyneth Dunwoody, Mr. Don Dixon, Mr. John Hume, Mr. Ken Maginnis, Rev. Ian Paisley, Mr. Allan Rogers, Mr. Alex Salmond, Sir David Steel, Mr. Dafydd Wigley and Mr. Paul Flynn, presented a Bill to provide for the granting of pardons to soldiers of the British Empire Forces executed during the Great War of 1914 to 1919 following conviction for offences of cowardice, desertion or attempted desertion, disobedience, quitting post, violence, sleeping at post, throwing away arms or striking a superior officer; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon 1 July, and to be printed. [Bill 115.]

Education (Admission to Higher Education)

3.43 pm

Mr. Jeff Rooker (Birmingham, Perry Barr): I beg to move,

That leave be given to bring in a Bill to reform the admission procedure to United Kingdom institutions of higher education for all school leavers by holding the relevant public examinations in mid April to mid May; to allow applicants to more than one institution to disclose to each institution the application relevant to that institution alone and to offer to applicants the right to see references given on their behalf to higher education institutions; and for connected purposes.

My Bill proposes a modest change in the dates during which the main public examinations leading to admission to higher education take place in the United Kingdom. This year, exams have already commenced in Scotland; they began on 3 May and will end on 8 June. In England and Wales and Northern Ireland, there are eight examining boards, and the first examinations will take place this Friday, 20 May, and finish on 1 July. Hundreds of thousands of pupils are taking those exams, and I know that we all wish them every success.

The benefits of holding the entrance exams between mid-April and mid-May would be as follows. Such a change would remove pupils' anxiety about the subjective nature of the higher education admissions system. It would also widen access to higher education, improve freedom of information for pupils and enable them to make a more informed choice between areas of higher education study, from a more up-to-date list of courses.

Moreover, the change would enable pupils to seek to gain admission on the basis of work done and results achieved, rather than of inaccurate predictions of performance. Higher education selectors could make full use of the completed record of achievement of the young person concerned, and the need for the tactical process —that is, pupils attempting to second guess what the selectors want, fearing that alternative choices may be held against them—would be eliminated. Above all, my Bill would end what has been described as the bear garden of the clearing process each September. Most of those desirable objectives could be achieved by an admissions system operating after A-level results are known.

The current system and the timetable for admission to higher education were designed specifically to admit 18-year-old school leavers to higher education as it was 30 years ago. At that time, the participation rate of 18-year-olds was 7 per cent; now, I am pleased to say, it is more than 30 per cent., and in Scotland it is more than 36 per cent.

The theory is that effectively all decisions about places in higher education are taken before the examinations. At one time, that may have worked in practice. However, it is unfair and creates much anxiety among pupils and their families.

What is wrong with the present system? I shall touch on four or five of the problems. The Universities and Colleges Admissions Service—UCAS—operates the admissions system on behalf of nearly 200 institutions of higher education, which run more than 20,000 courses. The application cycle takes about a year to complete. That means that a pupil is required to make a choice about higher education almost a year before he or she starts the

course. Why should pupils have to commit themselves so early in their post-16 development? That is much too soon to settle early career patterns.

A pupil may well be undecided a year in advance about the subject area that he or she wants to study, and may have listed completely different subject choices on the application form. Listing different choices can, and does, cause some admissions tutors to take the view that the applicant is uncertain and therefore not committed to that particular application. I do not believe that pupils should have to second guess what admissions tutors want. Research shows that nearly 30 per cent. of final year undergraduates would not choose the same course if they had their time over again.

When choices are made, the course information is out of date. The lead time for the cycle means that the course information material for pupils due to enter higher education in October 1995 had to be at the UCAS printers by January 1994.

The most serious defect of the present admissions system is the use of A-level predictions, made seven or nine months before the examinations, to determine offers of places. Offers are based on teachers' predictions of exam grades, which are made months before the exams take place. Because they are made so far in advance, those predictions are inaccurate. No fewer than 65 per cent. of them are wrong. More than 50 per cent. of teachers' predictions forecast A-level grades too high; a quarter of them predict results two grades or more too high.

How can we continue to run a system with a 65 per cent. failure rate? That is no part of a modern education system. The failure rate applies almost equally to comprehensive schools, independent schools, grammar schools, sixth-form colleges and further education colleges. In FE colleges, A-levels are often completed in one year, which makes the problem far more acute. Lecturers have only a few weeks' experience of their students before they are required to submit A-level grade predictions.

The national closing date for applications is in December, and it is even earlier for Oxbridge. Higher education admissions tutors do not wait until the closing date to begin their assessments, and that can lead to discrimination against pupils who go right up to the closing date before making up their minds.

At present, any changes as a result of Higher Education Funding Council decisions come slap bang in the middle of the applications process, which can cause havoc for pupils forced to make an early choice of courses in advance of examination results. The present timetable also means that full use cannot be made of a pupil's record of achievement when applying to enter higher education.

If we ever move to modular A-levels, the predictions of results so far in advance will become impossible, as the exams to be taken to build up credits for the modular A-level will not be known in time for the present long application cycle. Finding a modern solution is not a simple matter and we need to take account of the fact that we have different school year in England and Scotland, but a United Kingdom-wide admission system to higher education.

I believe that in the short time available to me, I have set out a fair summary of the chief defects of the admissions system. Any objective assessment must conclude that it is old-fashioned, ill-informed and complex—just the factors needed to limit access. The question is how we can run the admissions system on the basis of results rather than inaccurate predictions. One answer must be to run the examination timetable earlier. Instead of running from late May to late June in England, we should bring the process forward by about five weeks to mid-April to mid-May. That would ensure that results were available in early to mid-July.

There could still be a three-month application period, there would still be time to carry out the interviews, and the choices expressed by pupils would be fewer because they would base them on the results achieved. Preparatory work, with a computer programme for applicants, can be done well before exams are taken. Nothing in such a change need affect those who apply to higher education with qualifications other than A-level. In fact, BTEC assessments will be completed assessments because of the extra time available.

Scotland, which does not have A-levels, already has an earlier period for the examinations—as I said, they have already started—so the change would be absolutely minimal. A not unimportant aspect of such a change is that the exam timetable will avoid the peak of the hay fever season which runs from May to July.

Pupils psych themselves up for exams, so any change must be carefully managed. It must not affect anyone on a current programme of study. My Bill proposes privacy for the applicant to higher education, as each institution would not be allowed to see the applications made by the pupil to other institutions. It also proposes that pupils should have access to references given on their behalf.

To have an admissions system based on equity, we owe our young people flexibility and informed choice, and the modest change in the school year would be justified to bring that about. My proposal does not interfere with quality standards, but is something with which only the House can deal effectively. I have not—and I have never been able to say this before—been able to identify any financial costs relating to the Bill.

I have identified support across the House and in the world of education for the principle of the change, which is all that I am proposing today. The changes would enable us, on behalf of hundreds of thousands of young people, to move from a system based upon secrecy and fiction to one based on open facts.

Question put and agreed to.

Bill ordered to be brought in by Mr. Jeff Rooker, Ms Estelle Morris, Dr. Robert Spink, Mr. Dafydd Wigley, Mr. Jon Owen Jones, Mr. John McAllion, Mr. Archy Kirkwood, Mr. Bill Walker and Mr. David Trimble.

EDUCATION (ADMISSION TO HIGHER EDUCATION)

Mr. Jeff Rooker accordingly presented a Bill to reform the admission procedure to United Kingdom institutions of higher education for all school leavers by holding the relevant public examinations in mid April to mid May; to allow applicants to more than one institution to disclose to each institution the application relevant to that institution alone and to offer to applicants the right to see references given on their behalf to higher education institutions; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 15 July, and to be printed. [Bill 116.]

Local Government etc. (Scotland) Bill

As amended (in the Standing Committee), further considered.

3.53 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. Mr. Deputy Speaker said last night that you would consider the position of starred amendments Nos. 302 and 303 which relate to South Queensferry. Do you have a statement to make on the matter?

Madam Speaker: I believe that the hon. Gentleman has some indication of what I am about to tell him. He knows that the amendments were starred, and it was therefore not possible to debate them with the relevant group. The House has already passed that group of amendments, and therefore the hon. Gentleman will understand that I cannot allow a Division on amendments that have not been debated.

New Clause 4

NON-DENOMINATIONAL SCHOOLS

'After section 22D of the Education (Scotland) Act 1980, there shall be inserted the following section—

"Further provisions relating to non-denominational schools

22E.—(1) An education authority shall submit to the Secretary of State for his consent any proposal of theirs to which this section applies and shall not implement such a proposal without his consent.

(2) A proposal to which this section applies is one—

(a) to—

(i) discontinue the school or a part of it;

(ii) amalgamate the school or a part of it with another school;

(iii) change the site of the school;

(iv) change the arrangements for admission to the school.

(b) in relation to which the Secretary of State, having consulted any education authority affected by it, is satisfied, upon written representations made, that, if implemented, it will have any of the results specified in subsection (3) below.

(3) The results referred to in subsection (2)(b) above are—

(a) a significant deterioration for pupils belonging to the area of the education authority submitting the proposal under subsection (1) above; or

(b) a significant deterioration for pupils belonging to the area of any other education authority; or

(c) where neither paragraph (a) nor paragraph (b) above applies, such a deterioration for pupils as mentioned in the said paragraph (a) and pupils of any other authority as mentioned in the said paragraph (b) as, taken together, amounts to a significant deterioration,

in the provision, or availability of school education in a particular school compared with such provision, or availability in other schools managed by the education authority mentioned in paragraph (a) above or, where paragraph (b) or (c) above applies, any other education authority as mentioned in the said paragraph (b).

(4) Any question which may arise—

(a) whether a proposal is one to which this section applies;

(b) as to the implementation of a proposal to which the Secretary of State has consented under this section shall be determined by the Secretary of State and the education authority shall perform their duties under this Act in accordance with any such determination.".'.—*[Mr. McLeish.]*

Brought up, and read the First time.

Motion made, and Question proposed, That the clause be read a Second time.—*[Mr. McLeish.]*

Madam Speaker: With this, it will be convenient to take Government amendments. Nos 99 to 102.

Mr. Ian Davidson (Glasgow, Govan): We have debated on previous occasions the boundaries and the costs of local government reform. When we look at particular services, it is extremely clear that the reorganisation is boundary-led, rather than service-led. When we look at the education service, we see clearly that the reorganisation will have a considerably adverse affect on the education service.

There will be substantial cuts in education budgets as a result of the reorganisation, which will absorb a substantial amount of money that otherwise would have gone on service provision. Non-statutory services will be placed at risk. Opposition Members argued in Committee that pre-five services and community education should be made statutory provisions to protect them, but the Government refused to accept that.

It is also perfectly clear that many new local authorities will be too small to provide the complete range of education services which the pupils and the adults in the community deserve. They will be forced to have multiple layers of organisation—joint boards, structures for buying-in and combinations of authorities for particular services. It is perfectly clear that many of the existing provisions will be placed at risk as a result of the reorganisation.

One particular ground for concern is the way in which the new local authority boundaries will cut across existing school catchment areas. I recognise that the Government have made a number of concessions as a result of pressure from Opposition Members and from interested bodies in education. They have been prepared to concede that all existing school catchment areas would not be changed by the passing of the legislation itself, but would require subsequent action.

The Government have guaranteed that the existing legal provision for school transport to be provided for distances of two or three miles for youngsters of a relevant age will be maintained, and we welcome that. There will be a substantial deterioration in the existing provision of school transport for the majority of people living in Strathclyde and elsewhere because authorities—Strathclyde in particular—make a provision of school transport beyond the legal minimum. It is highly unlikely that those authorities will be able to do so when their budgets are under the severe pressure that reorganisation will place on them.

The loss of free transport facilities for a substantial number of youngsters will undoubtedly have a consequential impact on school rolls in areas that are affected by the boundaries of local authorities cutting across school catchment areas. We must take into account the position in which those schools and authorities will find themselves.

Without doubt, the new local authorities will find themselves under tremendous financial pressure. There will have to be cuts in education services, and schools will be closed for financial reasons. It is a question then of how many schools and which boundaries are affected.

The Government have conceded that Roman Catholic schools have special protection, as they are able to take cases to which the Church and parents object to the Secretary of State for clarification. It will be for him to identify whether the schools and parents involved are experiencing significant deterioration, compared with other schools run by that authority.

Unfortunately, as the legislation stands, no similar provision is being made for non-denominational schools. The purpose of new clause 4 is to place an equivalent responsibility on the Government to ensure that there is

equity between the sectors and to ensure that non-denominational schools, and particular individual non-denominational schools, are not dealt with adversely by the local authority.

It is particularly important that parents who do not have a say through elected representatives have the opportunity to refer the matter to the Secretary of State. If one authority decides to close a school in its area, the parents of the children who attend that school and who reside in another local authority will have no democratic mechanism by which to express their view. The Government have reasonably bowed to pressure from Labour Members and the Catholic Church on the issue of denominational schools. They have recognised that something has to be done and they have conceded that the matter can be referred to the Secretary of State.

I envisage that a similar position will apply in some circumstances to non-denominational schools that are under severe financial pressure. It is reasonable, therefore, that the Government should also take into account those equivalent circumstances.

I have reservations about asking the House to pass a new clause which will give the Secretary of State more powers because, throughout the passage of the Bill, he has taken unto himself more powers, which he should not necessarily have. But that should not blind us to the fact that there are circumstances in which it is appropriate for matters to be referred to the Secretary of State and this is one of them. As the Church of Scotland and the Roman Catholic Church have both said that they want equivalent treatment of non-denominational and Catholic schools, I hope that the Minister will see fit to accept the new clause.

4 pm

Mr. Dennis Canavan (Falkirk, West): I raised on Second Reading the problem to which my hon. Friend the Member for Glasgow, Govan (Mr. Davidson) referred. It is one of the many problems that arise from this divisive Bill. Many children and many schools will face difficulties because the proposed new local education authority boundaries cut across the boundaries of many school catchment areas throughout Scotland.

As the Minister knows, I instanced the case of St. Modan's high school, which, although not in my constituency, serves the children of many of my constituents from Denny, Dennyloanhead, Dunipace and Banknock. The Minister may recall that I said to him that if the catchment area of a particular school were confined to the local education authority area in which that school was located, the very viability of many schools would be threatened. Certainly, the viability of maintaining the number of children in some upper school courses would be threatened. In some extreme cases, the very existence of schools could be threatened.

In a sense, the situation at St. Modan's high school in Stirling has been exacerbated by the Government's latest amendment. Under the original proposals, St. Modan's would have taken in children from two local education authority areas. Now, if Clackmannan is to be a local education authority in its own right, however, St. Modan's will take in children from three local education authority areas. As the Minister knows, there was initially a storm of protest from the rector of the school, the parent-teacher association and many individual parents. They were joined by parents of children in many other schools throughout Scotland, particularly but, I emphasise, not exclusively, parents who chose to send their children to Catholic schools. Some non-denominational schools were also affected because their catchment areas would straddle the new local education authority boundaries.

The Minister will recall that lobby groups came down to Westminster and that parents, schools, the Scottish Catholic hierarchy and Scottish Catholic Education Commission sent a flood of correspondence to the Scottish Office about the matter. There was a general welcome, and relief, that there was at least some response from the Government in Committee, and the Bill has been amended to meet some of the concerns that were expressed by parents.

However, people are not exactly dancing in the streets about the amendments that were passed in Committee. There is certainly no complacency. We will still have to be vigilant to see how the arrangements work in practice with regard to statutory consultation between authorities, referral to the Secretary of State, the provision of school transport, and so on. There is certainly a general welcome for the Government's response in Committee, but it remains to be seen how the arrangements will work in practice.

The Catholic Church representatives to whom I spoke were not concerned simply about children whose parents choose to send them to Catholic schools. Obviously, they have had discussions on the matter with their counterparts in the Church of Scotland, the Scottish Episcopalian Church and churches of other denominations.

Certainly, the Catholic Church spokespersons who communicated with me were at pains to point out that they were not demanding any special privileges; they simply wanted statutory protection of the rights that they already have. They do not want special privileges to be given to Catholic schools or any other denominational schools in Scotland. They believe that there should be statutory protection for the rights of all children and parents, regardless of the school to which parents choose to send their children in Scotland. New clause 4 seems to be an attempt to extend that protection of rights to parents who choose to send their children to non-denominational schools, as well as to those whose children go to denominational schools.

I should like some specific answers from the Minister to some questions. How many schools are there in Scotland whose catchment areas will straddle the new local education authority boundaries? How many of them are denominational schools? What denominations are they? How many of them are non-denominational? How many are high schools or secondary schools, how many are primary schools and how many are special schools?

I conclude by referring to special education and the needs of children who attend special schools. The school that I mentioned earlier—St. Modan's high school—is unique among Central region secondary schools with regard to this boundary problem. But within Central region, there are cases of children with special educational needs who travel from one part of the region to another. If the Government have their way on the carve-up of the Central region, it may well mean that children with special educational needs will have to be bussed from one local education authority area to another.

What can the Minister tell us about the safeguards with regard to the number of schools in Scotland that will be affected and the number of pupils who will be affected?

[Mr. Dennis Canavan]

What will be the practical implications of those safeguards which, I hope, will be provided in the Bill? I look forward to hearing what the Minister has to say on those matters.

Mr. Tony Worthington (Clydebank and Milngavie): The Bill is yet another example of the Government's failure to think about local authorities and the needs of the people of Scotland. It was introduced for one particular reason, but the people of Scotland must now face its consequences.

Because of the Government's proposals on education, some catchment areas will be irrelevant or a nuisance to the new local authorities, while others will be created. As my hon. Friend the Member for Falkirk, West (Mr. Canavan) said, currently, there are no catchment areas for those receiving special education, but, by heck, there will be in the future. Those children who crop up in penny packets with their own particular special needs will not be catered for by the small local authorities of the future.

The present Strathclyde authority provides Middlefield school for the education of aphasic children. I cannot imagine that the new authorities of Dumbarton or Clydebank will be that concerned about aphasic children, because they may not come across such a child within 10 years. It is essential, however, that someone accepts responsibility for them.

From the Minister's letters to me it is extraordinary to note his touching faith in co-operation and his urge to offer goodness and light to people. Despite that, we have the most conflict-ridden Government I have ever known, who do not believe in any kind co-operation. It will, therefore, be difficult for people to heed the Government's call to co-operate.

The new clause is important because, although the consequences of the new boundaries may cause problems for primary schools, those created for secondary education will be enormous. My hon. Friend the Member for Falkirk, West has already asked how many schools will be affected by the new boundaries.

In my constituency, I can think of two particular problems that will arise. Some time ago, secondary schools in Drumchapel had to shut down because of overcapacity. The loss of those schools was a painful process for the citizens of Drumchapel. Schools in Clydebank were asked to take the Catholic children of Drumchapel. St. Columba's and St. Andrew's schools in my constituency went through careful preparations to ensure that the difficult integration—in community terms—of the Drumchapel children with those of Clydebank went ahead successfully. That integration has worked extremely well.

What will happen in the future as a result of the boundary proposals? Will the children within the boundaries of the City of Glasgow council be told that will be expected to go to a Glasgow school and be taken away from the Clydebank school into which they had been integrated? I am sure that the Minister has not even thought of that. Will a future Glasgow corporation or council look happily on the fact that, although it has space in its schools, it must pay Clydebank or Dumbarton authority for the education of the children in those authorities' schools? I cannot see such an arrangement lasting for long.

The problems that I have described affect just one constituency on the boundary of the Glasgow, but I am sure that they are replicated everywhere. In the Milngavie end of my constituency, Catholic children from St. Joseph's currently go on to John Paul academy in Glasgow. In future, those children will be part of another authority, so will they be expected to go to Kirkintilloch for their education? In future, a cash transaction will take place—all because a Government wanted to gerrymander boundaries. That is all. That is why the disruption will occur.

I have regrets about supporting a further centralisation of power to the Secretary of State. As my hon. Friend the Member for Glasgow, Govan (Mr. Davidson) intimated, I think that all Opposition Members regret that. Nevertheless, there is an anomaly.

The Government have responded to the pressure of the Catholic Church by introducing special measures to provide an extra assurance for Catholic children in Scotland. When the first school closure takes place, that will obviously cause sectarian tension. People will ask why Catholic children in Catholic schools have a built-in extra safeguard when there is no safeguard for non-denominational children.

Therefore, overcoming my squeamishness about further centralisation of power, I support the new clause.

4.15 pm

Mrs. Margaret Ewing (Moray): I shall briefly comment on the amendment, which I and my colleagues obviously support. It is especially appropriate that I follow the hon. Member for Falkirk, West (Mr. Canavan), because he and I both taught at St. Modan's. In that previous existence, he was my boss at one stage. I eventually had responsibility in that school for children with special needs and I taught as a non-Roman Catholic in a Catholic school. I think that we wish to retain in our educational system the type of friendship and organisation that existed there.

I represent a constituency which is far removed from the central belt and the issue of non-denominational schools does not arise to the same extent. In my district, although there are primary schools that represent the Roman Catholic community, there is no Roman Catholic secondary school and the children move on directly to schools that do not have that religious attitude. That works extremely well. However, I recognise the importance that the Roman Catholic Church attaches to the continuation of its schools and of their ethos.

As someone who is trained in looking after the special needs of youngsters, I hope that the Government recognise the anxieties that are expressed by many people who believe that children's special needs should be met in their districts and communities. The problems that are created for the families of such children are exacerbated if they have to move far from their original communities.

Therefore, I hope that the Minister—I believe that he shares our worries—will ensure that the Bill makes it clear that children's special needs will be recognised in all areas of Scotland, thereby preventing the problem of children being sent vast distances to meet their educational needs.

Mr. John McAllion (Dundee, East): As my hon. Friend the Member for Glasgow, Govan (Mr. Davidson) said, it is important to place the problem of the new local government boundaries cutting across the catchment areas of exiting schools against the background of the financial pressures from the Government under which the new single-tier authorities will find themselves—there is no doubt anywhere in Scotland about that.

The Minister in the Scottish Office with responsibility for education and housing sent me a copy of the letter that he sent to Archbishop O'Brien on 4 February, in which he said:

"the existing arrangements for distributing resources between authorities should continue to apply after"
local government

"re-organisation, although the distribution will of course be driven by assessments of need in each area derived by The Scottish Office".

Everyone knows that the Scottish Office assessment of the need for secondary school places in different parts of Scotland is that there is an excess of places in secondary schools throughout Scotland and that it expects the move to single-tier authorities to result in a decrease in secondary school places and, thus, school closures throughout Scotland. That is no secret.

Dundee will be left with 12 secondary schools within the city boundaries, to be supported by a population of just 150,000. The Government obviously expect the new authority in Dundee, whoever happens to control it, to make savings by closing a number of places currently available to kids in Dundee. Of those 12 secondary schools, at one end of the spectrum we have the Harris academy, the Morgan academy and Menzieshill high school, which have a high number of pupils. At the other end of the spectrum, we have schools such as Linlathen and Rockwell, with only 352 and 533 pupils respectively. Pressure will be placed on the new authority to close schools that are sometimes two thirds empty. In those circumstances, the authority will look for any way in which to make savings.

In Committee, the Minister said that funding for individual pupils will follow those pupils wherever they happen to go. If, in addition to the pressure already on the new authority to close schools in Dundee, the authority is then expected to save the money that would have funded pupils attending schools in its area and to fund pupils who cross the boundary to attend schools in a neighbouring area, it may find the position intolerable.

The Minister knows that I am referring to Monifieth academy, one of whose main feeder primary schools will remain in the Dundee area while Monifieth academy will be in the Angus area. Will the new education authority in Dundee council be obliged to allow pupils who currently attend Barnhill primary school in Dundee to cross the boundary into Angus and be educated at Monifieth academy, or could it say that it is not prepared to fund pupils to attend a school in another area? Could it simply redraw the catchment area for the local Grove academy in Dundee and insist that children who have attended Barnhill primary school must attend Grove rather than Monifieth academy? That is a critical consideration.

What obligations will be placed on the council in those circumstances? Could the council simply say, "Kids from Dundee can no longer attend the school in Angus. We are not prepared to fund it. We shall keep all the resources available to us within the Dundee boundaries and insist that Dundee children attend Dundee secondary schools"? If the council does not have the power to do that, in addition to closing its own schools, it will have to fund some of the children to attend schools across the boundary in another authority area. if the council can insist that children stay within Dundee, the future of Monifieth academy will not be good because it will lose a substantial number of its present school population.

I want the Minister to be absolutely clear about the position between the two authorities, Angus and Dundee, and about attendance at the school in Angus by pupils currently living in Dundee, whose catchment areas may be redesignated to focus on schools in the Dundee area.

Mr. Michael Connarty (Falkirk, East): I hope to catch your eye later, Mr. Deputy Speaker, to discuss special education. There is a much larger debate to be had on that subject, given the Government's failure to respond to the concerns of Enable and other organisations that deal with those with special educational needs, which were raised in Committee.

People in central Scotland face considerable problems now that the Government have been silly enough to proceed with the three council solution, with Stirling, Clackmannan and Falkirk as separate districts. Like my hon. Friend the Member for Falkirk, West (Mr. Canavan), I have spoken to the headmasters of St. Modan's school in Stirling, Mr. John Oates, and of St. Mungo's academy in Falkirk, Mr. Hugh Lynch. The academy is in my constituency. The result of the Government's proposal is that 60 per cent. of pupils who now attend St. Modan's will not live within the catchment area of the new local authority, which will be a major problem.

The people of Falkirk district, who are keen to have their own unitary authority to look after their citizens, will be asked to levy taxation locally to maintain the infrastructure of a school in a neighbouring local authority. Given the substantial cost of the reorganisation, they will doubtless be pressed to find the resources to look after the infrastructure of their own schools. Clearly, that will not work, cannot be sustained in the long term and cannot be justified. It is the disease within the Bill, which is driven by boundary considerations and the Government's malice. Eventually, it will weaken the educational provision within St. Modan's, cause cancerous growths in the education system within Falkirk district and kill the educational provision that the people deserve. The Government should have thought of that when they introduced the Bill. They are out to wreck education—maybe unknowingly. As I said in Committee,

"Father, forgive them; for they know not what they do."

In the case of this Minister, that may be true.

Dr. John Reid (Motherwell, North): I am not an expert on the Bill. Indeed, in the best traditions of Parliament, it was brought to my attention by constituents. Ministers and the Conservative party in Scotland grossly underestimate the feeling among ordinary men and women about the provisions in this part of the Bill.

I shall first refer to the main problem—the slicing in half of catchment areas. The two most important educational institutions in Scotland—the secondary schools and the primary schools—were physically, geographically and demographically put in place over a period of 25 years, on the basis of existing catchment areas. They were built and structured to service those catchment areas, which are suddenly being slashed, sliced or cut away. I am glad that the Government made their concession, particularly with regard to Roman Catholic schools, but stopping at half the truth is often like telling a whole lie. Half measures are often worse than nothing at all.

I fear that, by trying to go halfway towards meeting the problem of catchment areas and the concern of parents —particularly because of circumstances among Roman

[Dr. John Reid]

Catholics—the Government have left to simmer a potential cause of resentment among people whose children go to non-denominational schools. There will come a time when, because of a school closure, because a particular school is full or because of a lack of parental choice, people who want their sons and daughters to go to a non-denominational school will be filled with resentment. They will blame the Government and ask the simple question, "Why have safeguards given to one section of the community not been delivered to the rest?"

Concern about the issue was expressed to me in my constituency on a bright Friday night when most reasonable people would have wanted to do something other than attend a meeting in a public hall and listen to their Member of Parliament. On that occasion, more than 400 parents turned up because they were concerned that, after decades, their children would no longer be able to go to Uddingston grammar school. The three feeder schools that have traditionally looked to that grammar school, which is only three miles away, will find themselves, as a result of the Government's proposals, split from it. The children will have to go to another school.

Although that school is only slightly further away, traditionally, those parents would want their children to go to it. When the practical effects of the Bill are felt, the parents of the children going to those three non-denominational schools and wishing to go to Uddingston grammar will demand to know why they do not enjoy the concessions that were given to other parents.

Two brief points arise from that situation. The parents will not only resent the move in the long term but take action now to redirect their children from one feeder primary to another. It is well known that Bellshill academy, which is one of the alternatives to Uddingston grammar, will not be able to cope with the intake from all three primary schools. In other words, the children from one or two of them will be able, even after the introduction of the new catchment areas, to go to the traditional school.

I predict that, over the next year or so, parents will move their children from the primary school that they anticipate will feed Bellshill to one that they anticipate will continue to feed Uddingston grammar. As a result, one of the primary schools will appear on the records as having children disappearing from its roll like snow off a dike. The head teacher will be blameless, and the school will be blameless. I know that it is a marvellous school, but the head teacher and the school's board will find that, because of the insecurity created by the changes and because they are anticipating how to get round them, people will move their children away.

I ask the Minister even at this late stage to do what we have been asking him to do all along—preserve the catchment areas that already exist for all schools and all parents. If he does not, the freedom of choice that he likes to speak about will be theoretical, not practical. He knows that, although a theoretical freedom will obtain, the practical compulsion of a lack of finance for local authorities will mean that they fill first their own schools, not the schools that have traditionally been in their catchment areas, which will be separated from them by the new boundaries.

4.30 pm

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): I am glad to respond to the debate, and especially to the important points about special educational needs. I am glad to confirm that the Secretary of State has the powers to ensure that the necessary duties in this connection are carried out by education authorities. Those duties are set out in section 1 of the Education (Scotland) Act 1980, which requires every education authority to ensure that there is made for its area adequate and efficient provision of school education and further education. That obviously covers all special educational needs.

A failure to fulfil that duty could bring about complaints under section 70 of the 1980 Act: the default provisions. They provide a mechanism by which the Secretary of State can, by order, require an authority to discharge the necessary duty. Accordingly, section 70 provides an opportunity, in extremis, for the Secretary of State to intervene where and when he considers that an authority has failed to discharge the necessary duty under the Act.

Mrs. Ewing: Is the Minister satisfied that records of needs are being dealt with adequately and within the necessary time in the education system?

Lord James Douglas-Hamilton: The hon. Lady asks a relevant question. Each new education authority, under the 1980 Act, will have responsibility for identifying and assessing children who require records of needs and for providing for their special educational needs as identified and recorded. I can confirm that no record of needs will be affected by the reform and the terms and obligations that the Act places on education authorities will continue in full force.

Amendments Nos. 99 to 102 relate to clause 140. As we have said, it is not the intention of the Scottish Office to diminish or change the statutory provisions governing Catholic education in Scotland. The purpose of clause 140, which was introduced in Committee, is to clarify the arrangements under which certain changes proposed by an authority which would affect denominational schools would have to be referred to the Secretary of State for his consent. It was intended to ensure that the interests of all the children affected by a relevant proposal were taken into account.

The hon. Member for Glasgow, Govan (Mr. Davidson) referred to equity. With that thought in mind when reflecting on the terms of clause 140, we came to the view that changes were necessary to the original wording. The intention was to move from a comparison between the denominational and non-denominational schools provided by a given authority to a comparison between the denominational and non-denominational education available for pupils belonging to a given authority's area, regardless of which authority managed the schools.

In layman's language, that means that if a school's catchment area is proposed for a change, it can be compared with all available schools nearby, thus widening the interpretation. I believe that that meets the point made in this regard in Committee.

The hon. Member for Clydebank and Milngavie (Mr. Worthington) asked a question to which I should like to reply next. Where there are proposals for catchment areas, those catchment areas will remain in place unless and until authorities seek to change them. Before that can happen,

certain statutory procedures have to be gone through, including extensive consultation with parents and others. In certain cases, the consent of the Secretary of State for Scotland must be obtained. Incidentally, the 80 per cent. rule means that any school that is more than 80 per cent. full will automatically be referred.

The hon. Member for Dundee, East (Mr.McAllion) asked about the parents' choice provisions. Where a school has room to take the pupils, under the parents' choice legislation, it is obliged to do so. In certain cases, where a school is 15 per cent. full or mostly empty, there may be a case for rationalisation. That will be the same in future as it has been in the past, but full consultation would have to take place.

The hon. Member for Falkirk, West (Mr. Canavan) asked for the numbers of schools. The Department does not at present have details on record of all school catchment areas or similar arrangements with particular secondary schools. Central Government involvement in the maps and schemes of educational provision ended 15 years ago; those are now the responsibility of local authorities. However, where the Department requires details—for example where particular issues are raised with it, or for school inspection purposes—it can establish them with the help of the education authorities.

Mr. Canavan: That is a disgraceful admission by the Minister. He has known of the existence of the problem for six months or more. Enormous pressure has been put on the Government through letter writing, parliamentary representations, lobbies of Parliament and meetings with the Minister and he is telling us now that not only is the solution very conditional, but he does not even know the magnitude of the problem. Only the Government have the responsibility for the problem and the resources to quantify it by contacting all the local education authorities in Scotland. The Minister is now admitting that he has not even bothered do his homework before replying to the House. It is a disgrace.

Lord James Douglas-Hamilton: It is not as simple as the hon. Gentleman suggests. I explained fully in Standing Committee that the reason for it was the non-co-operation of the Convention of Scottish Local Authorities. If the hon. Gentleman wants that information provided more readily, he should encourage local authorities to co-operate with the provision of information. Of course, if necessary, the Scottish Office will do it, but it is better that a job should be done by the local authorities as arranged under the 1980 Act, and that the information should be forthcoming. If the hon. Gentleman has a particular request in relation to a particular school, that matter can be followed up.

Mr. Canavan: Will the Minister give way?

Lord James Douglas Hamilton: No. I have answered the hon. Gentleman.

Mr. Canavan: It is on the same point.

Lord James Douglas Hamilton: I have answered the hon. Gentleman. He may not be satisfied with the answer, but that is the answer.

Mr. Deputy Speaker (Mr. Michael Morris): Order.

Mr. Canavan: If I tabled a parliamentary question, would the Minister reply to it?

Mr. Deputy Speaker: Order. When the Chair requests order, both sides should resume their seats.

Lord James Douglas Hamilton: I shall provide the information within my possession, but I have answered the hon. Gentleman. If I have to give a rough and ready estimate without confirmation, I shall say that I believe that the number will be under 100. Some have suggested that it will be 600, but I do not believe that it will anything like as large as that. That is a rough and ready estimate; if the hon. Gentleman's tables a question I shall give as much information as I have available.

My first concern is that new clause 4 would result in almost any proposed change to a catchment area or almost any proposal by an authority to rationalise or reorganise its position having to be referred to the Secretary of State to assess whether his consent is necessary. Apparently, under the new clause as drafted, anyone at all can trigger that process by making representation. I find it hard to believe that Opposition Members really intend that local authorities should be so constrained. The whole thrust of the Bill is to give authorities greater flexibility, as I have made clear on a number of occasions. Indeed, in certain cases they may have to rationalise.

My second point relates to the fact that Opposition Members may claim that new clause 4 is intended to give some non-denominational schools more protection; but that would be to misunderstand the current position. I repeat that nothing in the Bill introduces new safeguards for denominational education.

Clauses 140 and 141 clarify the existing position. Clause 140 does not introduce a new safeguard. The intention behind it is to make certain that the interests of all the children affected by any relevant proposal will be taken into account in relation to denominational education. Clause 141 removes any doubt about whether an education authority would still have a duty under section 51 of the Education (Scotland) Act 1980. Non-denominational schools will be no worse off as a result of the boundary changes. The safeguards that exist at present will continue to apply—I have already mentioned the 80 per cent. rule.

Thirdly, because the new clause would apply to all schools—both denominational and non-denominational —it would directly cut across existing safeguards for denominational schools. So the impact of new clause 4 would be to limit section 22D only to a proposal to change a denominational school into a non-denominational school. It would remove the right of the denominational body to be consulted about a proposed change in, for example, the catchment area of a denominational school.

The new clause takes no account of the arrangements to be made for the religious instruction of pupils in denominational schools which are currently set out in section 22D. It would require the consent of the Secretary of State, even if the denominational body agreed to the proposal. New clause 4 would be a substantial weakening of the existing safeguards and, for that reason, I cannot support it.

Mr. George Robertson (Hamilton): The Minister brings to the Dispatch Box the old skill that I remember from my trade union official days: if one cannot convince, then confuse. He deploys that tactic with great skill, and has brought it to the debate today. However, he is unique

[Mr. George Robertson]

in that he usually manages to confuse himself. His distance from officials today has meant that there has not been a constant stream of answers to questions.

The Minister said that clause 140 offers no new protection to denominational schools, but the reality is that it widens protection for denominational schools where their catchment areas are affected by the boundaries that have been created through the unnecessary reorganisation. That concession was obtained as a result of a massive public campaign by the churches in Scotland, especially the Roman Catholic Church.

I do not for a minute take away from the Roman Catholic Church's success in bringing its problems to the notice of hon. Members, but it was only one message that the Government received. In making the concession that is enshrined in clause 180, the Government have ignored the fact that all the churches in Scotland—the Roman Catholic Church, the Church of Scotland and the rest—gave the Government a united message about the danger to education as a whole posed by the reorganisation.

The Churches warned us about what would happen. They warned us about the fragmentation of existing local authorities in Scotland, and they were right to do so. They warned that there were implications for the standards of education in Scotland and that funding difficulties would follow, as day follows night, the fragmentation of local authorities that would occur as a result of the reorganisation. They warned us that there would be an inevitable reduction in the breadth and scale of education provision for people in Scotland as a result of creating small and, in many cases, non-viable local authorities. They said that those who would suffer most as a consequence were those who presently rely on the provision of special needs education across Scotland.

New clause 4 has nothing to do with sectarianism or creating difficulties for non-denominational or denominational schools. It is about equity; it is about providing protection for non-denominational schools, which will find their catchment areas sliced up arbitrarily by the reorganisation, in the same way as protection has been found for the denominational schools that brought their case to Parliament.

Rather than being enhanced by the reorganisation, education in Scotland will be endangered. The new clause is one way of drawing that fact to the attention of the Scottish people. Now is not the time to divide the House about the issue or the new clause, but the issue will remain because the concerns about Scottish education are alive and real. They are shared by the churches and the wider Scottish population. Nothing that the Minister says either to convince or to confuse will reassure people who have a genuine and well-justified fear that education is in danger.

Mr. Henry McLeish (Fife, Central): I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 5

JOINT CHILDREN'S PANELS

'123.-In Schedule 3 to the Social Work (Scotland) Act 1968 (Children's Panels), after paragraph 1 there shall be inserted—

"1A-(1) Two or more local authorities may make arrangements to form a joint Children's Panel for their areas.

(2) A joint Children's Panel shall not be formed in pursuance of the arrangements made under sub-paragraph (1) above unless the authorities have obtained the consent in writing of the Secretary of State.

(3) The Secretary of State may give a direction to two or more local authorities requiring them to form a joint Children's Panel; and the local authorities shall comply with any such direction.

(4) The provisions of this Act shall apply, subject to any necessary modification, to a joint Children's Panel as they apply to a Children's Panel formed under paragraph 1 of this Schedule.".'.—*[Mr. McLeish.]*

Brought up, and read the First time.

Mr. Sam Galbraith (Strathkelvin and Bearsden) *rose—*

Mrs. Maria Fyfe (Glasgow, Maryhill) *rose—*

Mr. John Home Robertson (East Lothian): She is in charge.

Mr. Deputy Speaker: Order. I do not think that that was a very helpful remark from the hon. Gentleman.

4.45 pm

Mrs. Fyfe: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this we may discuss the following: New clause 6—*Reporters' Service*—

'.—(1) Subject to the provisions of this section the functions of existing local authorities immediately before 1st April 1996 to provide suitable accommodation and facilities for children's hearings under section 34 of the Social Work (Scotland) Act 1968 and to appoint a reporter under section 36 of the said Act shall be carried out on and after that date by the councils established in terms of Part 1 of this Act.

(2) If it appears to the Secretary of State that the functions referred to in subsection (1) of this section of two or more authorities should be discharged jointly by those authorities, he may by order establish a joint board in accordance with this section.

(3) The provisions of subsections (2) and (3) of section 62A of the 1973 Act shall apply to a joint board established under this section as they apply to a joint board established under this section with the substitution of a reference to subsection (2) of this section for the reference to subsection (1) of that section.

(4) Notwithstanding the provisions of the preceding subsection, the membership of the joint boards established under this section shall consist wholly of councillors elected to the authorities established under Part 1 of this Act within the areas of the joint boards.'.

New clause 7—*Children's Panel Training*—

'124.-In Schedule 3 to the Social Work (Scotland) Act 1968 (Children's Panels), in paragraph 7, after "Each local authority", for "may" there shall be substituted "shall"; and after "panel members" there shall be inserted "in accordance with such requirements as the Secretary of State may by order establish.".'.

New clause 8—*Reporter's Service Charter*—

'122.-In section 36 of the Social Work (Scotland) Act 1968 (the Reporter), after subsection (3) there shall be inserted—

"(4) Each Reporter will produce a Charter relating to such issues as the Secretary of State may by order define, including statements of the standards of service and hearings accommodation which are to be provided, and implementing an effective complaints procedure to ensure these standards are met.".'

Government amendments Nos. 131 to 134 and 153.

Mrs. Fyfe: In supporting new clause 5, I begin by saying that in part III we have yet another example of the Government heeding no one and listening to nobody. The Government's proposals are opposed by the regional children's panels and the children's panel advisory group —there cannot be more authoritative bodies than those. They have pointed out that the proposals will lead to a loss

of accountability, the use of non-local reporters, and the consequent loss of local knowledge which has been rightly valued ever since the Social Work (Scotland) Act came into force in 1968.

Families will have to travel to more remote centres for hearings. Reporters will have less influence over resources than they have had previously, yet if the same standards are to be maintained the service will inevitably cost more. In *The Herald* of today Mr. Alan Finlayson, no less, asked two key questions: how do we ensure that reporters remain attached to local communities; and how will reporters continue to play an effective role with regard to the allocation of resources? Those questions remain unanswered.

Yesterday, the Secretary of State denied that this is a centralising Government and said that plans for water were an exception to the general principle. But here we have another piece of centralisation in the same Bill. He must have forgotten about it—although that is rather strange because it is part III of his own Bill, not some minor detail hidden in a sub-paragraph.

Let us remember the alleged reasons behind part III of the Bill. This reminds me of one of the lighter moments that I witnessed when I sat in on the deliberations of the Standing Committee. The Minister said that it was all to do with consistency of professional practice and the promotion of staff training and development. He said that the principal reporter would provide a clear focus of leadership and management. But the Minister did not even know what qualifications would be required of the first person to be appointed to that post by the Secretary of State.

One might think that, if these were the Government's intentions, they had plenty of time to consider how to implement them. The Bill was presented to Parliament last year. Under pressure from my hon. Friends and after a lot of paper passing, the Minister finally revealed that the principal reporter's qualifications would include

"a knowledge of child-care law and child development"

and specific details would be worked out after consultation. The first point is hardly a startling revelation and the second betrays how little thought has gone into a major part of this Bill.

It is clear that the only reason for breaking up the reporter system and the fragmentation of the children's panels is that the current well-tried, highly regarded arrangements have to be broken up as a consequence of the Local Government Bill becoming an Act. If the Government were not fixated on breaking up local authorities, there would be no such plans.

It is worth reminding the House that in the summer of 1993, the Government published a White Paper, "Scotland's Children", and stated that they regarded its implementation as a priority. In the autumn of 1993, not a word about it was uttered in the Queen's Speech—not a word about a Bill that we all want. Instead, we received a forewarning of this completely unwanted legislation, which has soaked up 40 sittings in Committee and hours and hours more in the Chamber and in the other place. Meanwhile, the needs of children in Scotland continue to be neglected.

The Government put their need to gerrymander local government before the needs of children in trouble. That calculated act of neglect will be neither forgiven nor forgotten. With only six months until the next Queen's Speech, the possibility of a comprehensive Bill introducing for Scotland legislation such as that which England and Wales have enjoyed for five years will be included. There can be no excuse for further delay—otherwise the Government's mention of priority loses all meaning. We demand no further delay in presenting a children's Bill for Scotland. Let us get that long-awaited legislation on the statute book.

If the Government say that they mean to introduce such a Bill this autumn, why press ahead with part III of this Bill, which cannot come into force until 1996—long after we could be finished with a children's Bill that could speed through the House? Much of its likely content is not in dispute between parties, and we agree on much in the White Paper.

I remind the House why legislation for children is needed. If this mother of Parliaments were a real mother, the neighbours would all be talking about her. Parliament consistently neglects the needs of children. There have been a number of major inquiries resulting in massive tomes of crucial recommendations, Law Commission reports, and recommendations from the United Nations and European Union—but Parliament always finds more important things to talk about.

Ministers display a lack of interest in our nation's children, which makes me wonder whether they realise that children are part of the human race. In Scotland alone in 1992, 40 children lost their lives in road accidents, 857 suffered serious accidents, and there were more than 4,000 casualties. What a carnage. What a sad and sickening waste of young lives. When the Minister, the hon. Member for Eastwood (Mr. Stewart), was asked the total cost to the NHS and ambulance services that year of accidents involving children, he replied that such information was not available.

That is not the only thing that the Minister does not know. What percentage of children with severe disabilities have access to respite care? He does not know. What is the Minister's estimate of the number of children in Scotland who go hungry every day? He does not have one. What is his estimate of the number of 17 to 20-year-old offenders who were in care before the age of 16? What is his estimate of the number of children with mental health problems? How many children are the principal carers of sick or disabled parents or close relatives? To all those questions, the hon. Member for Eastwood replied, "This information is not held centrally."

The Minister can tell us how many girls in Scotland are named Mary and how many boys are named Jack. Is not it time that the Minister stopped wasting the time of civil servants discovering the most popular boys' and girls' names, if civil servants cannot devote some of their time to researching the scale of sheer misery that is needlessly endured by too many of our nation's children?

In Inverness, the Prime Minister said:

"We must focus attention once more on the essential concerns of the people we represent."

This Parliament could do nothing more essential than focus on the needs of our young. We will not vote on the new clause because it is our firm belief that the Government themselves must deal with matters with proper seriousness, in a comprehensive Bill presented without delay. Part III of the Bill should be withdrawn.

Full discussion about the reporter service and children's panels should take place where it belongs—in debate on a

[Mrs. Fyfe]

comprehensive children's Bill for children in difficulties, not on a Bill that was created by and for a Government in difficulties.

Mr. Galbraith: I apologise, Mr. Deputy Speaker, for any confusion that I may have caused at the start of the debate.

I support the views of my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) in respect of the new clause and children's panels. It is inappropriate to have introduced that provision while we still await a proper children's Bill. Only in the context of such a Bill can we consider the future and structure of children's panels.

In Committee, the Minister made great play of the reasons for centralising children's panels, in respect of general and national standards and training. The Secretary of State gave the real reason away in the White Paper, "Scotland's Children". Paragraph 6.13 states:

"Reporters. The plans for local government reorganisation will create an increased number of local authorities. If the reporter service remained a local authority service, this would lead to a significant increase in the number of reporter's departments, including the number of small departments."

That is the reason for creating a central reporter. The Government are damned by their own Bill.

Any reasonable person might say that as local government reorganisation will upset children's panels, there should be no reorganisation. Instead, the Government are going ahead with reorganising children's panels on the basis not of what is good for the care of children but of what is good for the Conservative party. That is at the heart of the problem. It will do the children of this country no good to suffer a deterioration in services to them for the benefit of Government gerrymandering.

I argue for the retention of children's services at local level not just because I am generally opposed to centralisation but because existing children's legislation has a severe legal deficit. Large parts of it infringe justice, not only for children and parents but others. That deficit can partly be redressed because the existing system of local representatives and regional councils are under the direct authority of those involved and are answerable to local people. Once the service in centralised, it will be more difficult to redress the legal and justice deficit.

The Government acknowledge that problem. Paragraph 5.11 of the White Paper deals with child protection orders and paragraph 5.16 states that

"justice is the right of children and parents to appeal in a court with legal representation . . . Justice is reinforced by the European Convention of Human Rights, which emphasises rights through legal process. It is clearly necessary to ensure that any changes in legislation would satisfy the standards of both Conventions."

The Government recognise that justice deficit in respect of not only children but their parents. I remind the Minister that others are involved. Grandparents are one example. They have no legal redress once accusations are made against them.

Children's cases are difficult. The burden of proof is not beyond reasonable doubt, for the sheriff. As the law stands, the child's welfare is paramount—but we must not allow that to blackmail us into removing justice. Although the current system does not redress the imbalance of justice, it goes some way to allowing people to speak up on behalf of others.

Decisions of fact are made by the sheriff. In that case, parents have a right of appeal, but others who are the subject of allegations have no rights. The case may go to the reporter. He can make exclusion and other orders against individuals against whom allegations have been made, but those individuals have no rights to present their case to the children's panel. In other words, accusations and allegations can be made, and there is no redress whatever under any part of the legislation. That cannot be an acceptable position within our current legal constraints, and it definitely is an infringement of the European convention on human rights. The Government are aware of that, but until they address it and introduce legislation to deal with it, the only means through which those involved have any source of redress is by the children's panels being local, with their local representatives being able to get involved and to speak to the children's panel and the social work department. Let us get some equity in the Bill.

5 pm

There are suggestions in the White Paper on how that might be dealt with, in the section that deals with the exclusion of abusers. The orders will have to be made by a sheriff, not just the children's panel. If that is the case, I hope that those involved, if they are not parents, could have some access at that stage. It is premature of the Government to go ahead at this stage and form a national system with a chief reporter—a system that will withdraw the last vestiges of justice for many. The children have rights of justice, as does everyone else involved. Until the Government address that, and given the relationship of the Bill to the White Paper, they should withdraw their amendments and plans to introduce a centralised children's reporter system.

Mr. Dalyell: May I, through you, Mr. Deputy Speaker, say a word quite legitimately to those of our colleagues who did not have the privilege of serving on the Committee, and improperly to the Members of the House of Lords who will have to take up the questions that we ask? We really did try in an honest way to elicit answers to urgent questions, which were asked long before the Bill went to Committee, from the Association of Directors of Social Work, and many experts in the field, of all parties and none. A really serious attempt was made to do that. I have to say that, having been around here for a very long time, I have never served on a Committee considering a Bill where there have been so few answers. Having combed through what was done in Committee, I should like to put, as is my wont—my colleagues know it only too well and will soon be relieved—

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): How many?

Mr. Dalyell: Eleven this time. Eleven unanswered questions. First, why are the Government making these ad hoc changes and not implementing the Finlayson report? The Finlayson committee worked absolutely seriously on the issue. No attempt has been made to implement its report. I try again. Why not?

Secondly, what specific evidence can the Government produce to justify the reporters' service becoming non-accountable at a local level? The truth is that it is becoming unaccountable.

Thirdly, why are the Government ignoring the advice of the regional councils, children's panels and the directors of social work and proceeding to establish a centralised reporters' service? My hon. Friend the Member for

Dundee, East (Mr. McAllion) and others tried hard in this area to get some rational reply. We failed. No kind of answer was given to that.

Fourthly, how much autonomy will "local" reporters have in giving time to "corporate" local government child care matters?

Fifthly, who will determine how much time a "local" reporter gives to a local area? That is left entirely in the air. It is a very practical issue.

Sixthly, who will determine the length of time that a reporter remains in a particular area, and on what basis will that be decided?

Seventhly, in what areas of policy, practice, resources and finance will local reporters be prescribed by instructions from the principal reporter? That has not been replied to.

Eighthly, how will the Government ensure, in the new system, that sufficient panel numbers are recruited for each area? Will that happen by alchemy, by magic? How will proper training be provided for all panel members? How will there be consistency across all panel areas? That has not been answered at all.

Ninthly, what is the role and position of the children's panel advisory committee in the present system?

Tenthly, why is there no provision in the Bill to enable the creation of a joint panel to cover a number of local authority areas?

Eleventhly, how do the Government intend to secure the public accountability of a national reporters' service? If such accountability is to be through the Scottish children's reporter administration, how is the independence of the principal reporter in operational matters to be maintained? If it is not, to whom will the administration be accountable?

If we do not get answers this afternoon, I hope that the other place will take up those questions, and many others, in detail about this wretched, pernicious and, indeed, wicked Bill.

Mr. Robert Hughes (Aberdeen, North): I do not intend to speak for long, as my voice is a bit croaky, as hon. Members can hear.

I did not have the privilege of serving on the Standing Committee like my hon. Friend the Member for Linlithgow (Mr. Dalyell), but I had the immense privilege, when a councillor, to be around when the children's panels were first set up. Indeed, I was one of the first members of the Children's Panel Advisory Committee and we set up the training and selection procedures for people who were to work on the children's panels. There may have been criticism from time to time about particular areas, but by and large that system has been accepted as one of the best systems of justice for children that there has been in Scotland for many years. The system has been looked at by people from all over the world, and looked at to learn lessons from. It is strange that we should alter a system without any clear guidelines and without any real reasons.

I have been approached in the city of Aberdeen by councillors, of all political parties, who normally would not cross the road to speak to me, but they have come to see me in my surgery. They have written to me to say that they are utterly appalled at the effects of the establishment of a centralised reporting system. They just do not know what will replace it, or how the individual local input will be brought about.

One of the tragedies of the Bill is that, having decided to break up the regional council system—let us leave aside the party argument about whether we were all in favour of unitary authorities; for or against the regions, and the rest—the Government had not thought of the consequences on all the different areas of policy. Then they woke up afterwards and said, "We are breaking up the system, which had been working very well. We will have to find some way of replacing it. We shall have a centralised reporting system." It makes my blood run cold when I hear Ministers at the Dispatch Box say that it will all be done in the name of efficiency; that there will be savings; that it will be done better; and that there will be greater productivity.

In the children's panel system, we cannot put productivity, or so-called "efficiency", before the needs of children and, as my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith) said, before the needs of parents and grandparents. Therefore, there may be some local authority areas—it is not our fault—which cannot sustain a full reporting service on their own. If one breaks things up, one ends up with fragments of a jigsaw that are not the right size and perhaps have to be shaped and fitted to suit, but these new clauses would allow local control, local accountability and local service. I ask the Government not to be blinkered by previous decisions, to look at the practical realities of what we need and accept the new clauses.

Lord James Douglas-Hamilton: First, let me tell the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) that we recognise the strong case for legislation on the care of children. Many of the points that he raised would be relevant to a Bill on that subject and we shall consider introducing legislation when time is available.

We think it extremely important for high standards and continuity to be followed in the reporter service. One reason why we wanted to proceed on this basis was the lack of viability of some authorities under the 32-authority structure that had been proposed. The Finlayson report highlighted the great limitations on the resources of small departments, and on their ability to keep up to date with wider information on the progress of child care cases.

I was asked about closer working relationships. It will be for the principal reporter to determine the location and disposition of staff, starting from their present location and assessing local demands and conditions. The reporter staff will be based locally, but in some cases they will operate between several local authority areas. The principal reporter will regard as a major priority the maintenance of links with children's panels and with local authorities, to progress the best interests of children.

The hon. Member for Glasgow, Maryhill (Mrs. Fyfe) asked me about qualifications. The principal reporter will have a degree or equivalent qualifications in relevant subjects; he will have knowledge of child care law and child development in general and he will have knowledge and experience of deciding on referrals of children who may need compulsory care measures.

Amendments Nos. 131 and 132 are technical. They are designed to clarify the scope of the Secretary of State's power under section 36 of the Social Work (Scotland) Act 1968 to make rules in relation to the duties of reporters. The amendments will ensure that that power will cover all the functions of the principal reporter—that is, his powers

[Lord James Douglas-Hamilton]

as well as his duties. They also clarify the functions of the principal reporter as those to be conferred on him by the 1968 Act and the Criminal Procedure (Scotland) Act 1975.

Let me deal next with amendments Nos. 133, 134 and 153. A little later, I shall discuss our reaction to new clause 7, which is similar, but in the meantime the House may wish to note the details of the amendments. They seek to place an inescapable duty on local authorities, in place of the existing discretion under the 1968 Act, to make such arrangements as they consider appropriate to enable the Children's Panel Advisory Committee to obtain names of possible panel members for submission to the Secretary of State, and also to train panel members—or possible panel members. A consequential amendment is made to the title of the Bill. The amendments will ensure that local authorities make appropriate arrangements following restructure.

From the time of the introduction of the hearings system in 1971 until the introduction of regional authorities, the previous smaller authorities are not recorded as having had any major difficulty in recruiting panel members. I suspect that new clause 5 was tabled primarily as a result of the concern expressed by some that currently in certain areas in the larger regional authorities it is difficult to recruit new members. The new authorities in those areas will be unable to maintain the required number of members.

It is important to remember that the new unitary authorities will restore local identity in many ways and will have a sharper focus on panel membership, which should help to overcome any perceived problems.

I ask the House to resist the new clause. We are, of course, investing in appropriate recruitment programmes for panels in the new areas.

Mr. Dalyell: What exactly does the Minister mean by smaller authorities having a "sharper focus"? How is it possible to have a "sharper focus" on such matters?

Lord James Douglas-Hamilton: I mean that we expect local authorities in future, because of their size and disposition, to be more responsive to local circumstances. As I just said, we shall be investing considerably in appropriate recruitment programmes for panels in the new areas and we believe that that will be of assistance.

New clause 6 is directly opposed to the changes envisaged in the Bill. It would continue the reporter service within local authorities, but with one change—provision for authorities to create joint boards to administer the reporter service. That is a step towards overcoming the acknowledged limitations of small reporters' departments based on local councils, but we regard it as not nearly sufficient to ensure what we consider to be the necessary high standards of efficiency and effectiveness in the reporter service, which children and their families have a right to expect. In our view, those standards can best be obtained centrally through the new administration and the principal reporter. I ask the House to reject the new clause.

That brings me to new clause 7. Local authorities play a vital part in supporting children's panel advisory committees in their task of recruiting local panel members; they also play a crucial role in arranging training for panels, complementing the strong support that my right hon. Friend the Secretary of State gives to panel member training. I have no difficulty in accepting the thinking behind the first part of the new clause, which replaces the existing discretion of a local authority with a duty to make arrangements that it thinks appropriate for the support of the CPAC and the training of panel members; that intention is met by Government amendment No. 134.

5.15 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): Will the proposals include the establishment of a national advisory committee in connection with the role played by the chief reporter? Can the decisions of a chief reporter be appealed against and, if so, to whom should people appeal? The Secretary of State?

Lord James Douglas-Hamilton: I know of no such proposals, but I will make inquiries and inform the hon. Gentleman of the outcome.

Overall, new clause 7 strikes us as too restrictive and ultimately inconsistent in qualifying the local authority's discretion by empowering the Secretary of State to lay down by a formal order requirements for the authority to observe in exercising its discretion. We therefore cannot accept the latter part of the amendment. As I have said, if there is any default in duty the Secretary of State can take action under the necessary provisions laid down in the Local Government (Scotland) Act 1973.

New clause 8 seeks to insert a new provision to require each reporter to produce a charter relating to such issues as the Secretary of State may define, including standards of service, the accommodation of hearings and a complaints procedure. The new clause is cast on the assumption that reporters will continue to be appointed by local authorities and is opposed to the provision for a new reporter administration in part III. For that reason alone, I must reject the new clause and I ask the House to resist it.

Mr. McLeish: I think that it is the common view of the Opposition that that was a disgraceful speech on a very serious issue. As my hon. Friend the Member for Linlithgow (Mr. Dalyell) pointed out, we need a children's Bill: it is ridiculous beyond extreme that we should be faced with the nonsense in this Bill without such legislation.

The Minister may differ from the official line that he has given us, but in a Scottish Office context this is a humiliation for those who care deeply about the service. It is a kick in the teeth for those who pioneered the Social Work (Scotland) Act 1968, developing it into a unique system to deal with children. Now the Government are not only walking away from their responsibilities, but destroying the spirit and fabric of what some people took decades to build up.

Out of the mouths of babes and Ministers! We do hear some fascinating comments. We now know that the new councils lack viability. We have small departments, and of course we are concerned about child care. We are discussing some of the most sensitive issues in social policy—the future and sensitive care of children. The Minister has accepted that there are concerns about child care; how on earth can he then set up a council the size of Clackmannan, covering 47,000 people? What are the Government up to? It beggars belief. I should like to be charitable and say that they are confused, but I cannot be charitable—[HON. MEMBERS: "They are malicious."] Yes, malicious is the word, because there is a deep intention to undermine the fabric of an excellent service. Instead of

introducing the Bill and the investment that are needed, the utter nonsense that we have heard is paraded as a reply to serious questions and to the serious initiatives in the new clauses.

I warn the Minister that we shall continue to return to the issue. It is important that eventually some organisation and some groups in the House start to take the future of Scottish children seriously. Even if the Government will not do that, Scottish children can rest assured that in the hands of a Labour Government they will have the investment and the concern that they deserve. I do not intend to divide the House on the matter, but I ask the Government to believe our warning. They are an absolute disgrace and everything that they have said on the subject serves only to reinforce our deep suspicion that, for them, everything is market oriented, and that the needs of children in Scotland are going by default.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 9

JOINT PASSENGER TRANSPORT AUTHORITIES

'.—(1) The Secretary of State may, on an application in that regard by two or more local authorities, by order establish a passenger transport authority for the purposes of Part II of the Transport Act 1968 for such part of their areas as he considers appropriate.

(2) The provisions of sections 40 and 41 of, and Schedule 5 to, this Act shall apply with such modifications as the Secretary of State thinks fit to a passenger transport authority established under this section as they apply to the Authority established by the said section 40.

(3) The Secretary of State shall not unreasonably refuse any application made under subsection (1) above.

(4) Any passenger transport authority established under this section shall have the same powers as a local authority under section 138 of the Transport Act 1968 (travel concessions).'.—*[Mr. McLeish.]*

Brought up, and read the First time.

Mr. McLeish: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, we may take the following: New clause 12—*Regional concessionary travel schemes*—

'.—(1) The groups of local authorities listed in subsection (3) below shall establish joint boards for the purpose of operating travel concession schemes under Section 93 of the Transport Act 1985.

(2) The costs of concessionary travel schemes operated under this section shall be distributed between the member authorities of each joint board proportionately on the basis of population.

(3) The groups of authorities to establish joint boards under this section are:—

(a) City of Edinburgh Council, East and Midlothian Council, and West Lothian Council;

(b) City of Dundee Council; Angus Council and Perthshire and Kinross Council;

(c) City of Aberdeen Council; Aberdeenshire Council; and Moray Council; and

(d) Stirling Council and Clackmannan and Falkirk Council.'.

Amendment No. 167, in clause 40, page 38, line 29, at end insert—

'(1A) The passenger transport area of the Authority shall consist of the local government areas of Argyll and Bute, City of Glasgow, Dumbarton and Clydebank, East Dunbartonshire, Inverclyde, East Renfrewshire, East Ayrshire, North Ayrshire, South Ayrshire, North Lanarkshire, South Lanarkshire and Renfrewshire.'.

Amendment No. 168, in page 38, leave out line 37.

Government amendments Nos. 183, 286, 298, 299, 228, 212, 232 and 192.

Mr. Canavan: I shall begin by reading a joint statement made at a meeting held in Edinburgh on 11 April between representatives of Central, Grampian, Lothian and Tayside regional councils:

"We believe that there is a danger that the reorganisation of Scottish local government will jeopardise the existing concessionary travel schemes.

We are extremely concerned about the effect that this could have on older people and people with disabilities who rely on these schemes.

We call on the Government to act to ensure that statutory provision is made to safeguard the present concessionary travel arrangements following the proposed reorganisation of local government."

Representatives of voluntary organisations that care for elderly and disabled people—the main beneficiaries of concessionary travel schemes—were also present at the meeting.

New clauses 9 and 12 would help to implement the demands of that joint statement, by introducing a statutory provision to assist with the continuation of the existing concessionary travel schemes.

I am sure that when the Minister replies he will refer us to section 93 of the Transport Act 1985, which is about travel concession schemes. That section says, inter alia:

"Any local authority, or any two or more local authorities acting jointly, may establish a travel concession scheme".

The important word is "may". The 1985 Act says not "shall" but "may". However, subsection (1) of new clause 12 says:

"The groups of local authorities listed in subsection (3) below shall establish joint boards".

The word there is "shall". In other words, a permissive power is given to local authorities under the Transport Act 1985, but new clause 12, tabled by my hon. Friends, is much stronger and would place a statutory duty on local authorities to act jointly in setting up joint boards to continue the travel concession schemes operating under section 93 of the 1985 Act.

It is significant that the four groups of authorities listed in the new clause make up exactly the areas of the four regional councils that sent representatives to the meeting on 11 April. The authorities in the first group cover the area of Lothian regional council, those in the second group cover Tayside, and those in the third group cover Grampian. The fourth group covers the area of what is now Central regional council.

I shall deal in detail with Central region. As the House knows, if the Government have their way that region will be split into three parts—Clackmannan, Falkirk and Stirling. I have a letter here from Councillor John Connolly, the convenor of technical services for the regional council, and on behalf of his council he reiterates the fears expressed at the meeting in Edinburgh.

The main worry is that not all three proposed successor authorities to Central regional council may have the financial resources or, indeed, the political ability or will to maintain the full range of benefits that Central regional council now provides.

There are already variations throughout Scotland between the exact details of the concessionary fares schemes operated by one regional council area and another. It is claimed that some are more generous than others. Central regional council has a scheme which appears to me

[Mr. Canavan]

generous and fair, and I doubt whether the successor councils will have sufficient resources or will cover the breadth of area required, to operate such a scheme.

Cross-boundary travel is already possible. In Central region, for example, it is possible to benefit from the concessionary fares scheme not only when making journeys within the region but when making journeys from within the region to places as far away as Glasgow, Edinburgh, Fort William and Oban. But under the Government's proposals, even a comparatively short journey between, say, Stirling and Falkirk would be a cross-boundary journey. To get from Falkirk to Alloa or vice versa one would have to travel through Kincardine, and, therefore, through the area of Fife council. That could present all sorts of problems of co-operation between the different authorities.

As we have already said with reference to school catchment areas, it is not enough to rely on the good will of the successor authorities. We want statutory obligations to be written in. That is where new clauses 9 and 12 would help.

The present Central regional council scheme covers rail travel, too. The authority has been able to negotiate a successful discount scheme with ScotRail, mainly because it is a comparatively large authority with the resources to negotiate such a scheme. If smaller authorities had to take the initiative, get together and thrash out their own priorities and then go to the trouble of getting together with a view to entering into a joint scheme with ScotRail, they might decide not to bother. That is why it is important that there should be a statutory obligation, as proposed in the new clause.

Another difficulty is that transport operators will have many more travel passes with which to contend. There may already be slight difficulties when pensioners and disabled people travel from one region to another. Perhaps some of the Strathclyde bus operators are not too familiar with the sort of pass issued in Central region, but that is a small problem compared with the enormous ones the operators will face when dealing with all the different bus passes from the much larger number of council areas. That will lead to a rise in administrative costs for bus operators and, possibly, for councils.

5.30 pm

I want to refer to the very positive achievements of Central regional council since it was created in 1975. Previously, there were various smaller authorities that either entirely or partly formed Central region. Two of the previous authorities had no concessionary travel schemes and not one authority included rail travel in whatever schemes were operated.

Central regional council successfully introduced rail travel concessions and was the first local authority outside London to set up a taxi concessionary scheme. As a result of the council's policy, there has been a 46 per cent. increase in the number of people using travel passes—from 28,000 in 1975 to 41,000 now. That is a significant achievement.

I hope that the Minister will pay tribute to the positive achievements of Central regional council and that he will respond positively to our demands for a statutory obligation to be placed on the proposed new councils, if he is determined to go ahead with them, to set up joint schemes to continue concessionary travel and, under new clause 9(2), for the Secretary of State to ensure the setting up of joint passenger transport authorities.

Mr. Home Robertson: I am grateful to my hon. Friend the Member for Falkirk, West (Mr. Canavan) for what he said about the meeting in Edinburgh on 11 April, which I helped to organise, between Lothian regional council and the other east coast regional councils, with the aim of highlighting the likely impact of the Bill on the concessionary travel schemes in Scotland's east coast regions.

As I was responsible for drafting new clauses 9 and 12, I had better speak to them. New clause 9 would enable groups of Scottish local authorities to establish passenger transport authorities to serve their areas. It gives the House and the Government an opportunity to consider the important issues that we raised in Committee on 17 March and, I hope, to reach a positive conclusion.

If the Government are genuinely interested in letting elected local authorities take the lead in local decision making, they should accept the new clause. If they do not, people will draw the conclusion that the Scottish Office is determined to keep control of local transport initiatives in Whitehall and out of the hands of elected Scottish local authorities.

New clause 12 provides for the protection of concessionary travel schemes for pensioners and disabled people in the regions of Lothian, Grampian, Tayside and Central. They are valuable, vital schemes which could be destroyed by the Government's decision to dismantle those four east coast regions.

I have very strong feelings about transport. First, I represent a semi-rural constituency where people need good public transport to get to and from work and for access to shops, doctors, friends and most other things in life. Secondly, I am sponsored by the Transport Salaried Staffs Association, which represents the interests of staff in the transport industry.

The Bill is full of discrepancies and contradictions. We dealt with boundaries yesterday and we now have 29 supposedly all-purpose authorities on the Scottish mainland, ranging from the City of Glasgow with 620,000 people to the district of Clackmannan with 48,000 people, all with identical sets of comprehensive functions. To put it mildly, the picture is confusing.

Clause 40 relates to transport, but appears to be rather discriminatory. It re-invents Strathclyde region for the purpose of transport arrangements. I welcome that, but it is somewhat odd in a Bill which the Prime Minister, no less, said was intended to destroy the so-called monstrosity of Strathclyde. The clause makes statutory provision for continuing co-operation between the new authorities on Strathclyde that are in the Strathclyde passenger transport authority, with its commuter rail and bus services, investment programme, region-wide concessionary travel scheme and everything else. However, there is absolutely no provision for such co-ordination of services in other parts of Scotland.

I am delighted that the Strathclyde PTA is being retained, but we are entitled to demand equal opportunities and rights for people in other parts of Scotland. That is our key point this evening. Strathclyde PTA has valuable opportunities, rights and finances. Since it was established in 1975, it has opened 42 new railway stations, its subsidies have halved rail fares for people in the region, it provides

3,400 park-and-ride spaces at stations in the region and, as a passenger transport executive, it has access to substantial funding for the development of passenger transport services under section 56 of the 1968 Transport Act. It can buy its own trains, in co-operation with ScotRail, to run on local lines. It also helps to develop bus services.

All those measures have contributed to an increase in the use of public transport in Strathclyde—there is a similar story in a number of other regions in Scotland—while in other parts of the country the use of public transport has contracted since deregulation in 1986.

New clause 12 would enable authorities outside Strathclyde to get together to establish PTAs that could take advantage of the same opportunities. It would not force them to do so—as the Government are quite rightly doing with Strathclyde—but it would make it possible for them to do so if they wished. For example, the conurbation around Edinburgh is the largest in the United Kingdom that does not have a passenger transport executive.

There are significant traffic and transport problems in the Lothian area, including congestion on the Forth road bridge. The Government, for reasons that are not entirely clear—but we have our suspicions—are encouraging private developers to construct a second road bridge, with all the extra roads, traffic and environmental disruption that that would generate. Instead, the Lothian and Fife passenger transport authority might well be able to develop rail services and take other initiatives that would avoid the need for a second road bridge.

New clause 9 would leave the door open for PTAs in other parts of Scotland besides Strathclyde. It would not commit the Government to anything and I urge the Minister to consider it positively. New clause 12 deals with concessionary travel, pensioners and disabled people.

Again, we must charge the Government with outrageous discrimination against people in certain parts of Scotland. Happily, Fife, Highland, Borders and Dumfries and Galloway will be able to maintain their regional schemes because their boundaries remain intact. Strathclyde is okay, because the Government provided for the Strathclyde passenger transport executive to carry on its excellent work.

We must thank my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) for an amendment in Committee, following representations from the Strathclyde Elderly Forum, to provide specifically that Strathclyde PTE is required to operate a travel concession scheme across the region. There is an excellent scheme just now, with a flat-rate fare of 25p per journey and we hope that that can be continued.

The elderly and disabled in my constituency and throughout Lothian, Grampian, Tayside and Central regions are being left in the lurch by the legislation. Those four regions are to be broken up into small authorities, and the main cities and towns will be separated from their landward areas. There is considerable doubt about whether it will be possible to establish new concessionary schemes to let pensioners and disabled people travel across those new boundaries to and from cities at reduced fares.

I want to concentrate on the area that I know best—Lothian region, and my constituency of East Lothian. Lothian regional council has issued 135,000 concessionary travel passes to pensioners and disabled people throughout the region. Those people can make any journey by bus or train right across the region for a maximum fare of 30p, whether it is a short hop within the city of Edinburgh or a long haul from one of the small outlying villages in East Lothian into the city.

The scheme is extremely popular and successful, and 33 million trips in total are made each year by card holders. The scheme is greatly appreciated, as I have been told again and again by organisations such as Age Concern Scotland, the Scottish Old Age Pensioners Association and Disability Scotland, and by hundreds of people in my constituency.

The legislation is putting those vital travel concessions in the east coast regions in jeopardy for two reasons; the first is administrative and the second is financial. The administrative problem, as my hon. Friend the Member for Falkirk, West said, is genuine and it has been put to me by bus operators.

Lothian is to have four new authorities. If each of those authorities ends up with a distinct concession scheme which has separate cards, is subject to separate financial arrangements with operators and often involves journeys crossing two or more authority areas, life will be very complicated for the authorities, the bus and train conductors and—above all—for pensioners and disabled people. That is the administrative problem.

The financial problems pose the biggest threat of all. The Minister keeps telling us that there is nothing to stop the new local authorities getting together to run joint schemes. He is wrong—there is an impossible financial hurdle. It is quite straightforward and relatively cheap to carry large numbers of people over short distances within cities, but it is far more expensive to carry small numbers of passengers over long distances in rural and semi-rural areas.

I have been advised that the average cost of a concessionary trip within Edinburgh is 56p. After the concessionary fare of 30p has been paid, the cost of the subsidy is 26p per journey for a trip within the city. In the outlying areas of East Lothian, West Lothian and Midlothian the average cost is 80p a trip, so the subsidy is 50p per journey—almost double the subsidy which applies in cities.

If the scheme is to be continued with the same flat-rate fare across Lothian region, either the three outer-Lothian authorities will have to budget for a far heavier share of the cost of the scheme—and so set a significantly higher council tax—or the new City of Edinburgh council will have to hand over a chunk of its budget to subsidise people from outside its boundaries. Bluntly, that is not realistic and is most unlikely to happen.

In Committee and in meetings, the Minister insisted that the new councils will have powers under section 93 of the Transport Act 1985 to run joint concessionary travel schemes. I put it to him now, as I did then, that the administrative and financial constraints which I have just described make that very unlikely.

I asked the Minister for examples of such joint schemes in a parliamentary question on 27 April. He replied:

"From the information we have available, there are no joint concessionary travel schemes currently operating in Scotland." —[*Official Report*, 27 April 1994; Vol. 242, c. 219.]

I asked identical questions to the Secretaries of State for Transport and for Wales, and those questions revealed a short list of co-operative schemes, mostly involving co-operation between counties and districts or boroughs

[Mr. Home Robertson]

within those counties. There is very little evidence of cross-boundary schemes of the type that we need to preserve in Lothian, Grampian, Tayside and Central.

The excellent concessionary travel schemes work well at present and are greatly appreciated by pensioners and disabled people who are able to travel to and from cities for shopping, to go to hospital or to visit friends. As it stands, the legislation could put all that in jeopardy in the four east coast regions of Lothian, Central, Grampian and Tayside. That is discriminatory, unjustifiable and unnecessary. I commend the new clauses to the House.

5.45 pm

Mr. Malcolm Chisholm (Edinburgh, Leith): I shall speak briefly in support of new clause 9, which aims to safeguard the excellent concessionary travel scheme in Lothian region and, of course, there are similar schemes which need to be safeguarded throughout Scotland.

We have heard that 135,000 passes have been issued by Lothian and that 33 million trips have been made a year, costing the regional council more than £6 million a year. The service is highly valued by pensioners and by disabled people in Lothian.

I want to speak because many people have approached me and have come down to London to lobby Committee Members on the vital issue. They feel particularly aggrieved that protection has been given to other parts of Scotland. We all welcome the protection that has been given to Strathclyde, and one or two people may even have realised that protection was given to the whole of London by the Transport Act 1985 when the Bill that deregulated the buses in London was introduced to the House; a specific guarantee was given about concessionary travel. The people of Lothian, and other parts of Scotland, feel that they should have the same protection as people in London, Glasgow and elsewhere.

Threats will arise if the Bill goes through as it stands. One unlikely threat would be if we were to have a Tory council out of the four in Lothian. That seems highly unlikely after 5 May, but we must remember that, under 10 years ago, there had never been a majority Labour council in Edinburgh. It is unlikely to go back to a similar situation, but there would be a threat if a Tory council were elected.

That may be why the Government do not want to do anything. The Bill is creating flagship Tory enclaves and they want those small councils to have the freedom not to have concessionary travel schemes.

The second threat is financial. How can small councils support those schemes? The third, and most immediate, threat is administrative and practical. The danger is that, with four councils in Lothian, the whole scheme could fragment and it will be impossible in practical terms to administer it. That point was made forcefully and in detail to me by senior officials from Lothian region.

At present, the scheme works on the basis of an average bus journey and there is a refund by the council of the difference between the average cost of a journey on a particular route and the flat rate of 30p. It will become practically impossible to administer that scheme if journeys have to go across two or three authorities and the different authorities decide to subsidise at varying levels.

One may imagine the scene when a bus gets to a border between East Lothian and Edinburgh, and the driver has to stop to say that all the pensioners and disabled people must have their tickets clocked in again. It is not practically possible to administer the scheme, and that is genuinely believed by senior officials of Lothian region.

The new clause suggests joint boards. In the long run, the setting up of a passenger transport executive would perhaps be best, but joint boards could do something to ensure that a unified scheme was installed. I know that it would be highly embarrassing for the Government to do that, but they have done it in other areas such as fire and police. The Government would, in a sense, be recognising that we need larger authorities. Of course, I believe that we do need Lothian region and, as my hon. Friend the Member for East Lothian (Mr. Home Robertson) said, aspects of the legislation almost do re-invent the region. It would be politically embarrassing, but it is necessary and I hope that the Government do it.

Some 1.2 million pensioners and disabled people in Scotland rely on the scheme, and they want a guarantee from the Government which has not been given so far. If they do not get that guarantee, they will be in an impossible position. It will be too expensive for them to stay in their homes, because of VAT on fuel, and too expensive for them to go out of their homes, because of the disintegration of the concessionary travel scheme.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): I want to deal with the area of the new Strathclyde passenger transport executive after reorganisation and, in particular, with amendments Nos. 167 and 168. I hope that my hon. Friend the Member for East Lothian (Mr. Home Robertson) is not about to leave because, unfortunately, I am sure with the best will in the world, he perpetuated a misunderstanding about the area of the new Strathclyde passenger transport authority.

As was revealed in detail in a parliamentary answer to my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington), it is proposed that after reorganisation the Strathclyde PTA will cover only Glasgow and the Lanarkshire conurbation and not the whole of Strathclyde.

Mr. Home Robertson: That is not what they said in Committee.

Mr. Foulkes: It has even come as a revelation to my hon. Friend.

Mr. Home Robertson: Probably to the Minister as well.

Mr. Foulkes: No. To be fair, I understand from other sources that the Minister is aware of the matter. When I went with members of the Strathclyde Elderly Forum to see the Minister, we received a polite, courteous and fruitful reception. Elderly people in the delegation argued that old people needed to get out and about and to stay fit and healthy, that that would ultimately result in savings for the Government, and that it was a false economy to cut concessionary fair schemes because old people would end up prematurely requiring hospital treatment and old folks' homes.

There and then, the Minister agreed to table an amendment to ensure that, as well as individual councils in the Strathclyde area, the Strathclyde PTA would be given the power to organise a concessionary fair scheme. That was welcome.

As soon as we realised, however, that the Strathclyde PTA area would cover only the Glasgow-Lanarkshire

conurbation, a number of us from Renfrewshire, Dunbartonshire and Ayrshire expressed concern that elderly people in those areas would not be able to continue to take advantage of the Strathclyde scheme if the PTA did not cover their areas.

The issue involves not only concessionary fares but co-ordination of public transport services. The Strathclyde passenger transport executive co-ordinates public transport services extremely well. I understand that Steven Lockley, the chief executive of that organisation, has made representations to the Government and is strongly in favour of the extension, or at least the continuation, of the proposed Strathclyde PTA area so that it will cover the present Strathclyde area.

As my hon. Friend the Member for East Lothian said, the Strathclyde name and area will continue for the fire and police services. Although Strathclyde council will not exist, there will be a Strathclyde fire authority and a Strathelyde police authority. There is no reason why there should not be a Strathclyde PTA covering the whole of Strathclyde. That is why we have tabled the new clause.

I cannot confess that I have had total success in persuading Ministers to accept our suggestions. I achieved one or two positive things in Committee. The word "chairman" will no longer be used for the head of the authority—"convener" will be used instead. The Government have tabled amendments to that effect. Those changes are welcome. Occasionally, however, it would be helpful if one or two Conservative Members supported one of my amendments.

I understand that the hon. Member for Ayr (Mr. Gallie) supports the extension of the Strathclyde PTA area to cover the whole of Ayrshire, whether it be a unitary authority or three authorities covering north, south and east Ayrshire. I hope that the Minister will find that to be a compelling argument.

Mr. Worthington: I support my hon. Friend on this point. As a result of the use of the word "Strathclyde", there is a misunderstanding that the concessionary fare scheme will extend to the whole of Strathclyde, but it will not. It is important that the boundaries of the PTA are extended. In the Clydebank and Dumbarton authority, we shall have the absurd situation whereby Clydebank people will be able to take advantage of the concessionary fare scheme, but those in Dumbarton will not. That is a recipe for dissent. I hope that we shall not have part of a district in the PTA area and part of it outside.

Mr. Foulkes: I am grateful to my hon. Friend not only for his support but for giving an excellent illustration of the anomalies that will arise. The spokesman for the Opposition, my hon. Friend the Member for Fife, Central (Mr. McLeish) will be pleased to hear that that has saved me from giving a number of other illustrations.

I am sure that the Minister is aware of the anomalies and that he would not want pensioners in the Ayrshire part of Strathclyde to be discriminated against compared with pensioners in Glasgow or Lanarkshire. Even if he cannot accept—[*Interruption.*] As the Under-Secretary, the hon. Member for Eastwood (Mr. Stewart), realises, I am trying hard. Even if the Minister cannot accept the specific terms of amendment Nos. 167 and 168, I hope that he will accept the principle of them and consider favourably the proposal to extend the Strathclyde PTA to cover the whole of the present Strathclyde area.

Lord James Douglas-Hamilton: The hon. Member for East Lothian (Mr. Home Robertson) suggested that the Strathclyde PTA would be required to set up a travel *concession scheme. That is not the case. Strathclyde PTA* is not required to set up such a scheme, although it may do so. The powers given to the PTA are fully in accordance with the powers given to local authorities in Scotland, and travel concessions, particularly the detail of concessions, are a matter for local democracy.

The hon. Member for Falkirk, West (Mr. Canavan) raised the important matter of the expenditure and costings involved. Other hon. Members will be concerned that travel concessions for journeys from the rural hinterland into cities and other places in Scotland, including his constituency, may be at risk if joint arrangements are not mandatory or if a joint board is not set up.

The worry is that city authorities might not be willing to co-operate with neighbouring rural authorities in the provision of travel concessions, but there is no reason why voluntary co-operation should not work and no reason why the councils in Lothian, Tayside, Grampian and Central should not be supported at similar levels as the present combined regional and district councils.

I confirm, and assure the House, that current expenditure will continue to be supported on an assessed needs basis. Grant-aided expenditure will include a separate GAE for concessionary travel, which will reflect the assessed needs of individual authorities. That GAE will be the subject of detailed consideration in the distribution committee of the working party on local government finance and should result in a treatment that takes account of travel patterns of different types of authorities.

There is, therefore, no reason why the new authorities should not be in a position to enter into agreements with neighbouring authorities to establish the travel concession arrangements that they think are required for their residents. Furthermore, because local authorities will still receive central Government support for concessionary travel, there should be no question of their having to cut expenditure elsewhere to continue to provide the service for senior citizens.

Mr. Alex Salmond (Banff and Buchan): May I give the Minister a quick illustration of why concern exists on this issue? As he probably knows, last year a 10p concessionary fare was introduced for pensioners in Grampian. That scheme was hugely popular. Pensioners can go as far as Dundee and Inverness on that 10p fare.

Under the Government's proposals, at least seven local authorities will cover the area currently covered by the 10p fare scheme. That is a matter of controversy in Grampian regional council. The Labour and Scottish National parties introduced the 10p fare. Both the Liberal Democrats and the Conservatives have tried to increase the charge to at least 20p and perhaps even to wreck the scheme. The seven new authorities may have different political complexions. How can the Minister expect the matter to be as simple under his arrangements as it has been under Grampian regional council?

Lord James Douglas-Hamilton: Such matters are best left to local democracy. Voluntary co-operation will save the day. We may play the role of the devil's advocate and assume the worst possible scenario, but the Bill provides power for the Secretary of State to create joint boards for the purpose of jointly discharging functions.

[Lord James Douglas-Hamilton]

Local authorities can make representations about their creations. Any request by a group of authorities to establish a joint board would be carefully considered, but, given the powers already available to local authorities to work together if they wish, we doubt whether that will be necessary for the purpose of establishing travel concession schemes.

The hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) raised a question about the boundaries which, obviously, is material to the passenger transport authority in or bordering on his area. In Committee, I made it clear that we intended to consult widely on these matters. We recognise the many legitimate interests in the boundaries concerned. It is the Government's intention to move to consultation on these matters as soon as possible.

When the matter was considered in Committee, I suggested that we might consult after 1 April. We have given the matter further thought. We consider that, in view of the urgency, it is probably desirable that we consult widely as soon as possible after the Bill is enacted. I simply mention to the hon. Gentleman that change in our thinking since the Bill was discussed in Committee, arising out of the concern which has been expressed.

6 pm

Mr. Foulkes: Can the Minister confirm that the Strathclyde Elderly Forum branches, Age Concern branches and others will be consulted, because there is strong feeling about the matter among organisations representing the elderly? They have a particular concern. Can the Minister also confirm that councillors in the existing local authorities covering the Strathclyde area will be consulted directly on the matter? Can he give an assurance that the consultation will be done fairly rapidly and a conclusion will be reached fairly rapidly, because a prolonged period of uncertainty would not be helpful?

The Minister has been very helpful on the matter. We are moving together in the right direction, so I am not criticising the Minister in any way. But if we had an assurance on those points, it would be helpful.

Lord James Douglas-Hamilton: I can give an assurance that all the special needs groups, Age Concern, the bodies mentioned by the hon. Gentleman, the Strathclyde passenger transport executive, the user groups and all the users of travel concessions will be consulted.

I turn to new clause 9, to which the hon. Member for Fife, Central (Mr. McLeish) referred—perhaps he might like to come back in a moment. As hon. Members will be aware, clause 40 provides for the inheritance of the functions, staff, property, rights, liabilities and obligations of the regional council by a new Strathclyde passenger transport authority. The arrangement whereby a PTA and the Strathclyde passenger transport executive are responsible for public transport matters centred on Glasgow will be continued. We believe that that successful arrangement is appropriate for that area, given the scale of its public transport infrastructure and the concentration of population.

Outside the Glasgow conurbation, our view remains that the new councils will be fully capable of co-ordinating transport requirements. I remind hon. Members that local authorities outside the PTA exercise similar powers to those exercised by PTAs. Of course, I will not read out the terms again.

The hon. Member for Falkirk, West correctly mentioned that I would be referring to section 93 of the Transport Act 1985. As he suggested, that section empowered any local authority, or any two or more local authorities acting jointly, to provide concessionary travel for certain eligible categories of persons. Those powers are discretionary. From 1 April, the new councils will retain those powers. It is important that the new Strathclyde passenger transport authority should have those powers, which we confirmed in Committee. I am grateful to the hon. Member for Carrick, Cumnock and Doon Valley for his remarks. I have covered the points about the consultation exercise.

Mr. Home Robertson: I welcome the assurance given to my hon. Friend the Member for Carrick, Cumnock and Doon Valley that there will be consultation about what action should be taken to safeguard concessionary travel in Strathclyde and the boundaries relating to that. May we have equal rights for, equal consultation with and equal consideration of, the interests of my constituents and those of my hon. Friends in the Lothian region, and other people in the east coast regions?

Lord James Douglas-Hamilton: There will not be the same doubt about boundaries with regard to local authorities as there is with regard to the PTA. We believe that local authorities have the powers to co-operate and bring in the necessary concessionary schemes, and that they will bear in mind the points raised in the debate.

In view of what I have said, I ask hon. Members not to press amendments Nos. 167 and 168. I have already talked about the Government amendments, and I commend them to the House.

Mr. McLeish: I feel that on the two points that we have raised on concessionary fares and the PTA, the Government are hesitatingly moving in some direction. We are not quite sure of the direction and we are certainly not sure of the pace of the movement. I sincerely hope that these matters will be considered further in another place. Obviously, the common-sense reasoning behind both of the new clauses is evident to the Government. We are simply astonished that they are reluctant to accept them. As we do not wish to divide the House, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 10

SOCIAL WORK COMMITTEES

'.—(1) Every local authority shall establish a social work committee for the purposes of their functions under the Social Work (Scotland) Act 1968.

(2) Except as otherwise expressly provided, all matters relating to the performance of their functions under the following enactments—

(a) this Act as read with sections 1 and 2(1) of the Chronically Sick and Disabled Persons Act 1970 and the Disabled Persons (Services, Consultation and Representation) Act 1986,

(b) part IV of the Children and Young Persons (Scotland) Act 1937,

(c) the Disabled Persons (Employment) Act 1958

(d) sections 10 to 12 of the Matrimonial Proceedings (Children) Act 1958, [and sections 11 and 12 of the Guardianship Act 1973]

(e) the Foster Children (Scotland) Act 1984,

(f) the Adoption Act 1958,
(g) section 101(1) of the Housing Act 1964, and
(h) section 9(1)(b) of the Housing (Homeless Persons) Act 1977
(i) the enactments mentioned in subsection (4) of the foregoing section,
(j) the Children Act 1975,
(k) the Adoption (Scotland) Act 1978,
(l) section 19 and Part X of the Children Act 1989,
(m) sections 21 to 23 of the Health and Social Services and Social Security Adjudications Act 1983;
(n) the Access to Personal Files Act 1987,

shall stand referred to the social work committee, and before exercising any of the said functions the authority shall, unless the matter is urgent, consider a report of the social work committee with respect thereto.'.—*[Mr. McLeish.]*

Brought up, and read the First time.

Mr. McLeish: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss also the following:

New clause 11—*The director of social work—*

'.—(1) For the purposes of their functions under the enactments referred to in section 2 (2) the Social Work (Scotland) Act 1968, a local authority shall, in accordance with the provisions of this section, appoint an officer, to be known as the director of social work.

(2) The qualifications of the director of social work shall be such as the Secretary of State may prescribe.

The director of social work shall hold his office during the tenure of the local authority, but he shall not be removed therefrom, or be required to resign as an alternative thereto, except by a resolution of that authority passed by not less than two-thirds of the members present at a meeting of the authority, notice of which specifies as an item of business the consideration of the removal from office of the director of social work or his being required to resign.

The director of social work of a local authority shall not, except with the consent of the Secretary of State, be employed by that authority in any other capacity.

A local authority shall secure the provision of adequate staff for assisting the director of social work in the performance of his functions.

The provisions as to remuneration and tenure of office contained in [section 64 of the Local Government (Scotland) Act 1973], so far as these provisions are not inconsistent with any of the foregoing provisions of this section, shall apply to directors of social work and their staffs.'.

New clause 18—*Transitional Protection for Social Work Services—*

'. After section 86 of the Social Work (Scotland) Act 1968 there shall be inserted:—

"Local Government Reorganisation—Transitional Protection.

86A.—(1) Where a person has during the period from 1st April 1995 to 31st March 1996 received an out of area service, the local authority to whom that service is transferred shall have a duty to co-operate with the local authority for the area to which the person belongs in providing social work services to that person.

(2) The Secretary of State may direct that local authorities enter into agreements under section 57 of the Local Government etc. (Scotland) Act 1994 in relation to social work services where such agreements appear to him to be necessary to protect the interests of users of those services.

(3) In the event that a direction under subsection (2) is made, and it appears to any authority affected thereby that an agreement will not be entered into within a reasonable period, that authority may refer the matter to the Secretary of State.

(4) If a referral is made under subsection (3) above, the Secretary of State may, after consultation with the respective local authorities, specify terms to be included in the agreement and direct that it be proceeded with, and the prospective parties to the proposed agreement shall comply with any such directions.

(5) In this section:—

"social work services" means services which a local authority are under a duty or have a power to provide, or to secure the provision of under this Act, or any of the enactments mentioned in section 5(1B) of this Act; and "out of area service" means a social work service which is transferred by the operation of the Local Government etc. (Scotland) Act 1994 to a local authority outwith the local authority area to which the user of the service belongs.'.

New clause 19—*Child care plans—*

'(1) Within such period after the day appointed for the coming into force of this section as the Secretary of State may direct, and in accordance with the provisions of this section, each local authority shall prepare and publish a plan for the provision of children's services in their area.

(2) Each local authority shall from time to time review any plan prepared by them under subsection (1) above and shall, in the light of any such review, prepare and publish:

(a) any modifications to the plan under review; or
(b) if the case requires, a new plan

(3) In preparing any plan or carrying out any review under subsection (1) or, as the case may be, subsection (2) above, the authority shall consult:

(a) any local authority with whom the authority has entered into an agreement under section 57 of this Act in relation to children's services;
(b) any health board providing services under the National Health Service (Scotland) Act 1978 in the area of that authority;
(c) the police force for the area of the local authority;
(d) such voluntary organisations as appear to the authority to represent the interests of children, their families and carers within the area of the authority;
(e) such bodies as appear to the authority to provide children's services in their area;
(f) the children's panel for the area of the local authority; and
(g) such other persons as the Secretary of State may prescribe by order.

(4) Plans prepared by the local authority under subsection (1) shall include details of:

(a) the services available to children and families who live in the area of the authority;
(b) the proposals of the authority to develop and improve children's services;
(c) an assessment of future needs for children's services in the area of the local authority;
(d) the arrangements for co-operation between the authority and bodies listed in subsection (3) above; and
(e) such other matters as the Secretary of State may prescribe by order.

(5) In this section:

"children's services" means services for children which a local authority are under a duty or have a power to provide under the Social Work (Scotland) Act 1968 or any of the enactments referred to in section 5(1B) of that Act.'.

Amendment No. 32, in clause 31, page 26, line 6, leave out from beginning to end of line 15 and insert—

"'Education Committees

124.—(1) Every education authority shall appoint a committee, which shall be known as the education committee to which (subject to any arrangement under section 127 of this Act, as read with section 56 of this Act, for the discharge by the education committee of any function) all their functions as such authority shall stand referred.

(1A) In this subsection, 'referred' means remitted to the committee for consideration and report to the authority but without power to the committee to discharge any function on behalf of the authority.".'.

Amendment No. 33, in page 27, line 10, at end insert—

"'(6) The number of members of an education committee and their term of office shall be fixed by the appointing authority.

(7) Every member of an education committee who at the time of his appointment was a member of the appointing authority shall, upon ceasing to be a member of that authority, also cease to be a member of the committee and of any subcommittee thereof; but for the purposes of this subsection a member of an education authority shall not be deemed to have ceased to be a

[Mr. Deputy Speaker]

> member of the authority by reason of retirement if he has been re-elected a member thereof not later than the day of his retirement.
>
> (8) Paragraphs 2, 8, 9 and 10 of Schedule 10 to this Act shall, subject to any necessary modifications, apply in relation to an education committee and to the standing reference of functions to that committee under subsection (1) above as they apply in relation to the discharge of functions by arrangements made in accordance with that Schedule.".

Amendment No. 34, in schedule 13, page 193, leave out line 39.

Amendment No. 35, in page 205, leave out lines 9 to 15.

Amendment No. 37, in page 205, leave out lines 19 to 22.

Amendment No. 38, in page 205, leave out lines 27 to 46.

Amendment No. 45, in page 230, leave out lines 13 and 14.

Amendment No. 46, in page 230, leave out lines 26 to 32.

Amendment No. 47, in page 231, leave out lines 30 to 34.

Amendment No. 39, in schedule 14, page 246, line 15, leave out 'Sections 2 and 3.'

Amendment No. 40, in page 250, line 4, leave out 'definitions of "education committee"' and insert 'definition of'.

Amendment No. 41, in page 252, leave out lines 9 to 16.

Mr. McLeish: This is an important set of new clauses and amendments. In Committee, we had considerable debate on what we regard again as common-sense proposals merely to retain the status quo with regard to the statutory provision of directors of social work and education and their appropriate committees. It is inconceivable that the Government are still resisting both of those ideas. We are not sure why they are resisting them. Despite the nature of the issue, the Government are not concerned about the quality of services. They seem to be willing literally to tear apart the statutory framework within which education and social work will operate with the new single-tier councils. Obviously, we are concerned about that. We have two main questions for the Government. First, why are they doing that? Secondly, are they aware of the consequences of such changes?

Once again, we are being asked to justify the status quo when the Government have put forward no case whatever to justify tearing up the statutory provision. Even in this confrontational Chamber, we are always hopeful that when the Minister rises he will simply accept the wisdom of what we are saying. However, I fear that that will not be the case this evening.

It is important for the Minister to appreciate that Scots are proud of their education services and education achievements, and their social services and social achievements. I venture to suggest that in many respects we lead Europe in both services, and in almost all respects we lead the rest of Britain. That suggestion is not designed to embarrass or insult colleagues south of the border or in Wales.

When we have a system which is doing well, but is in need of investment, the last thing to do is simply to tear up the statutory provision, walk away from it and suggest that 32 councils can provide the same quality of services in a new form. It is also important to note that we are not dealing with small residual services tacked on to local authorities. For example, education takes 50 per cent. of local authority budgets. We are talking about a multi-million pound budget. However, the Government want to remove the statutory provision of directors of education and education committees. It is completely mad. We are used to that characteristic being exhibited by the Government. But how on earth can they justify it?

Social services are another part of local government which spends hundreds of millions of pounds each year in dealing with a vital range of services. In addition, we are talking about statutory provision with regard to a wider spectrum of public policy issues and public interest. We are talking about education and training—training our work force and educating our society for the next century. That is absolutely crucial. Would any other country regard that as a residual matter and be willing to cast off such statutory provisions?

In social services, we are dealing with some of the most important issues in the community, including some life-threatening issues in terms of child care. Of course, we are seeking to protect the most vulnerable in our communities. How on earth can the Government resist the temptation to support our new clauses? New clause 10 deals with social work, but my arguments refer to both social work and education. The Government's case is simply put.

In Committee, the Government said that statutory provision should be removed because the councils needed flexibility and discretion. What on earth does that mean? It is absolute gobbledegook.

The Parliamentary Under-Secretary of State for Scotland (Mr. Allan Stewart): It is about choice.

Mr. McLeish: I have an idea for the Minister. Why not accept the wisdom that education and social services are vital? Let us give some choice to local authorities to do within a statutory framework what they think is right within their local communities. Is he against that type of choice? Of course he is, because the Government's thinking has nothing to do with flexibility and discretion.

The Government have also argued that the statutory provision could be removed because most of the functions provided by education and social services have a statutory basis anyway. They claim that each of the elements for which those services are responsible, such as child care, education and school transport, have a statutory basis.

We submit that the Government's argument is not a sensible excuse or reason for change. If one has a disparate set of functions, covered by different statutes, it is essential to accommodate the directors of both services and the appropriate committees within statutory provision.

The other reason for the Government's embrace of this daft idea is to ensure that the management madness that permeates every health board and every trust is incorporated in local government. The Government argued in Committee that the Convention of Scottish Local Authorities, COSLA, submitted the daft change. I can inform the House that, in a letter of 9 May sent to the Association of Directors of Social Work, Mr. Roy MacIver of COSLA stated:

> "I recognise that as a result of that letter"—

a previous letter sent to the Committee—

> "there is now the danger that the Convention's position will be misunderstood in the opposite direction, and I am therefore writing to confirm that while the Convention is not in a position

to argue for retention of the statutory requirement, its position is not one of support for the removal of that requirement."
When the Minister replies, I hope that he will—

Mr. Stewart: I know about that letter.

Mr. McLeish: I am not concerned about that. I am only concerned that the Minister does not distort this important debate by spoon-feeding us remarks from COSLA which were based on a management inquiry into local government many months ago.

The Society of Local Authority Chief Executives has also boosted the Government's case. I can imagine that if 30 new authorities are to be created, some chief executives, some general managers and some lawyers and solicitors may want to feather their own nests by suggesting that directors of education are unnecessary. They may argue that they can do the job from a legal perspective, but, once again, that is just mischievous nonsense. The Government should ignore such advice.

We can reveal the real agenda behind the proposed change. It has nothing to do with management effectiveness, flexibility or the fact that some elements of the services have a statutory basis in any event. It is all to do with the Government's obsession with marketplace public policy. Directors of education and education committees exercise power within authorities, so it is easy to see why the Government want to sweep those obstacles away. It will be much easier for the Government to introduce a marketplace policy if those obstacles are removed. That is part of the reasoning behind the Government's dangerous and divisive proposals.

If one removes the statutory framework, where does that lead to? Child care services will be transferred to the marketplace. Will child abuse cases be subject to market testing? *[Laughter.]* The Minister may laugh, but this is the Government who want to privatise the Royal Mail. If they are daft enough to want to do that, a decision to transfer child care services, a sensitive issue, to the marketplace would be second nature to the kind of Scottish Office Ministers who operate every day in Scotland.

We do not need any lectures or laughter from the Minister, because we are raising a serious issue. The Government's proposals are all to do with the marketplace and market testing. They have little to do with the quality of services that we currently enjoy in Scotland.

Surely it is crucial that decisions governing social work are accountable to the community through a committee. If no such committee exists, how can those services be accountable? That seems elementary and I do not understand why the Government cannot grasp that. What about the courts and the children's panels? Who will be responsible for dealing with the children's hearing system? Who will be responsible when local authorities must exercise parental rights over children? Do we leave it to one of the corporate services lawyers, lurking about in the corridor, instead of a director of social work, who may know something about it? Do we leave it to some fag-end committee, which is responsible for social work, housing and everything else? Of course not. That is the kind of madness that will follow, however, if we allow the Government's proposals to go through.

What about people with special needs? As a result of the Bill, many small councils will be created. There might be a temptation in certain Conservative councils not to provide the right amount of investment for special needs, because those councils might want to spend the money on something more attractive. If the statutory framework governing the work of directors of social services and education and the relevant committees is removed, as well as the ring fencing that applies to much of the budget for those services, what then for special needs? Will it remain a key concern in the community?

6.15 pm

The Government have done some pioneering work on mental health problems, offenders and drug use. I am aware of some committees which, if they were not working within a statutory framework, might consider that the development of such work was less of a priority than other work. In some communities, the provision of homes for the homeless, rehabilitation units for drug users and help for people with mental health problems may not be very popular. If the Government remove the statutory provision governing such services, they will immediately put at risk the good work that has been done by the Scottish Office and the excellent work of local authorities that have given priority to such vulnerable groups. Why on earth do the Government want to put at risk those groups by de-prioritising them through the removal of the relevant statutory framework?

Demographic changes reveal that in the years ahead the number of older people in the community will increase. Will they be left to the dictates of the marketplace? Is it right that the Government should abolish the post of director of social work and the relevant committees, given the responsibilities, skills and dedication that they have displayed over many years? A director of social work knows about the problems faced by the elderly. Is it the Government's wish simply to abandon older people to any committee and any director who is willing to assume responsibility for them?

The creation of inspection teams was a Government innovation. Why will no proper safeguards be provided to ensure that the relevant committees and directors remain in post, especially given their knowledge and responsibilities?

If the Government's proposals are accepted, there will be four consequences. First, any remaining accountability will be poor or non-existent. Secondly, we will witness an inevitable drive towards lower standards in this vital area of public provision. Thirdly, vulnerable people will be placed at much greater risk. Finally, we will see the disintegration of many services. The absence of coherent, committed leadership, either from committees or directors, will have a devastating effect on the good work that has been done.

Since 1968, Scotland has offered social work services and complementary services in education. Those services must continue to be offered and must receive investment. We do not need to play at party politics with the lives and jobs of many people in the community who provide vital services.

I ask the Government to think seriously about what they are doing. For the life of me, I cannot see the politics of this. I know that on many occasions the Government have demonstrated that they are greatly in favour of the market and I can see the politics of that. I simply cannot see the politics behind the Government's wish to abandon and sacrifice social work and education services that have built up over the years. Their decision is based on no consensus or support.

The Minister is always willing to joust in debate, so perhaps I can give him the real reason for the Government's kamikaze policy. The Minister has not said a word, but I think that he will be amused by the following. In the House, the Minister has referred to a councillor, Mr. Ian Hutchison. I can reveal to the House—I know that the Minister will not—that, because Ian Hutchison dared to criticise the Minister and the Conservative party, his Tory-controlled district council has removed him from the delegation to COSLA. Is not that symptomatic of the fact that the Conservative party, which criticises eastern European republics, operates a campaign of fear and witch-hunts for its members?

I want to finish on a charitable note. *[Interruption.]* Well, I am a charitable man. I should like the Minister to respond positively, after the debate, to these services. Let us keep the statutory provision. Let us not put at risk the most vulnerable members of Scotland's communities.

Mr. Connarty: I was going to intervene in the speech of my hon. Friend the Member for Fife, Central (Mr. McLeish), but I shall remark that perhaps it is justice that Colonel Saunders, the former leader of the Conservatives on Central regional council, and Mrs. McNicol, the member for Bridge of Allan, stood against the Government's proposals for local government, thereby assisting the Labour party to rid Stirling conurbation of the Conservative representation in King's Park and Bridge of Allan. There is justice in democracy after all.

I shall speak about services. I concur with everything said by my hon. Friend the Member for Fife, Central about the structures and the Government's lack of intelligence in trying to set up systems for social work and education under the new systems of local government without statutory committees or statutory directors.

I add a remark or two on the issue of a children's Act, because the potential role of social work and the role that social workers and the mediation services perform is made much more difficult by the lack of a children's Act in Scotland. The potential role of a social work department and the mediation services is to reduce misery to children caused, for example, by marital break-up. The services labour under a great difficulty as a result of the Scottish system.

In spite of the work of Relate and mediation services, divorce in Scotland is still a battlefield and children are the main casualties. The definition of "custody" in Scots law, which we hope will be changed by a children's Act, is:

"the possession of the child"

— as though the child were a motor car or the Elvis Presley records that are divided up during the marital break-up.

I commend the work of Children's Act (Scotland), a group of parents of all genders outwith the House with whom I went to meet the Minister of State, Scottish Office, who is in another place. Sadly, we do not have an elected representative responsible for many of the things that would relate to the Children's Act (Scotland) in this place. We have a subsidiary Member here because a non-elected Member is appointed in the Lords to look after that service.

We went, on 6 May 1994, to present the Minister of State with a birthday cake to commemorate the second anniversary of the publication of the consultation document on the Children's Act. There has been no visible progress on that consultation since. I hear that the Government blame some of the people who are being consulted, but there seems to me a lack of credibility.

I also commend the work of the Scottish all-party group on children, led by my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman). Until we pass a children's Act, the social work departments in Scotland will be forced to act as the ball-bearings in the machine of society without any ability to become the drivers of the machine—a machine that, sadly, at least in marital break-up in Scotland, grinds up the children when it should give them rights, and those rights should protect them.

I am seriously disappointed with the Government's failure to respond to the anxieties of groups such as Enable and Children in Scotland. They were worried, during the passage of the Bill, about its results for children with special educational needs and other needs, and remain just as worried now in spite of all the discussions and correspondence.

Opposition Members tried to help the Government during the passage of the Bill by proposing an amendment, which I paraphrase. It says that if, as a consequence of the break-up of any local authority boundary, school education for children with special educational needs belonging to the area of one education authority be provided at schools or educational establishments under the management of another educational authority, the education authority in which the child lives shall have a duty to make arrangements with the provider authority to ensure an adequate and efficient education for the child or young person with special educational needs. We emphasised the fact that that would include an appropriate level of psychological services support and, in the case of a child or young person with a record of needs, the services specified therein.

That was a helpful amendment and the debate in Committee at the time was one of the most measured and reasonable. People were trying to tackle a real problem which they understood was critical to the individual child and the parents of that child. I, for my part, have witnessed the process many times. I was a teacher of children with learning difficulties for 15 years. The time comes when the child and the parent—especially the parent—realise that the child is not as gifted as other children, cannot cope in a mainstream school and can often, if the treatment is wrong, end up stigmatised and deprived of a proper and full life in the future. The passage through that barrier is a trauma which I, thank goodness, have never had to experience personally. I know that, for the parents who have had to go through it, it is the most traumatic experience that any of us could have.

If one then enters the morass of a lack of provision—the morass of wondering where that provision will come from, who will provide it, whether we have statutory rights, by what mechanism we obtain those statutory rights and whether we have to end up in the courts or appeal to a higher authority—it becomes a nightmare. We tried to emphasise, by our amendment, that we should make a specific reference in the Bill—a final declaration—to who will be responsible, with no equivocation.

The Minister's reply can be found in the report of the Standing Committee. He was saying at that time that the Government had made great advances and they were issuing guidance for consultation at this moment

"on the issue of provision throughout Scotland, including the recording arrangements."

I have read the document. It is entirely about recording arrangements. It is not about provision. It has nothing to

say about provision. Yet the whole debate was centred on the issue of who will provide and who will have the responsibility to provide.

The Minister went on to say:

"Similarly, section 62(3) of the 1980 Act lays a specific duty on an education authority to make provision for special educational needs of recorded children, and recorded young persons, in its area."

I repeat that quote—"in its area." The problem is that many of the provisions will not lie in the person's area any longer, but will lie outwith the area because the Government have decided to break up local authorities into such small units that the provision will not be made in those areas.

The Minister went on to say:

"Clause 32 will enable new arrangements for cross-border provision of education to be made, and old arrangements to continue."

I think that the Minister accepted that I was not satisfied with that, and that it would give no automatic safeguards, because he went on to say that it was all right because the children would continue to live in the area in which they were currently located. He says clearly:

"Special schools making provision for children and young persons with special educational needs are not being relocated. Children with such needs will be living in the same location."
—[*Official Report, First Scottish Standing Committee*, 10 March 1994; c. 1056-7]

The problem is that the children will not be in the same local authority any longer. In many more cases—an enlarged number, if not the majority, of cases—the provision will lie outwith the area in which the child lives. It is an inherent contradiction in the Bill, and it is not resolved by anything that the Government have done or anything that they have written to me since, or anything that has been said to me in discussions with members of the Scottish Office staff since.

I mentioned the problem of making one authority raise taxation to provide an infrastructure for another authority. There is a second problem of making a local authority open the doors of provision, and possibly extend those provisions to people who do not lie in its catchment area. From my experience, I can guarantee that there is a growing need, especially at secondary level, for special educational provision for children as we realise the type of provision that is required by many more pupils.

I shall cite one example in central Scotland, which I know best. Clackmannan, the smallest authority with 47,000 inhabitants, will not have a single provision for secondary education for children with mild, profound or severe learning difficulties, as those provisions all lie in the Falkirk area.

I taught in a school for children with mild learning difficulties, and attached to it, in other locations, were schools for children with profound and severe learning difficulties. That provision will have to be bought across the border. Does the Minister think that it will be easy to persuade the Falkirk unitary authority to provide that service, particularly given the pressure that will fall on all local authorities for resources when the cost of the reorganisation must be borne and services must be cut left, right and centre? I do not believe that it will.

What the Government have been saying smells of complacency. Although local authorities have been co-operating, they have had the critical mass to do so. They have had an extended psychological service—an extended provision for mildly, severely and profoundly handicapped children; and they have had a network that allows them to co-operate. Once authorities are broken up, the critical mass of provision will also be broken up. Authorities will be much reduced, whether provision is in Stirling, with its centre for children with cerebral palsy, or in Falkirk, with the facilities that I have just mentioned. Once the psychological services have been broken up, local authorities will be strained and stretched and are unlikely to co-operate in providing facilities to people across the borders.

6.30 pm

I wonder whether my hon. Friend the Member for Fife, Central was correct to say that the Government, driven by an ideology, want the children of Clackmannan to be driven on to the market. I do not believe that the Under-Secretary of State, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton), is involved in that conspiracy as he is a man of integrity. The Government are not considering the long term. In a generation from now, will children from Stirling simply cross the border to Falkirk? If they have to hunt round the markets of Scotland for the provision that they need, the Government will be damned for what they are doing.

My main worry is that the arbiter will be the Secretary of State. Under clause 17, if a local authority does not provide and is in default, a parent can appeal to the Secretary of State. Every case in which a parent must appeal for provision to the Secretary of State becomes a cause celebre in the media. It denigrates and degrades the process of special educational provision, as it is seen as a war on behalf of the child between the Government Department and the local authority. The media love it, and the Government love to see a local authority being taken to task and the Secretary of State arbitrating. If the Government want a media circus in thousands of cases, it is a damnable disgrace and they should be ashamed.

If the Government have a will to solve the problem, they should reconsider it and come back with a clear statutory duty that no one can avoid. But they should remember to put their resources where they are putting their so-called statutory duties.

Ms Rachel Squire (Dunfermline, West): I wish to support the amendments, especially new clauses 10 and 11 on the statutory need for social work committees and a director of social work. I pay tribute to the work carried out by social work committees, social work staff and all council committees. All too often, they are criticised rather than praised. I admit that I have a vested interest because back in the 1970s I was a social worker. I expect to hear a collective groan at that. The qualities and skills of social work committees and staff are undervalued, particularly by the Government's proposal.

Nearly 20 years after the last local government reorganisation, which was decided after an independent commission, some people are still not sure which council department to go to. Social work, however, is an exception; people know that if they need personal help or help for their family they go to the social work department. The removal of the statutory right to have a social work director and committee could disrupt accessibility for the public.

One of the main reasons for opposing the Bill is the disruption that it will cause to community care, in which social work committees and directors play a vital part. The Government had the sense to recognise, when they passed

[Ms Rachel Squire]

the National Health Service and Community Care Act 1990, that they should allow three years for the structures to be set up, so the Act did not come into effect until 1993. The process of co-ordination and consultation is still going on. In many ways, it is still in its early stages, but it will all be disrupted by the Bill, and especially by the removal of statutory rights. Moreover, the smaller councils being created may be unable to continue the work and structures that have been set up.

On the impact that the removal of the social work director and committees will have on voluntary organisations, I will quote from three of such organisations. The chairman of the Glenrothes branch of Age Concern Scotland said:

"As a voluntary organisation engaged in the provision of Day Care and ancillary services to physically frail and disadvantaged elderly people of the community, we observe with the utmost concern that the above Bill proposes to abolish the statutory requirement for the new Councils to have a Social Work Committee and a Director of Social Work who is professionally qualified".

The Epilepsy Association of Scotland said the same, and added:

"We have a further concern that the sensitive and fruitful partnerships which exist between statutory Social Work Departments and voluntary agencies like our own would be endangered, to the detriment of vulnerable people in need of services."

The Scottish Council for Voluntary Organisations said:

"There may be a loss of commitment to some of the less popular clients of social work services, such as ex-offenders, drug users and people with mental health problems."

I stress the impact that that could have on the most important people—the users of those services, particularly carers. Tens of thousands of people look after a loved one at home but rely on the accessibility of social work services in order to carry out that care.

Why are the Government so intent on removing that statutory right? It is, in effect, a denial by the state of the responsibility that we all share for every section of our community. In Committee the Minister talked of the "freedom to choose", which shows that the Government are bent on privatising social work services. They may be planning to create social work trusts, as we now have NHS trusts, or to merge social work and health board provision, as they have in Northern Ireland. From my contacts with people in Northern Ireland, I know that that has not been successful.

I urge the Government to prove me wrong and to show their support for the continuation of community care and social work services by agreeing to the amendments, particularly new clauses 10 and 11.

Mr. James Wallace (Orkney and Shetland): I wish to support new clause 10, which was moved by the hon. Member for Fife, Central (Mr. McLeish). The members of my party had a very genuine debate about the merits of leaving to the discretion of local authorities whether there should be a director of social work and a social work committee. For a party which believes very much in decentralised decision-making, this is a very legitimate debate. We would have been much more convinced about the spirit in which the proposal is put forward if it had come from any source other than a Government who have sought to destroy so many of the other powers of local democracy.

There was a very strong countervailing argument, however, that with regard to the powers and responsibilities of social work, as set down in statute, serious professional direction must be provided. Subsection (2) of new clause 10 sets out a huge range of functions, the performance of which is the responsibility of social work departments. The details are very clear, as is the fact that these are people-centred responsibilities, often concerning vulnerable individuals. Clearly, the discharge of the functions is sometimes not without controversy—a point which, on the basis of constituency experience, I must accept. For that reason, responsibilities need to be discharged by someone who can be an adviser as well as a manager. In such circumstances, management is not a question just of looking at efficiency and functions in an abstract way. We are dealing here with people, and many of the functions interact. This is why we have concluded that there ought to be a chief officer with professional qualifications.

The Secretary of State said in a letter to me that he would be issuing guidance under section 5(1) of the Social Work (Scotland) Act 1968 with regard to the staffing arrangements that local authorities should make. The right hon. Gentleman said:

"This will include guidance on the need to ensure professional oversight of social work services at the appropriate level in the organisation."

I envisage the need for officers with that professional expertise in addition to senior managerial posts. This would not necessarily produce efficiency if it amounted simply to duplication of posts. Inevitably, these services must be people-centred rather than profit-centred or efficiency-centred. The latter would take away any sense of how responsibilities impinge on people. If there is to be a manager, he or she ought to have the proper qualifications and sensitivities.

In a parallel case, it was proposed that we should do without directors of education. One of my party's councillors—a regional councillor with long experience of education committees—said in a letter to me:

"A manager would probably ensure that the right number of desks and chairs went into a school and that teachers' allocations were numerically correct, but the innovative curriculum would be stifled."

There is a parallel fear in respect of social work—that, while one might get some of the numbers right, one would not necessarily get right the policies and their operation as they affect people.

I should like to refer briefly to new clauses 18 and 19. The hon. Member for Greenock and Port Glasgow (Dr. Godman) probably hopes to catch your eye, Madam Deputy Speaker, with a view to commenting on these provisions. While I do not want to steal the hon. Gentleman's thunder, I must echo something that has been said many times during the debate—the time is long overdue for putting on the statute book many of the proposals contained in the White Paper on children published as long ago as last August. That White Paper brought together many proposals which emanated from a number of earlier studies and inquiries, such as the inquiry conducted by Lord Clyde in my constituency following the removal of nine children in February 1991. The White Paper was given a wide welcome in the House. No doubt we shall debate some of its detail in due course, and differences will undoubtedly emerge.

We should all like to see the adoption of the principles of a child-centred White Paper which stresses the

importance of the views of the child. It is a matter not just of regret but of shame that legislative time has not been found for this purpose. In terms of provision for Scotland, Parliament would have done a greater service to the people, particularly the young people, by producing legislation on children rather than a Bill to reform local government.

New clause 18 sensibly provides for the continuation of services that will become cross-boundary when the new boundaries come into operation. With regard to children in receipt of these services—for example, those in residential establishments and those benefiting from specialised educational facilities—we cannot rest on the basis of permissive provision. If those services were discontinued, the young people would be the sufferers.

New clause 19 contains a requirement that was proposed in the White Paper—that local authorities should publish plans in relation to child care services. This emphasises the importance of an interdisciplinary approach, and it is long overdue. The new clause and the debate on it give us an opportunity to make a small contribution to putting on the statute book one of the many important proposals contained in the White Paper. Of course, that is no substitute for the substantive Bill which I hope we shall be told is to come along in the next Session.

6.45 pm

Dr. Godman: I want to speak in support of new clauses 18 and 19, which appear under my name. I should like to say in passing that I support new clauses 10 and 11 also. In my view, each of the new local authorities should have both a social work committee and a director of social work. That is certainly what I hope for in the case of the new council in Inverclyde.

I want to echo some of the points made by other hon. Members. I, too, believe that Scotland has first-class social work departments providing essential services for people of all ages. At a local level, I work closely with area teams and with hospital teams when constituents need help. In Inverclyde, the three welfare rights officers employed by the social work department of Strathclyde regional council provide an excellent service to people of all types who are in need of one kind or another.

There is no doubt that politicians and others place huge responsibilities on social workers, who perform extremely difficult tasks with commendable efficiency. Too often, in the House of Commons and elsewhere, moralists malign social workers unfairly on the basis of lazy judgments. I often say to such critics that they would not last a month in an area social work team. Indeed, some of them would not last two days. Social workers perform extremely difficult tasks, often under the threat of violence. They go about their work in an unassuming way and the overwhelming majority display admirable competence.

I have been advised to make my intervention brief, and I had better do so. However, I have to say that the Government and their predecessors have adopted a dismally piecemeal approach to child care legislation, in respect of which this legislature seems to be engaged in a leap-frogging game. In the Social Work (Scotland) Act 1968 we had a dramatic development. I thought then and I still believe that that was an extremely radical and brilliant measure. In some respects, however, Scottish law has fallen behind English legislation. That is especially true of our lack of a comprehensive children Act.

I am deeply grateful for all the fine work that the hon. Member for Moray (Mrs. Ewing) does in this field, and to the hon. Member for Orkney and Shetland (Mr. Wallace) for his campaigning efforts. The purpose of new clause 18 is to protect people who need to use social work services that will not be found in their own council areas. The Minister cannot deny that many people need to use services that are outwith the communities in which they live. Children in residential establishments are a good example.

Some years ago, my wife, then a senior social worker in the east end of Glasgow, had occasion to take a young girl into care, by way of a place of safety order. She also had to take the girl's three brothers into care. They were placed in a fine establishment many miles down the coast, away from Glasgow but still within the Strathclyde regional council's social work department area. Unfortunately, the children had to spend two periods in the establishment, but they were quite happy there. They had come from the most appalling domestic circumstances.

What would happen under the Bill? The Minister will tell me, referring to clause 57, that such services can be bought in from other councils. Social work services, however, are much more vulnerable than education services, for instance. The statutory duties in the Bill governing the provision of such services are somewhat vague, and in practice they are unenforceable. Whereas in education children and their parents have the right to choose a school and to enjoy certain other guarantees, the same does not apply to children and others who require the services of a social work department.

Under the new clause, the councils that inherit certain services would have a duty to co-operate with the other councils in whose areas the users of a service resided. As a last resort, the Secretary of State would be able to step in to ensure that those who rely on the services do not suffer. Services change over time, of course, but it is vital to offer transitional protection to all vulnerable clients—people with learning disabilities, for instance, and young children.

As for new clause 19, I believe that a duty should be imposed on the new local authorities to prepare and publish child care plans. That would be a useful way of ensuring that children's services were protected and enhanced. Such plans could be required to describe how the needs of children with disabilities would be met. They might involve the participation of voluntary organisations, working beside local authorities to provide the necessary services.

That new duty could go a long way to answering the concerns felt by many of us—that children in need and vulnerable people may suffer as a result of this legislation. I remind the Minister of what he and his officials said in the White Paper, "Scotland's Children", in paragraph 8.13:

> "At a strategic level the Government will introduce a new requirement on local authorities to publish plans in relation to child care services".

The new clause merely seeks to implement what the Minister and his officials proposed in their fine White Paper. Some of the new duties are described thus:

> "a clear appraisal of the strength and weaknesses of current services;
>
> an assessment of future needs;
>
> an estimate of likely available resources;
>
> a statement of strategic objectives for service development;
>
> a review of innovative developments."

All these are what we seek to achieve by way of the new clause.

[Dr. Godman]

Children, particularly those living in difficult circumstances, need a comprehensive children Act in Scotland. Indeed, I hope that such a Bill will feature in the Gracious Speech later this year. It is our children who suffer from the leap-frogging effects of legislation being enacted for the two legal systems in the United Kingdom. Some of our Scottish measures would benefit English children if they were translated into English law, but we in turn need a children Act for all the reasons that I have explained. Admittedly, the new clause is part of the general piecemeal approach to children's needs, but I hope that the Minister will give us a positive response to the concerns expressed in the debate today.

Mrs. Ewing: I support new clause 10, but, like the hon. Member for Greenock and Port Glasgow (Dr. Godman), I want to speak to new clauses 18 and 19, to which I am a signatory.

I echo some of the comments made on new clause 10 in connection with social work committees and the appointment of directors of social work. Unlike the hon. Member for Dunfermline, West (Ms Squire), I was not a social worker, but I was involved in the administration of a course of training for professional social workers—the certificate in social services. At that time, I saw men and women of all age groups who were seriously committed to eradicating many of the problems that our people face. I therefore have great admiration for social workers, and I echo what the hon. Lady said about them. Like politicians, social workers often seem to be the fall guys for the popular press, even though they undertake jobs that many of us would be too frightened to perform ourselves. They do great work for children, the elderly, the handicapped and, indeed, for all sections of society and they should be given due credit.

I believe that a statutory duty should be written into the Bill, stipulating that the profession must provide the services and giving people who need them a statutory right to those services. The Government have not acted to allay the fears that many people have, arising from the fact that the local government transitional arrangements are due to last two years. Elections will be held next year. I want to be able to reassure my constituents that their social work facilities will be guaranteed throughout that time. We cannot tell them to wait until next year or the year after that. When people need social work facilities, they need them immediately. The Government must acknowledge and deal with that fact.

The hon. Member for Greenock and Port Glasgow has already dealt effectively with new clause 19. I remind the Minister that we must always recognise the needs of the child. The Scottish Law Commission report seems to have been gathering dust while Scottish children have been relegated to the bottom of the heap. We have had publication of the White Paper, "Scotland's Children," and the family law report No.135. We have also debated them in the Scottish Grand Committee, but there seems to have been no progress whatever. I remind the Under-Secretary of State for Scotland, the hon. Member for Eastwood (Mr. Stewart), that in the Scottish Grand Committee he referred to

"the priority that we, and I believe all members of the Committee, place on the care of children."—[*Official Report, Scottish Grand Committee*, 2 November 1993; c. 1.]

It seems to have slipped down the Government's list of priorities.

7 pm

In tabling this all-party group of amendments, we have worked closely as a group and have met Ministers and others in the context of our discussions and we want to ensure that children are placed high on the Government's list of priorities. The Gracious Speech may not include a separate Scottish Children Bill, but we certainly wish to see that and I hope that we shall obtain that commitment when we meet Lord Fraser of Carmyllie on 25 May. However, it would be interesting to hear in the elected House of Commons exactly the view of the Scottish Office. Are Ministers pushing for such legislation in the next Session, or will they let it continue to peter out until our Scottish children can say they are denied their rights, unlike their counterparts south of the border who have the children Acts?

Mr. Worthington: The new clauses seek to set up a social work committee and appoint a director of social work. However, they are angry gestures and gestures of despair; perhaps they are means by which we may be able to stop some of the damage that we believe will be caused by the legislation.

Just 20 years ago last week, the new local authorities in 1974 came into force. They began their preparatory year before taking over from social work authorities the size of Clackmannan. It was a pretty desperate scene. There were a lot of well-meaning people around, but there was a shortage of that much despised but important professionalism, drive and vision.

Enormous progress has been made since then, but I fear that we shall slip backwards because of this legislation. People have talked eloquently about the role of social workers who deal with that with which other people cannot cope—they have to cope with circumstances that are too much for other people. I am thinking particularly about the progress that has been made in adoption and fostering over the years. Some of the large local authorities now have the resources and skills to place hard-to-place, damaged children who in the past would have stayed in institutional care for the rest of their lives. I cannot see that happening in the new local authorities covering a population of 47,000.

Mental handicap is another important concern. There is an adult training centre in my constituency. Some of the people who were in that adult training centre when I came into local government 20 years ago are still there. It is difficult to decide whether that is right or wrong, but an adult training centre can either be a warehouse to which people turn up each day, or it can be a lively, thriving place which is driven by professional standards and genuine care for those adults and their families.

We should consider the complexity of the issues involved in taking someone into care and the enormous power which rests with a social worker and a social work department to take someone from his home and to use that power for the benefit of the child and his family. Unfortunately, the Bill does not give a tinker's cuss about those issues and uses local authorities as political playthings.

No thought has been given to issues relating to the abuse of drugs and the complexity of getting policies to work with the police and the health authorities. Am I

seriously to believe that my new local authority of Clydebank and Dumbarton will liaise effectively with the Greater Glasgow health board and Argyle and Clyde health board? Is anyone seriously expecting small local authorities to have the clout to do that?

The new clauses are asking someone in the Government at long last to start listening to the cries of despair. Simply as an act of revenge against Labour local authorities, to divide and rule and to create pathetic little enclaves for little clusters of the nearly extinguished species of the Conservative councillor, they are damaging local authority services.

The new clauses are gestures, but they are angry and despairing gestures and I hope the Minister will think and listen.

Mr. Dalyell: On the question of listening, I should like to make an observation, but first I shall ask two questions of the Minister that concern his constituency and mine. First, he will know that there is great concern about those who work in the Blindcraft factory. Alex Scott, the secretary of Blindcraft, has contacted us all. I have spoken to him and there is considerable concern about the future of that factory if it is not supported by Lothian region.

My second question affects a small minority—those who teach lip reading. It is the considered professional opinion that it has to be done on a large scale and a number of us have received communications about the viability of teaching lip reading in Lothian region.

I wanted to take advantage of the presence of the vice-chairman of the Conservative party to make an observation to the Minister. Does he realise that the Under-Secretary of State, the hon. Member for Eastwood (Mr. Stewart), who is sitting next to him, and the Secretary of State are busily losing him his parliamentary seat by their non-answers?

For more than 30 years, I represented the royal borough of South Queensferry. I know it extremely well and there has always been a substantial Conservative vote there. It is a very serious place and the voters are certainly entitled to their opinions, which have always been well-expressed.

If I were a betting man, which I am not, I should have thought that the Edinburgh, West constituency would remain in the Conservative party. I say in all seriousness, because I am not a yah-boo person, that, chiefly through what has happened in the Bill and the general attitudes that have been displayed, at the next election when South Queensferry goes into his constituency, the Minister will come not first, not second but a very poor third, as the local authority Conservative candidate did, and where there is a very decent Conservative district councillor. It is a sea change.

If I were in the Minister's position on the Bill, I would say to the Under-Secretary of State, the hon. Member for Eastwood, who, frankly, has been very frivolous in his presentation and non-answers, and to the Secretary of State, who cares about many things but, I am sorry to say, does not care about local government, that I found it extraordinary that the Secretary of State has not been in the House of Commons very much today. If the Secretary of State cared about local government, he would have been in the Chamber for the debate. It is about time that the Minister—who is a personal friend of many years' standing—made it quite clear to his senior colleagues that it is either their ill-informed opinions or his seat.

Lord James Douglas-Hamilton: I think that the best course is for me to send the hon. Member for Linlithgow (Mr. Dalyell) a copy of the letter that my office sent to the National League of the Blind and Disabled about Blindcraft. Obviously, the same duties will remain in place. We believe that it is a matter for local democracy to decide.

I will deal with three groups of amendments—new clause 10, dealing with social work committees and directors of social work; various amendments dealing with education committees and directors of education; and the new clauses dealing with out-of-area social work services.

The thrust of our policy is freedom and flexibility for local authorities. The majority of responses to the consultation paper favoured removing the statutory requirements. Social work will remain one of our most important responsibilities. We have major initiatives in community care, child care and criminal justice.

Each authority will have to make certain that there is oversight of professional social work tasks and clear arrangements for accountability and professional standards. Section 5 of the Social Work (Scotland) Act 1968 will remain in place, making it clear that local authorities perform their duties under the guidance of the Secretary of State. We will issue guidance about staffing arrangements and we will monitor the establishment and development of the services concerned.

We believe that local authorities should be free to determine their own internal organisational requirements. Some may decide to appoint social work committees, to combine social work functions with housing, to manage services on a corporate basis, or to decentralise and involve more local management in a range of functions. Some authorities may wish to appoint directors of social work; others may wish to combine this function with another area, such as housing or possibly leisure and recreation.

I was interested to see the confusion expressed by some Opposition Members in Committee. Local councils will still be able to appoint directors of education and establish education committees. The proposal to remove the statutory requirement for an education committee emerged from a working group. Since that time, there has been consultation about the matter. Not only the Society of Local Authority Chief Executives, but the majority of those consulted expressed strong views in favour of leaving the discretion to local authorities.

For the benefit of the hon. Member for Orkney and Shetland (Mr. Wallace), at this stage there is no requirement that the director of education need have any teaching or other professional qualifications—although it is highly desirable that he does.

Mr. Dalyell: So that it is clear and beyond doubt, what is the Minister saying that SOLACE agreed to and supported?

Lord James Douglas-Hamilton: The hon. Member knows that perfectly well, because I read out its representations in the Standing Committee. He can look up the Standing Committee transcript; it is on the record. It is plain and unmistakable. It supported local authorities having discretion in this connection. Of course, it paid tribute to the work of the directors, but it made its view quite clear.

For years, social work authorities have co-operated with one another in relation to the purchase and supply of

[Lord James Douglas-Hamilton]

services for people living outwith their areas. The 1968 Act enables an authority providing a service to a person outwith its area to recover the cost of that provision from the authority in whose area the person lives.

We do not believe that the level of coercion in new clause 18 is either necessary or desirable. It is not necessary because it will clearly be cost-efficient for authorities supplying facilities or services to utilise them fully. We do not believe that it is desirable to coerce authorities. In any case, the Bill provides for authorities to receive the necessary information, including details of services bought out of area or provided to those living outwith the area. There are various means whereby the needs of those currently receiving out-of-area services can be assessed fully and properly.

New clause 19 is in keeping with the provision to introduce child care plans proposed in the White Paper "Scotland's Children", in which the hon. Member for Moray (Mrs. Ewing) is very interested. Initial work on planning has taken place between Scottish Office officials and local authorities. We are determined to develop a new system in due course as part of child care legislation, not local government legislation. Before finalising the new system, we want to consult local authorities and other interested parties. We will ensure that services are maintained properly during the period of local government reorganisation.

7.15 pm

Mrs. Ewing: I am very grateful to the Minister for giving way. He knows of my interest and that of hon. Members from other parties in this matter. When he says that further consultation is needed, does not he accept that there has already been very substantial consultation about this matter? Although we will now have new local authorities, there is surely a possibility of introducing child care legislation in the new parliamentary Session next year. We are fed up with waiting for it.

Lord James Douglas-Hamilton: I am not in a position to reveal the contents of the Queen's Speech; I have no knowledge of that at present. However, it is certainly a priority that will be borne in mind for the future.

Question put, That the clause be read a Second time:—

The House divided: Ayes 244, Noes 274.

Division No. 242] **[7.15 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cummings, John
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge Hl)*
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs. Barbara
Rogers, Allan

Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Illsley and
Mr. Jon Owen Jones.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Bray, Dr Jeremy
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lester, Jim *(Broxtowe)*
Lidington, David
Lightbown, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Martlin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Montgomery, Sir Fergus
Moss, Malcolm
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon John D. *(Strgld)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann

Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. James Arbuthnot.

Question accordingly negatived.

New clause 23

POWERS OF COMMUNITY COUNCILS

'.—(1) A local authority may, by amending a scheme for the establishment of community councils under section 52 of the 1973 Act or in proposing a new scheme under section 22 of this Act, make provision for the exercise by a community council of any of its functions in the area covered by that community council.

(2) It shall be competent for a community council to undertake any activity which it reasonably considers to be in the best interests of the residents of the area covered by the community council, except to the extent that the function has been statutorily assigned to another body and has not been included in a scheme in pursuance of sub-section (1) above.

(3) It shall be competent for a community council to own heritable property in Scotland, and title to such property shall vest in the chairman, vice-chairman and clerk of the community council, ex officio and trustees.'.—*[Mr. Wallace.]*

Brought up, and read the First time.

7.30 pm

Mr. Wallace: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Janet Fookes): With this we may discuss amendment No. 6, in clause 23, page 20, line 9, after 'scheme', insert

'and about the proposed number and powers of future community councils within their area.'.

Mr. Wallace: The purpose of the new clause is to stress the importance of community councils in the government of Scotland. As constituency Members, many of us know that they play an important role in the community, particularly in channelling the views of communities to their local Members. That is certainly the case in my constituency. Since the Local Government (Scotland) Act 1973, there have been developments, not only in rural areas, but in a number of urban areas, and very often areas where, without community councils, it would be difficult to focus on a community view.

The purpose of the new clause is not in any way intended to limit the purpose and functions of community councils set out in section 51(2) of the 1973 Act. Indeed, it seeks to take community councils further than that. It would recognise that functions, which, under statute, are primarily the function of the new unitary authorities, could be discharged by a community council. That already happens in some areas—for example, some recreational responsibilities and the upkeep of cemeteries, and that is a way in which community councils can raise additional income. The new clause also seeks to have a power of general competence to supplement the current statutory responsibilities of community councils. In that way, I would hope that they would become a much more potent power in their own areas and that they would have an increasing opportunity to make representations to a number of statutory bodies. The Government have acknowledged that community councils should at least be consulted on the decentralisation proposals in the Bill.

Amendment No. 6, tabled by my right hon. Friend the Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel), proposes that there should also be statutory consultation with community councils on their number and their powers in a given area in future. As the scheme presently stands, while there is a general responsibility on the new councils to consult the public about the creation of community councils in their area, there is no statutory requirement to consult existing community councils. My right hon. Friend's amendment would strengthen that position and give existing community councils a role with regard to consultation when new schemes for community councils are proposed.

There are other areas, too, in which it is important that community councils are involved. There is to be a statutory requirement to be involved in planning decisions, licensing applications, and proposals that might come from the Forestry Commission and the new water and sewerage authorities. I hope that the steps taken in the Bill to extend the statutory right of consultation can be taken further.

We wish to clarify the position that community councils can hold heritable property. Why should not they buy premises if they have the funding to do so, or hold premises if they are bequeathed to them? Why should not the officers of a community council in some parts of the highlands be allowed to hold that property on a trust basis for the community rather than having it done by the central council, perhaps many hundreds of miles away? That is a simple point, but it would help to establish community councils more firmly in our scheme of arrangements for local government. They provide an important channel for the views of the communities that they represent. The new clause gives the House an opportunity to express its support for the network of community councils throughout Scotland.

Mr. Stewart: There will be a great deal of sympathy with the points made by the hon. Member for Orkney and Shetland (Mr. Wallace). My first point, however, as I am sure he will recognise, is that not all community councils are capable of taking on an extended role.

I take this opportunity to pay tribute to the excellent work in my constituency of many community councils, including Neilston, where I live, under its excellent chairman, Mr. Bill Reid. The role of community councils does vary, but we recognise, as does the hon. Gentleman, that local authorities must make the best use possible of the valuable resource that exists in the form of community councils. That is why we have given them, as the hon. Gentleman has recognised, new powers under the Bill: the statutory right to be consulted on draft decentralisation schemes; and the statutory right to be consulted on local planning issues.

Guidance will be issued to the new authorities, encouraging them to keep community councils informed about local licensing issues. I have to tell the hon. Gentleman, however, that we do not see community councils as an alternative mechanism for service delivery. That is why I cannot recommend the new clause to the House.

On the hon. Gentleman's proposals in subsections (2) and (3), there is no legal bar to community councils being involved in those areas. I can confirm that to the hon. Gentleman. I understand the point of the subsections, but suggest that, in the light of the advice that I have given to him, they are unnecessary.

Mr. Wallace: With regard to subsection (1), in which I refer to functions currently exercised by councils, does the Minister accept that there may be occasions when some of the functions are carried out by community councils, such as maintenance of cemeteries, and that that already happens quite legitimately?

Mr. Stewart: I agree. If the local council thinks and believes that that is an appropriate way of delivery of its services, that is perfectly in order.

On amendment No. 6, I have looked at the present legal position under the 1973 Act and clause 22 of the Bill. I believe that the provisions in the statute and the Bill adequately achieve the objective of ensuring that community councils have the opportunity to review their numbers and powers.

The hon. Gentleman asked me a specific question about community councils' ownership of property. I assure him that there is nothing to prevent them from owning property. I hope that that reassurance will be helpful to him. I do not think that there is any dispute in the House about the importance of community councils and the role that they can play. I think, however, that it is, and can be, variable and, in the context of the general good will towards community councils, which extends to all Members, I hope that the hon. Gentleman will feel able to withdraw his new clause.

Mr. Wallace: The Minister has gone a long way in clarifying those points, and there is much common ground between us. I have one query, which, perhaps, could be looked at in another place. The Minister said that community councils would have the opportunity to comment on any proposals for new councils. We were looking for a statutory right to be consulted, but that is something that can be looked at before the Bill is completed.

With those comments, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 28

DUTY OF EDUCATION AUTHORITIES FOR EDUCATION OF UNDER FIVES

'(1) For section 1(2) of the Education (Scotland) Act 1980, there shall be substituted—

"(2) The duty imposed on an education authority by subsection (1) above shall include a responsibility to secure that educational provision is available for pupils between the ages of three and five years, either by—

(a) the provision of nursery schools or nursery classes, according to guidelines issued by Her Majesty's Inspectorate of Schools,

or, where the authority considers the provision of such schools or classes to be inexpedient,

(b) it shall be their duty to manage the provision of pre-five educational services in other establishments such as day nurseries, pre-school playgroups, independent nursery schools and daycare centres within their area, with specific responsibility for securing the quality of staff training, accommodation and resources according to guidelines issued by Her Majesty's Inspectorate of Schools,

(c) any additional expenses incurred in pursuit of this duty shall be paid by the Secretary of State out of money provided by Parliament.".'.—*[Mr. Wallace.]*

Brought up, and read the First time.

Mr. Wallace: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this, we may take new clause 31—*Statutory provision for nursery education*—

'It shall be the duty of each local authority to draw up a scheme for the statutory provision of pre-five nursery places for all eligible children in that area and to specify a date for the implementation of such a scheme which will be submitted to the Secretary of State for final approval.'.

Mr. Wallace: It appears that, like London buses, Liberal Democrat new clauses and amendments come along in twos and threes after a long wait.

I think that it is generally agreed that there should be more nursery provision in Scotland and, indeed, throughout the United Kingdom. Last December, the Prime Minister stated his ambition

"over time to move to universal nursery education".

Welcoming the publication of a statistical bulletin last month, the Under-Secretary, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton), said:

"The Government is committed to an extension of nursery and other pre-school provision in the public, private and voluntary sectors to allow a full range of options for all parents of pre-school children."

That motivation—which I suspect is shared by all parties—is well founded. In recent months, reports of United States studies have shown that those who have had a nursery education are less likely to be unemployed or to resort to crime in later life. Every £1 spent on nursery education today gives a sevenfold return in years to come.

Apart from the benefits to society as a whole, nursery education provides individual children with an important benefit, unlocking a potential that can develop and blossom in future years. It gives them a different type of educational experience from that provided by school—a type more appropriate to their age. It may well also give an early warning of learning difficulties or other behavioural problems, thus allowing such problems to be tackled more effectively when the child is younger. It can also lay the foundations for a sound education, contributing in due course—we hope—to higher levels of numeracy and literacy.

Although those are all worthy objectives, one of the problems is insufficient provision. In a written answer to the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) on 3 May, the Under-Secretary, the hon. Member for Eastwood (Mr. Stewart) said:

"It is estimated that 57,600 children under five years had places in local authority education or day care establishments at 31 March 1992."—[*Official Report*, 3 May 1994; Vol. 242, c. 489.]

That was only 18 per cent. of children under five. As for the levels of provision of state nursery education in the member states of the European Union, it appears that only Portugal has a lower level than the United Kingdom.

Mr. Foulkes: One cannot say more than that.

Mr. Wallace: The hon. Gentleman should not tempt me too much.

Provision in Scotland differs widely, from more than 51 per cent. in Lothian and Glasgow to only 16 per cent. in the Highland region and 3.3 per cent. in Argyll and Bute. There is no provision at all in the Western Isles: I thought that I had better add that information before the hon. Member for East Lothian (Mr. Home Robertson) jumped to party conclusions. That suggests that access to the current range of nursery education is little more than a lottery, depending on where people live. From the earliest

[Mr. Wallace]

age, children in Scotland are given unequal opportunities. The new clause would impose a statutory duty on local authorities throughout Scotland to address the problem.

Mr. Brian Wilson (Cunninghame, North): I agree with everything that the hon. Gentleman has said. Does he accept that, in the imperfect world in which we live, there is one certainty—that nursery education should be available to all children with special needs?

Mr. Wallace: I would endorse that without qualification. I should like provision to be universal, but if there is to be priority it should certainly be accorded to such children.

Nursery education is not the only means of serving young families and the educational needs of young children. There is a consensus that there should be a range of provision—playgroups, workplace nurseries, private child care and nursery arrangements and creches. All those have a contribution to make. Again, however, we need only look at different parts of Scotland to observe wide variations in provision, in terms of both availability and quality. The new clause addresses that aspect of pre-school education: it would give local authorities a statutory duty to manage the range of opportunities that should be available. I hope that, in that way, we could establish throughout Scotland the quality and availability of places for under-fives that are widely agreed to be necessary to get them off to a good start.

There's the rub—by which I mean finance. I quoted the hon. Member for Edinburgh, West earlier. He also said:

"These ambitions . . . must be tempered by reality and can only be brought about as resources become available."

Some 20-odd years ago, Baroness Thatcher—then Secretary of State for Education—made a similar commitment, but did not will the resources. It is well known that my own party has not only made a commitment but been prepared to say that funds should be available to ensure that it is realised.

7.45 pm

Mr. Dalyell: Earlier this month, many of us received hospitality from the Scottish Pre-School Play Association in the Members' Dining Room. One question was foremost in the minds of the association's members: what would happen to pre-school and nursery education if the regions ceased to exist? How will the Minister answer that question?

Mrs. Ewing: I support new clause 28. New clause 31, which stands in my name, has a similar intent.

I think it very sad that previous local government legislation removed the statutory duty on local authorities to provide nursery education. We are attempting to ensure that local authorities give priority to such education.

The hon. Member for Cunninghame, North (Mr. Wilson) referred to special needs. As you well know, Madam Deputy Speaker, and as other hon. Members also know, I have a special interest in the matter. I believe that the early recognition of problems that children may have could best be ensured by making statutory provision for nursery education in all our local authority areas and by providing qualified and trained personnel to support children with special needs.

My training in special needs was on how to deal with children who were perhaps in their teens. It has always seemed to me—I think that this has been borne out by subsequent research—that if a child's problems are spotted early enough, that child will not become one of the difficult teenagers with whom many teachers must now deal. I believe that, as well as providing nursery education—particularly for children with special needs—we should ensure that those working with them receive the necessary training and support.

Of course, I should like every child to have the chance of nursery education. Very young children are like little sponges, absorbing a good deal of information and education and then blossoming. I agree that youngsters should go to school as early as possible and that the necessary facilities should be provided. We must also recognise that we live in a changing society. In my area, and, I suspect, in many other parts of Scotland, women are now often the family breadwinners because of the lack of employment. Therefore, it is important to provide nursery education so that women can reach out to their careers and become breadwinners. At present, far too many are on low wages and cannot afford private nursery facilities. We must remedy that problem in general. Women have an important role to play and the support of nursery education is important to them in terms of their family life.

Money has been mentioned, and the Government always say that we cannot afford nursery education. Yet yesterday we saw a paper on defence saying that we must crash ahead and buy as many Trident nuclear warheads as possible, as fast as possible. Yet in Scotland we cannot provide nursery education for our children. I ask the Government in all seriousness, "What are your priorities—nuclear warheads or children?" We have already argued today about the need for a children Act for Scotland and the need to recognise the problems that children face, yet the Government's priority appears to be spending our money on the weapons of death.

Finally, I remind the Minister of what the Prime Minister wrote in his document "Access and Opportunity". He said:

"Scotland has a long and proud tradition of academic excellence. It is on this firm foundation that the Government have sought to build their reforms of education and training. We have backed these reforms with greatly increased resources. As a result, parents and their children now have opportunities that were simply not available to previous generations of Scots."

Those words ring hollow.

Mr. Davidson: It would be appropriate if the Minister said that he intended to move towards universal pre-five provision rather than, as I suspect will happen as a result of the reorganisation, cuts in pre-five services. The effect of the reorganisation will be that local authorities will be obliged to cut all the services that are not statutory. In those circumstances, the pre-five service, which is an important part of the provision in many areas, will be reduced. The Government should now publicly recognise the importance of the value that children get from pre-five provision.

Many hon. Members have touched on the subject, but I shall concentrate on the support that pre-five services provide to parents, especially single parents. Over the past year or so, the Government have spent a great deal of time lambasting single parents for being a charge on the community as a whole. Many single parents desperately want to work, but cannot make child care arrangements that would enable them to do so.

In my area, nurseries have been provided as part of the Govan initiative project, which has enabled many single parents who would otherwise have been unable to do so to go to work and to support their families, thus avoiding being a charge on the community. The Government should consider the cost of the reorganisation and ask themselves whether the people of Scotland would prefer that money to be spent on providing universal pre-five services or on a reorganisation that nobody wants. I believe that Scottish people would rather have pre-five services for all the children who need them.

Lord James Douglas-Hamilton: The hon. Member for Linlithgow (Mr. Dalyell) asked about pre-school provision after the reorganisation. The funding allocated for nursery education in the local government financial settlement is based on the numbers of children of nursery age in each authority area. So provided that the new authorities give the same priority to nursery education as do the existing authorities, there is no reason why they should not continue the service. Clearly, maximum continuity is desirable.

The Scottish Office position is that we seek an extension of nursery and pre-school provision. Our long-term goal is a full range of options to satisfy the requirements of all parents of pre-school age children. We have a good track record, but our ambitions must be tempered by reality. They can be brought about only as resources become available. We have to report considerable achievement.

As the hon. Member for Orkney and Shetland (Mr. Wallace) will realise, since the Government came to power the number of children attending nursery schools has increased from 31,700 to more than 48,000—an increase of 52 per cent. Moreover, taking under-fives provision generally—I include nursery schools, day nurseries and pre-school playgroups in that grouping—authorities could, should they wish to target a particular age group, cater for almost 80 per cent. of the three and four-year-old population in Scotland.

The Government have declared their intention to explore ways of adding still further to the choice available to parents. We are determined that that will—

Mr. Wallace *rose—*

Lord James Douglas-Hamilton: No doubt the hon. Gentleman wants to ask me about resources. Those are under consideration. Clearly it is a matter of top priority that the matter be considered most carefully.

We are determined to extend choice not only in the public but in the private and voluntary sectors. We have to guard against the danger that by favouring one element we may cause another to fall by the wayside. I know, for example, of the Scottish Pre-School Play Association's concerns that that should not happen.

New clause 28 refers to the report by Her Majesty's inspectorate of schools published on 21 February. That report supports our policy of choice and gives advice on the education of children under five in Scotland across the full range of provision. I believe that it will set the tone for pre-five education in the future and I commend its conclusions and recommendations to all parents and professionals involved in the education of young children.

The report provides a range of options, and does so with a specific intent. It leaves providers to decide what is most appropriate for their area. It would certainly not be appropriate to respond to that report by limiting the flexible use of the advice given in the report by imposing a statutory provision that it must be followed regardless of particular circumstances, as the new clause would do.

Moreover, the effect of new clause 28 would be to make education authorities responsible for the management of educational services provided in establishments in the voluntary and independent sectors—in playgroups and private nursery schools. As I have said, our aim is for diversity and choice. New clause 28 recognises that that is a correct approach and I am grateful to the hon. Gentleman for that. However, safeguards through the involvement of education authorities under the Children Act 1989 and through the inspectorate report mean that the position is well protected as things stand. I should also make it clear that new clause 28 is defective in that it talks in terms of "educational provision" without clarifying what that means.

New clause 31 is defective in that it does not specify the meaning of "statutory provision", of "pre-five nursery places" or of "eligible children". It would also place the duty on the local authority as a whole rather than on the education authority—a somewhat unusual proposition. More important is the fact that the purpose of new clause 31 is obscure. Arrangements for the provision of nursery education by education authorities are flexible and can be provided for all children whatever their age. As I said earlier, decisions on such matters are very much for authorities to make in the light of local circumstances. Why, then, should we provide only for "eligible children ", whatever that may mean, or for the intervention of the Secretary of State?

I find that strange—

Mr. Wilson: Surely the Minister must accept that there must be some statutory minimum, so will he specifically address the point that I raised? I am not arguing the case for children with special needs as against that of other children, but surely it must be right to make some provision in law for the children who are clearly most in need of pre-school education. Surely the Minister cannot maintain that there should be no statutory obligation to provide for any children at all.

Lord James Douglas-Hamilton: I do not believe that the hon. Gentleman was present earlier, when I said that under the Education Act 1980 education authorities are required to

"secure that there is made for their area adequate and efficient provision of school education and further education".

Mr. Wilson: School education?

Lord James Douglas-Hamilton: That is a matter of resources, as well as of the good will and intention of the authorities. A variety of different types of provision is presently on offer. As has been made clear by the Scottish Pre-School Play Association, it is in the public interest that the provision that they give should continue.

Mrs. Ewing: Will the Minister give way?

Lord James Douglas-Hamilton: I was about to deal with the hon. Lady's new clause. She wished to involve the Secretary of State in local decisions. It is strange that she should want to do that, unless she believes that the Secretary of State knows as much as education authorities about the need for nursery schools in particular areas,

[Lord James Douglas-Hamilton]

having regard to such considerations as the availability of other forms of pre-school provision, or the specific needs of certain parts of an authority's area.

For those reasons, I invite the hon. Member for Orkney and Shetland to withdraw his new clause and the hon. Member for Moray (Mrs. Ewing) not to press hers.

Mrs. Ewing: I believe that in a nation the size of Scotland it should be perfectly possible to have a national strategy for nursery education, as my new clause suggests.

In the context of the provision for children with special needs in every community in Scotland, is the Minister satisfied that adequate provision is being made and resources provided to ensure that there are speech and occupational therapists and all the various groupings that are required to ensure that each child has his or her needs met? I am certainly not satisfied, and I suspect from the tone of the arguments of other Opposition Members that those needs are not being met anywhere in Scotland.

Lord James Douglas-Hamilton: Social education needs are extremely important, and we have enormously expanded the resources for those with learning difficulties and acute learning difficulties. We acknowledge the importance of the support services in this connection and we expect that many authorities will wish to retain a comprehensive range of services within their own boundaries. In other cases, authorities may take advantage, for example, of the options for provision by joint arrangements with another authority, or through contracts with the voluntary sector.

It is clear, however, that the duty will remain with the education authority to whose area a child belongs. With regard to the size of authorities, Borders is a smaller authority than many, but it has an excellent record in that connection. We have not decided whether that will be the situation in the future in relation to children with special educational needs.

8pm

Mr. Wallace: We have had a useful opportunity to get the Government's position clearly on record, and we have had a lot of pious expectations and statements. Clearly, the point is that there are no resources, and authorities will not be able to deliver in anything like the way in which they ought to. I do not think that we will achieve anything by putting the matter to the vote, so I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Mrs. Ray Michie (Argyll and Bute): I beg to move amendment No. 2, a new schedule—*Area Tourist Boards*—

Area of Tourist Board	*Comprising area of*
Shetland	Shetland Council.
Orkney	Orkney Council.
Western Isles	Western Isles Council.
Highland	Highland Council.
Grampian	City of Aberdeen Council; Aberdeenshire Council; Moray Council.
Tayside	Angus Council; City of Dundee Council.
Fife	Fife Council.
Perthshire	Perthshire and Kinross Council.
Argyll and Bute	Argyll and Bute Council.
Central	Clackmannan and Falkirk Council; Dumbarton and Clydebank Council; Stirling Council.
Glasgow and Clyde Valley	City of Glasgow Council; Inverclyde Council; Renfrewshire Council; East Renfrewshire Council: East Dunbartonshire Council; North Lanarkshire Council; South Lanarkshire Council.
Edinburgh and Lothian	City of Edinburgh Council; East and Mid Lothian Council; West Lothian Council.
Scottish Borders	The Borders Council.
Ayrshire and Arran	East Ayrshire Council; North Ayrshire Council; South Ayrshire Council.
Dumfries and Galloway	Dumfries and Galloway Council.'.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): With this, it will be convenient to discuss the following: Amendment (a) to the amendment, leave out from "Glasgow and Clyde Valley" to "South Lanarkshire Council" and insert

'Glasgow	City of Glasgow Council; Inverclyde Council; Renfrewshire Council; East Renfrewshire Council; East Dunbartonshire Council.
Clyde Valley	North Lanarkshire Council; South Lanarkshire Council.'.

Amendment No. 4, in clause 167, page 112, line 31, leave out

'may be specified in the order'

and insert

'specified in Schedule (*Area Tourist Boards*) to this Act.'.

No. 191, in clause 171, page 117, line 32, leave out 'in their area'.

Mrs. Michie: I should say at the outset that I do not wish to prejudice any other colleague, particularly in the highlands, who may wish to see a change to the proposed tourist board arrangements. That includes the hon. Member for Hamilton (Mr. Robertson), and the amendment in his name.

It was with considerable astonishment, and not a little dismay, that the announcement of the revised tourist board structure was greeted by myself and the people of Argyll and Bute. As we all know, there has been no member from the highlands and islands sitting on the committee and that has been a grave omission.

I am grateful for the opportunity now to move the amendment, for which I seek the support of the Minister and the House. The amendment would include in the Bill the list of area tourist boards as announced by the Secretary of State, but add to it one more, to be named Argyll and Bute, which would be coterminous with the new local authority area.

Previously in Argyll and Bute, there were four tourist boards, but it is now accepted that there should be one. But never in our wildest dreams—or is it nightmares?—was it considered possible that the Secretary of State would agree to Argyll and Bute being lumped in with Stirling.

Clackmannan, Falkirk, Dumbarton and Clydebank and being given the unwieldy name of the Loch Lomond, Stirling and Trossachs, Argyll and Bute tourist board. What a mess.

Granted, for the traveller seeking to discover Scotland, those are names to conjure with, but Clackmannan has little in common with Colonsay or Coll. In its original submission in response to the Scottish Office and Scottish tourist board consultation papers, a working party representing a wide range of tourist interests in Argyll and Bute clearly expressed the view that there must be one tourist board to cover the new local authority area. Therefore, there was deep frustration at the inability to have a meaningful dialogue on the matter. Consultation is a two-way process, but there has been none of that in this case.

Not only is Argyll and Bute one of most gloriously beautiful parts of Scotland—many hon. Members have spent happy and relaxing holidays there—but it is unique, because of the number of islands within its boundaries. There are some 550 islands, of which 28 are inhabited. It covers an area of 2,500 sq m and has a coast line longer in distance than that from Calais to Gibraltar.

Mr. Alex Salmond (Banff and Buchan): May I endorse what the hon. Lady is saying about her constituency? She may remember that, when I was on holiday in her constituency, she came to hold a surgery in Colonsay. Although I did not avail myself of the opportunity—I spent the time on the golf course instead—that is a ringing endorsement of the hon. Lady's attitude towards her constituency.

Mrs. Michie: I am grateful to the hon. Gentleman. I remember him visiting Colonsay and playing on the golf course—in among the sheep, as I recall.

By its nature, Argyll and Bute is crucially different from the urban conurbations with which the Bill would link it. It does not have the same day-visitor identity as Loch Lomond and Stirling castle. Its prime objective is to attract people more to resort destinations than to tourist areas. That relies not just on road and rail transport but on ferry and air travel to the islands and remote mainland havens. Surely the setting up of a new structure should always follow a decision on the purpose and the function. One decides what one wants to do and how one wants to do it and then one creates the structure.

The purpose and function in this case is to make tourism, which is a vital industry in Argyll and Bute, flourish and be successful. There is already a great deal of co-operation between the existing public and private bodies. It is only logical, therefore, that there should be one local authority, one enterprise company and one tourist board. A detailed study of the financial viability of such a board concluded that the potential grant-funding and the likely savings in expenditure would indeed make it financially viable. That confirmed an earlier report commissioned by the Argyll and Islands enterprise company.

If the amendment is not accepted, the downside is that there would be without a doubt a significant drop in tourism and in the associated income. There would be an increase in administration costs in an effort to maintain the identity of the area and—I know this for certain—there would be an upsurge of small groups seeking to promote their own particular corner. Many of those who are closely involved in the work of the tourist boards would simply walk away because of a sense of isolation and non-compatibility with the Government's proposed huge board. To make a rural tourist board successful, those involved need to feel a sense of belonging and ownership.

The Secretary of State has already accepted the logic of having separate island tourist boards. Argyll and Bute is little different and has, over the years, built up a distinct industry. We must remember that it is subject to objective 1 status and will be eligible for EC funding. The European Community has identified tourism as a crucial growth area. It would be ironic if the Government, having turned Argyll and Bute into a single-tier local authority and removed it from Strathclyde, which the Prime Minister once unwisely described as a monstrosity, put it back into another huge area.

The amendment is supported by many organisations —Argyll and Bute district council, the Bute and Cowal tourist board, the West Highlands and Islands of Argyll tourist board, the local enterprise company—and by the chairman of the Scottish Confederation of Tourism. To achieve cohesion and a sense of purpose in promoting the distinctive, historical, cultural, social and economic features of the area, I urge the Minister and the House to take the sensible course and accept the logic and desirability of an Argyll and Bute tourist board.

Lord James Douglas-Hamilton: The hon. Member for Argyll and Bute (Mrs. Michie) argued that we should reconsider the proposal for an Argyll-Stirling tourist board. The amendment would remove the flexibility of action that we intend in relation to future changes in tourist board area boundaries. We hope that it will not be necessary to alter those boundaries, but if, for whatever reason, change is required at some time in the future, we need the power to be able to achieve that change quickly and easily. Such a proposal is contained in the Bill—a change can be achieved by an order made under clauses 168 and 169—but if we agreed to the amendment, the Bill would have to be changed.

In its advice, the Scottish tourist board was strongly of the view that a board which comprised the new Argyll and Bute, Stirling, Clackmannan and Falkirk unitary authorities would be a major player in Scottish tourism. Contrary to what has been claimed, the STB believed that such a board would cover a marketable area with considerable synergy between mainland Argyll—[Hon. Members: "Synergy?"] Yes, synergy. There would be considerable synergy between mainland Argyll, rural Stirling and Clackmannan, with Loch Lomond, which I am sure the hon. Lady would agree is a destination of international renown, as the central feature.

I agree that the considerable market appeal, coupled with the gateway status of Stirling, will bring induced benefit to less visited areas such as Clackmannan, Cowal and Kintyre. It would also provide a stronger mainland area to service the remote and fragile Argyll islands. Of course, it would be expected to be financially viable.

Analysis of current funding shows that two separate areas would be financially weak in comparison with many of the other boards and underlines fears already experienced in Argyll and Bute that a separate board for the area could not compete or survive. I am aware of the report, to which the hon. Lady referred, on an Argyll and Bute tourist board. However, I am not convinced by its claims that an Argyll and Bute area tourist board would be

[Lord James Douglas-Hamilton]

financially viable. We are aware that in the recent past the West Highlands and Argyll board has experienced financial difficulties and, as a consequence, has received substantial financial assistance from Highlands and Islands Enterprise and Scottish tourist board.

Against that background, Argyll and Bute district council's report strikes too optimistic a note. Some of its claims for the new Argyll and central Scotland area tourist board are completely misplaced. Therefore, with regret I cannot support the hon. Lady's amendment. I recommend accordingly that the House rejects it.

8.15 pm

Mrs. Ray Michie: I am disappointed with the Minister's reply. He has a number of facts wrong and he has been misinformed. The Scottish tourist board was wrong to give the Scottish Office and the Minister that advice. It did so without consulting people in Argyll and Bute and without conducting any sort of dialogue or discussion with them. For the Minister to say that Stirling and Clackmannan is a gateway to Kintyre or Oban is just not credible.

I find it extraordinary that the Minister should maintain that an Argyll and Bute tourist board, which would include Helensburgh, would not be financially viable and that he is rejecting the report by the local enterprise company. I hope that he will reconsider the matter and that it will be considered again in another place. Therefore, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 1

New Local Government Areas

Amendment proposed: No. 25, in page 124, line 8, leave out

'Banff and Buchan District Council'.—[*Mr. Salmond.*]

Question put, That the amendment be made:—

The House divided: Ayes 20, Noes 265.

Division No. 243] **[8.16 pm**

AYES

Campbell, Menzies *(Fife NE)*	Maddock, Mrs Diana
Carlile, Alexander *(Montgomry)*	Michie, Mrs Ray *(Argyll Bute)*
Dafis, Cynog	Rendel, David
Foster, Don *(Bath)*	Salmond, Alex
Harvey, Nick	Skinner, Dennis
Johnston, Sir Russell	Taylor, Matthew *(Truro)*
Jones, Nigel *(Cheltenham)*	Tyler, Paul
Kennedy, Charles *(Ross,C&S)*	Wallace, James
Kirkwood, Archy	
Llwyd, Elfyn	**Tellers for the Ayes:**
Lynne, Ms Liz	**Mrs. Margaret Ewing and**
Maclennan, Robert	**Mr. Andrew Welsh.**

NOES

Ainsworth, Peter *(East Surrey)*	Baldry, Tony
Alexander, Richard	Banks, Matthew *(Southport)*
Alison, Rt Hon Michael *(Selby)*	Banks, Robert *(Harrogate)*
Allason, Rupert *(Torbay)*	Bates, Michael
Amess, David	Batiste, Spencer
Arbuthnot, James	Bellingham, Henry
Arnold, Jacques *(Gravesham)*	Bendall, Vivian
Arnold, Sir Thomas *(Hazel Grv)*	Biffen, Rt Hon John
Ashby, David	Blackburn, Dr John G.
Aspinwall, Jack	Body, Sir Richard
Atkins, Robert	Bonsor, Sir Nicholas
Atkinson, Peter *(Hexham)*	Booth, Hartley
Baker, Nicholas *(Dorset North)*	Boswell, Tim
Bottomley, Peter *(Eltham)*	Greenway, Harry *(Ealing N)*
Bottomley, Rt Hon Virginia	Greenway, John *(Ryedale)*
Bowden, Andrew	Griffiths, Peter *(Portsmouth, N)*
Bowis, John	Grylls, Sir Michael
Boyson, Rt Hon Sir Rhodes	Gummer, Rt Hon John Selwyn
Brandreth, Gyles	Hague, William
Brazier, Julian	Hamilton, Rt Hon Sir Archie
Bright, Graham	Hamilton, Neil *(Tatton)*
Brown, M. *(Brigg & Cl'thorpes)*	Hampson, Dr Keith
Browning, Mrs. Angela	Hannam, Sir John
Bruce, Ian *(S Dorset)*	Hargreaves, Andrew
Budgen, Nicholas	Harris, David
Burns, Simon	Haselhurst, Alan
Burt, Alistair	Hawkins, Nick
Butler, Peter	Hayes, Jerry
Carlisle, John *(Luton North)*	Heald, Oliver
Carlisle, Kenneth *(Lincoln)*	Heathcoat-Amory, David
Carrington, Matthew	Hendry, Charles
Carttiss, Michael	Hicks, Robert
Cash, William	Higgins, Rt Hon Sir Terence L.
Channon, Rt Hon Paul	Hill, James *(Southampton Test)*
Churchill, Mr	Hogg, Rt Hon Douglas *(G'tham)*
Clappison, James	Horam, John
Clark, Dr Michael *(Rochford)*	Hordern, Rt Hon Sir Peter
Clarke, Rt Hon Kenneth *(Rushf)*	Howard, Rt Hon Michael
Clifton-Brown, Geoffrey	Howarth, Alan *(Straf'rd-on-A)*
Coe, Sebastian	Howell, Sir Ralph *(N Norfolk)*
Colvin, Michael	Hughes Robert G. *(Harrow W)*
Congdon, David	Hunt, Rt Hon David *(Wirral W)*
Conway, Derek	Hunt, Sir John *(Ravensbourne)*
Coombs, Anthony *(Wyre For'st)*	Hunter, Andrew
Coombs, Simon *(Swindon)*	Hurd, Rt Hon Douglas
Cope, Rt Hon Sir John	Jackson, Robert *(Wantage)*
Couchman, James	Jenkin, Bernard
Cran, James	Jessel, Toby
Curry, David *(Skipton & Ripon)*	Jones, Gwilym *(Cardiff N)*
Davies, Quentin *(Stamford)*	Jones, Robert B. *(W Hertfdshr)*
Davis, David *(Boothferry)*	Jopling, Rt Hon Michael
Day, Stephen	Key, Robert
Deva, Nirj Joseph	Kirkhope, Timothy
Devlin, Tim	Knapman, Roger
Dickens, Geoffrey	Knight, Mrs Angela *(Erewash)*
Dicks, Terry	Knight, Greg *(Derby N)*
Dorrell, Stephen	Knight, Dame Jill *(Bir'm E'st'n)*
Douglas-Hamilton, Lord James	Knox, Sir David
Dover, Den	Kynoch, George *(Kincardine)*
Duncan, Alan	Lait, Mrs Jacqui
Duncan-Smith, Iain	Lang, Rt Hon Ian
Dunn, Bob	Lawrence, Sir Ivan
Durant, Sir Anthony	Legg, Barry
Elletson, Harold	Leigh, Edward
Emery, Rt Hon Sir Peter	Lester, Jim *(Broxtowe)*
Evans, David *(Welwyn Hatfield)*	Lidington, David
Evans, Jonathan *(Brecon)*	Lightbown, David
Evans, Nigel *(Ribble Valley)*	Lilley, Rt Hon Peter
Evans, Roger *(Monmouth)*	Lloyd, Rt Hon Peter *(Fareham)*
Evennett, David	Lord, Michael
Faber, David	Luff, Peter
Fabricant, Michael	MacGregor, Rt Hon John
Fairbairn, Sir Nicholas	MacKay, Andrew
Fenner, Dame Peggy	Maclean, David
Field, Barry *(Isle of Wight)*	McNair-Wilson, Sir Patrick
Fishburn, Dudley	Malone, Gerald
Forman, Nigel	Mans, Keith
Forsyth, Michael *(Stirling)*	Marlow, Tony
Forth, Eric	Marshall, John *(Hendon S)*
Fox, Dr Liam *(Woodspring)*	Marshall, Sir Michael *(Arundel)*
Freeman, Rt Hon Roger	Martin, David *(Portsmouth S)*
French, Douglas	Mates, Michael
Fry, Sir Peter	Mawhinney, Rt Hon Dr Brian
Gallie, Phil	Mayhew, Rt Hon Sir Patrick
Gardiner, Sir George	Merchant, Piers
Garel-Jones, Rt Hon Tristan	Mills, Iain
Garnier, Edward	Moate, Sir Roger
Gill, Christopher	Montgomery, Sir Fergus
Gillan, Cheryl	Moss, Malcolm
Goodson-Wickes, Dr Charles	Newton, Rt Hon Tony
Gorman, Mrs Teresa	Nicholls, Patrick
Gorst, John	Nicholson, David *(Taunton)*
Grant, Sir A. *(Cambs SW)*	Nicholson, Emma *(Devon West)*

Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Andrew Mitchell.

Question accordingly negatived.

Amendments made: No. 287, in page 124, column 2, leave out lines 13 to 15 and insert—

'(except first, polling district PDB; secondly, that part of polling district PDC lying to the east and south of a line commencing at the junction of unnamed roads at grid reference NO 3297 3106; then running northwest to the crossroads at Mains of Fowlis at grid reference NO 3247 3239; then running northeastward along the unnamed road between Mains of Fowlis and Liff to the western curtilage of the property known as Cater-Milly at grid reference NO 3300 3276; then running southward and eastward along the western and southern curtilages of the said property to the field boundary at grid reference NO 3308 3259; then continuing southeastward along the said field boundary and across the Liff Burn to the eastern perimeter of the woodland known as Gray Den at grid reference NO 3332 3239; then running north and east along the path running along the said eastern perimeter of Gray Den to its junction with the unnamed track between Liff and Mains of Gray at grid reference NO 3336 3273; then running north to the junction of the said track and the southern curtilage of the property known as Gray Cottage; then running northeastward along the southern curtilages of Gray Cottage, Learmonth House and Woodend Cottages to the unnamed road between Liff and the Royal Dundee Liff Hospital then running eastward along the said road past the northern perimeter of the said Hospital to the road junction at grid reference NO 3537 3276; that part of polling district ADA lying to the east and south of a line commencing at a point on the A923 road at grid reference NO 3560 3378; then running north along the eastern curtilage of No 100 Couper Angus Road and northwestwards along the northern curtilages of Nos 100 to 122 Couper Angus Road to the eastern perimeter of Blairfield Road; then northwards along the said eastern perimeter to the field boundary at grid reference NO 3533 3436; then northeastwards along the said field boundary to its junction with Templeton Road at grid reference NO 3577 3455; thirdly, that part of polling district ADC lying to the east and south of a line commencing at grid reference NO 3660 3474 then running northward to the northwest corner of Baldragon Wood at grid reference NO 3658 3496; then running eastward along the northern perimeter of the said wood and continuing along the field boundary to grid reference NO 3725 3491; fourthly, those parts of polling districts ADE and ADF lying to the east and south of a line commencing on the southern boundary of polling district ADE on the A929(T) road at grid reference NO 4166 3458; then running northwards along the said A929(T) road to its junction with the unnamed road leading to South Powrie; then running southeastwards along the said unnamed road to South Powrie; then eastwards from South Powrie along the unnamed road leading to Barns of Wedderburn as far as the northwestern curtilage of that property at grid reference NO 4347 3469; then running southwestwards and southeastwards along the northwestern and southwestern perimeter of the said property to the point where it meets the unnamed road leading to Fintry at grid reference NO 4347 3458; then running southwestwards along the said unnamed road to the southern boundary of polling district ADF at the road junction at grid reference NO 4352 3466; and fifthly, those parts of polling districts EDN, EDQ, PDA, WED, WEE, WEF and WEG lying within its boundary).'.

No. 288, in page 124, line 21, column 2, leave out from 'DB78' to end of line 39 and insert—

'lying north of a line commencing at grid reference NS 3464 8256; then running northeastwards to the field corner at grid reference NS 3469 8264; then southeastwards to the field junction at grid reference NS 3608 8198; then northeastwards to the field junction at grid reference NS 3658 8242; then northwestwards to the junction of the field boundary and an unnamed burn at grid reference NS 3613 8269; then generally northeastwards along the course of the said burn to where it meets Loch Lomond at grid reference NS 3743 8336; then due northeastwards from that point to the eastern boundary of the said polling district in Loch Lomond.'.—[*Lord James Douglas-Hamilton.*]

Amendment proposed: No 42, in page 124, leave out lines 40 to 44 and insert—

'Ayrshire	Kilmarnock and Loudoun District Council; Cumnock and Doon Valley District Council; Cunninghame District Council; Kyle and Carrick District Council.'.

— [*Mr. McLeish.*]

Question put, That the amendment be made:—
The House divided: Ayes 232, Noes 266.

Division No. 244] **[8.29 pm**

AYES

Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cummings, John
Cunningham, Jim *(Covy SE)*
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge Hl)*
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jamieson, David
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kirkwood, Archy
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jon Owen Jones and
Mr. Eric Illsley.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William

Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rudlif)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lester, Jim *(Broxtowe)*
Lidington, David
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Montgomery, Sir Fergus
Moss, Malcolm
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. David Lightbown.

Question accordingly negatived.

Amendments made: No. 289, in page 124, line 46, column 1, leave out 'and Falkirk'.

No. 290, in page 124, line 46, column 2, leave out from 'Council' to end of line 49.

No. 292, in page 125, line 12, column 2, leave out 'and Mearns and' and insert 'or'.

'Falkirk	Falkirk District Council'

No. 293, in page 125, line 15, column 2, leave out from 'Council' to end of line 18.

'East Lothian	East Lothian District Council.
Midlothian	Midlothian District Council.

No. 295, in page 125, line 45, column 2, at end insert—

'and that part of polling district PDA lying to the south of a line commencing at a point adjacent to Starr Inn Farm at grid reference NO 3309 3051 on the A90 road; then running eastward along the said road to the junction at grid reference NO 3462 3079'.

No. 296, in page 125, line 46, column 2, leave out from 'In council' to the end of line 37 on page 126 and insert—

'; Strathclyde electoral division 79 (Barrhead).'

No. 297, in page 126, line 38, column 2, leave out from '(except' to the end of the line 39 and insert—

'Strathclyde electoral division 79 (Barrhead).'

— [*Mr. Stewart.*]

Clause 2

CONSTITUTION OF COUNCILS

Amendment made: No. 48, in page 2, line 21, leave out 'chairman' and insert 'convener'.—[*Mr.Stewart.*]

Clause 4

CHAIRMAN AND VICE-CHAIRMAN

Amendments made: No. 49, in page 3, line 2, leave out 'chairman' and insert 'convener'.

No. 50, in page 3, line 3, leave out 'vice-chairman' and insert 'depute convener'.

No. 51, in page 3, line 9, leave out 'chairman and vice-chairman' and insert 'convener and depute convener'.

No. 52, in page 3, line 10, leave out 'chairman' and insert 'convener'.

No. 53, in page 3, line 12, leave out 'chairman' and insert 'convener'.

No. 54, in page 3, line 15, leave out 'chairman or vice-chairman' and insert 'convener or depute convener'.

No. 55, in page 3, line 18, leave out 'chairman' and insert 'convener'.

No. 56, in page 3, line 21, leave out 'vice-chairman' and insert 'depute convener'.

No. 57, in page 3, line 23, leave out 'chairman' and insert 'convener'.

No. 173, in page 3, line 24, after 'shall' insert

', with effect from 1st April 1996,'.

No. 58, in page 3, line 25, leave out 'chairman' and insert 'convener'.

No. 59, in page 3, line 27, leave out 'chairman and vice-chairman' and insert 'convener and depute convener'.—[*Mr.Stewart.*]

Clause 6

DATE OF ELECTIONS

Amendments made: No. 174, in page 4, line 8, after 'preceding' insert

'the year or, in the case of an order affecting more than one year,'.

No. 175, in page 4, line 9, at end insert—

'(1A) An order made under subsection (1)(b) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.—[*Mr.Stewart.*]

Schedule 2

ESTABLISHMENT OF NEW LOCAL AUTHORITIES

Amendments made: No. 113, in page 128, line 6, leave out 'chairman' and insert 'convener'.

No. 114, in page 128, line 10, leave out 'chairman', in both places where it occurs, and insert 'convener'.

No. 115, in page 128, line 26, leave out 'chairman' and insert 'convener'.

No. 116, in page 128, line 26, leave out 'vice-chairman' and insert 'depute convener'.

No. 117, in page 128, line 29, leave out 'chairman' and insert 'convener'.

No. 118, in page 128, line 30, leave out 'chairman' and insert 'convener'.

No. 119, in page 128, line 31, leave out 'chairman' and insert 'convener'.—[*Mr. Stewart.*]

Clause 8

TRANSFER OF EMPLOYEES

Amendments made: No. 176, in page 4, line 19, at beginning insert

'Subject to the provisions of this section,'.

No. 177, in page 4, leave out lines 31 to 33 and insert—

'(2A) Each regional and district council shall, in accordance with the provisions of an order made under this section, prepare a scheme in relation to the transfer under or by virtue of this Act of their employees.'.

No. 178, in page 4, line 34, leave out '(2)(c)' and insert '(2A)'.

No. 179, in page 4, line 37, at end insert—

'( ) The Secretary of State shall by order under this section provide for the transfer of all fire and police personnel employed by an existing local authority for the purposes of a fire brigade or police force to the new authority which will, after 1st April 1996, have responsibility as respects that brigade or force.'.

No. 180, in page 4, line 44, leave out 'and'.

No. 181, in page 4, line 44, at end insert—

' "fire personnel" means any persons employed by an existing local authority for the sole purpose of assisting a fire brigade maintained by that authority;'.

No. 182, in page 5, line 3, at end insert 'and

"police personnel" means any persons employed by virtue of section 9 (employees other than constables) of the Police (Scotland) Act 1967.'.—[*Mr.Stewart.*]

Clause 11

REMUNERATION OF EMPLOYEES OF LOCAL AUTHORITIES

Amendments made: No. 60, in page 6, line 18, after '(b)' insert

'by order made by statutory instrument'.

No. 61, in page 6, line 21, at end insert—

'() An order under subsection (1)(b) above—

(a) may make provision as to the constitution and membership of the body established;

(b) may include provision as to the employment of staff and the remuneration and superannuation of the members and staff of the body; and

(c) shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.—[*Mr. Stewart.*]

Clause 13

COMPENSATION FOR LOSS OF OFFICE OR DIMINUTION OF EMOLUMENTS

Amendment made: No. 62, in page 8, line 46, leave out 'or under' and insert

', under or by virtue of'.—[*Mr. Stewart.*]

Clause 19

PROPERTY COMMISSION

Amendments made: No. 63, in page 15, line 45, leave out '(A)'.

No. 64, in page 15, leave out from line 47 to the end of line 2 on page 16.—[*Mr. Stewart.*]

Clause 20

JOINT COMMITTEES AND JOINT BOARDS

Amendment made: No. 65, in page 16, line 40, after 'shall' insert

'be in terms agreed by the relevant authorities and shall'.—[*Mr. Stewart.*]

Clause 23

DUTY TO PREPARE DECENTRALISATION SCHEMES

Amendment made: No. 6, in page 20, after 'scheme', insert

'and about the proposed number and powers of future community councils within their area.'.—*[Lord James Douglas-Hamilton.]*

Clause 24

TRANSITIONAL PROVISIONS: FINANCE

Amendment made: No. 67, in page 20, line 38, after 'may' insert

', after consulting such associations of local authorities as appear to him to be appropriate,'.

— *[Lord James Douglas-Hamilton.]*

Clause 26

VALUATION LISTS

Amendment made: No. 280, in page 21, line 46, after 'Galloway,' insert 'Fife,'.—*[Lord James Douglas-Hamilton.]*

Clause 27

VALUATION AREAS AND AUTHORITIES AND APPOINTMENT OF ASSESSORS ETC.

Amendment made: No. 68, in page 23, leave out lines 31 to 34.—*[Lord James Douglas-Hamilton.]*

Clause 28

VALUATION ROLLS

Amendment made: No. 281, in page 23, line 43, after 'Galloway,' insert 'Fife,'.—*[Lord James Douglas-Hamilton.]*

Schedule 4

AMENDMENTS OF THE 1972 ACT

Amendments made: No. 304, in page 134, line 26, leave out from 'words' to end of line and insert

'from "any", where it first occurs, to "may" substitute "any local authority may";'.

No. 223, in page 134, line 28, leave out from 'words' to end of line 29 and insert

'from "of the", where they thirdly occur, to the end substitute "of the area of the local authority".—*[Lord James Douglas-Hamilton.]*

Clause 34

REORGANISATION OF POLICE AREAS

Amendments made: No. 282, in page 29, line 2 [Clause 34], leave out 'and'.

No. 283, in page 29, line 4, column 2, leave out 'and' and insert 'Lothian,'.—*[Lord James Douglas-Hamilton.]*

Clause 36

FIRE SERVICES

Amendments made: No. 284, in page 31, line 22 [Clause 36], leave out 'and'.

No. 285, in page 31, line 28, leave out 'and' and insert 'Lothian,'.

No. 70, in page 32, line 8, at end insert—

'( ) Before making an administration scheme under this section the Secretary of State shall—

(a) consult such fire authorities as appear to him to be affected by the scheme; and

(b) where any such authority submit objections to the scheme, inform that authority in writing whether he accepts the objections and, if he does not, why he does not.'.—*[Lord James Douglas-Hamilton.]*

Clause 40

ESTABLISHMENT ETC. OF STRATHCLYDE PASSENGER TRANSPORT AUTHORITY

Amendments made: No. 183, in page 38, line 46, at end insert—

'( ) Before making an order under subsection (4) above the Secretary of State shall consult such persons or bodies as he thinks fit.'.

No. 286, in page 39, line 8, at end insert—

'( ) section 97A (studies for improving economy etc. in services);

( ) section 97B (furnishing of information and documents to Commission);'.—*[Lord James Douglas-Hamilton.]*

Clause 43

GUIDANCE AS TO EXERCISE OF TRAFFIC POWERS

Amendments made: No. 71, in page 41, line 17, after 'consult' insert

'the Common Services Agency for the Scottish Health Service in respect of the provision by them of an ambulance service by virtue of the National Health Service (Functions of the Common Services Agency) (Scotland) Order 1974 and'.

No. 72, in page 41, line 18, leave out 'officers of police;' and insert

'constables of the police forces maintained;

( ) the fire authorities (within the meaning of the Fire Services Act 1947);'.—*[Lord James Douglas-Hamilton.]*

Clause 44

RESTRICTION ON ORDER-MAKING POWERS OF EXISTING AUTHORITIES

Amendments made: No. 73, in page 42, line 28, leave out 'relevant'.

No. 74, in page 42, leave out lines 42 and 43.

No. 75, in page 42, line 46, at end insert—

'( ) Where—

(a) a regional council have sought the consent of a successor authority to the making of a proposed order to which this section applies; and

(b) the successor authority have failed, within 6 weeks of such consent being sought, to consent,

the successor authority shall be deemed to have given such consent.

( ) In this section "successor authority" means any council constituted under section 2 of this Act (other than the councils for Orkney Islands, Shetland Islands and Western Isles) in whose area the proposed order will have effect.'.—*[Lord James Douglas-Hamilton.]*

Clause 50

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

Amendment made: No. 76, in page 44, line 46, leave out from 'in' to

'; and' in line 47 and insert 'subsection (1), for the words from "the director" to "person" substitute "such officer of the local authority";

( ) in subsection (3), for the words from "the director" to "authority" substitute "such officer of the local authority as may be appointed for the purpose by the local authority".—*[Lord James Douglas-Hamilton.]*

Clause 54

RESTRICTION ON DISPOSAL OF ASSETS AND ENTERING INTO CONTRACTS BY EXISTING AUTHORITIES

Amendments made: No. 77, in page 47, line 13, leave out '£100,000' and insert '£250,000'.

No. 78, in page 47, line 28, leave out from 'disposal' to 'is' in line 29 and insert 'of relevant property (within the meaning assigned by paragraph (b) of section 90(1) of this Act) or proposed contract in so far as it relates to functions mentioned in that paragraph'.—*[Mr. Stewart.]*

Clause 57

FURTHER PROVISION AS TO DISCHARGE OF FUNCTIONS BY AUTHORITIES

Amendment made: No. 79, in page 50, leave out lines 33 to 36.—*[Mr. Stewart.]*

Clause 58

LOCAL ACTS AND INSTRUMENTS

Amendments made: No. 80, in page 52, line 48, at end insert

'or a provision of an instrument made under any such Act;'.

No. 81, in page 53, line 7, leave out from 'instrument' to

'any' in line 8 and insert 'in so far as that enactment or instrument relates to functions mentioned in section 90(1)(b) of this Act nor'.—*[Mr. Stewart.]*

Schedule 7

CONSTITUTION AND PROCEEDINGS ETC. OF A NEW WATER AND SEWERAGE AUTHORITY

Amendment proposed: No. 10, in page 138, leave out lines 18 to 23 and insert—

'3. The members of an authority shall be—

(a) such number of elected councillors as the councils in the area covered by the authority shall by agreement determine and shall be appointed by those councils (in this schedule referred to as the "appointing authorities"),

(b) the person who is for the time being the chief executive of the authority.'.—*[Mr. McLeish.]*

Question put, That the amendment be made:—

The House divided: Ayes 238, Noes 252.

Division No. 245] **[8.45 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cummings, John
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jamieson, David
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kirkwood, Archy
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff

Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Eric Illsley and
Mr. Jon Owen Jones.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcl)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Elletson, Harold
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Fabricant, Michael
Fairbairn, Sir Nicholas
Fenner, Dame Peggy
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Hicks, Robert
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lidington, David
Lightbown, David
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
Maclean, David
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Montgomery, Sir Fergus
Moss, Malcolm
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patrick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Sir Donald *(C'ter V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Widdecombe, Ann
Wiggin, Sir Jerry
Willetts, David
Wilshire, David
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Andrew MacKay and
Mr. Timothy Wood.

Question accordingly negatived.

Clause 64

GENERAL DUTIES OF SECRETARY OF STATE AND OF NEW AUTHORITIES

Amendment made: No. 82, in page 56, line 2, clause 64, after 'access' insert '(including access for recreational purposes)'—[*Lord James Douglas Hamilton.*]

Clause 65

CODES OF PRACTICE FOR NEW WATER AND SEWERAGE AUTHORITIES

Amendment made: No. 184, in page 56, line 42, at end add—

'( ) The authority shall take such steps as appear to them appropriate to inform customers and potential customers of the contents for the time being of their code approved by virtue of this section.'—[*Mr. Stewart.*]

Clause 74

MAXIMUM CHARGES FOR SERVICES PROVIDED WITH HELP OF NEW AUTHORITY

Amendments made: No. 83, in page 60, line 12, clause 74, leave out 'water supplies or sewerage services provided to' and insert

'the supply of water to, the provision of sewerage to or the disposal of sewage for';

No. 84, in page 60, line 15, leave out 'supplies or sewerage services are provided to' and insert

'is supplied to, sewerage provided to, or sewage disposed of for';

No. 85, in page 60, line 20, leave out 'services' and insert

'which is, or facilities for the disposal of sewage which are,';

No. 86, in page 60, line 26, leave out 'services' and insert

',or with facilities for the disposal of sewage,';

No. 87, in page 60, line 27, leave out 'those services' and insert 'the sewerage or facilities';

No. 88, in page 60, line 28, leave out 'services' and insert 'or of such facilities'—[*Mr. Stewart.*]

Clause 77

LIABILITY OF OCCUPIERS ETC. FOR CHARGES

Amendments made: No. 89, in page 62, line 22, leave out 'sewerage services' and insert

'the provision of sewerage, and the disposal of sewage,';

No. 90, in page 62, line 23, leave out 'provided to' and insert

'provision to, or as disposal for,';

No. 91, in page 62, line 31, at end insert

'; and such supply of water, provision of sewerage or disposal of sewage are referred to in subsection (2) below as "relevant services".';

No. 92, in page 62, line 35, after 'for' insert 'relevant' —[*Mr. Stewart.*]

Clause 79

POWER TO DEMAND AND RECOVER CHARGES NOT TO AFFECT DUTY TO MAINTAIN DOMESTIC WATER SUPPLY ETC.

Amendment made: No. 93, in page 64, line 20, leave out 'Subsection (1)(b) of section 73 of this Act is' and insert'Subsections (1)(b) of section 73 and (1), (3) and (4) of section 78 of this Act are'—[*Mr. Stewart.*]

Clause 81

ARREARS OF CHARGES: RESTRICTIONS ON VOTING

Amendment made: No. 94, in page 65, line 25, at end insert—

'(5) In subsection (1) above, "joint committee" has the meaning given by section 235(1) of the 1973 Act.'—[*Mr. Stewart.*]

Clause 92

PREPARATIONS FOR TRANSFER OF FUNCTIONS ETC. TO NEW AUTHORITIES

Amendment made: No. 95, in page 74, line 34, leave out 'in Chapter 2 of Part I' and insert 'by virtue of section 96' —[*Mr. Stewart.*]

Clause 96

STAFF: APPLICATION OF CHAPTER 2 OF PART I ETC.

Amendments made: No. 185, in page 76, line 10, after second 'and' insert

', subject to subsection (1A) below,';

No. 186, in page 76, line 13, at end insert—

'(1A) Subsections (2A) and (3) of section 8 of this Act shall apply as respects such employees of the Board or of an islands council as are transferred to a new water and sewerage authority as those subsections apply as respects employees of a regional council who are so transferred (subsection (4) of that section applying to an order made by virtue of this subsection as that subsection applies to an order made by virtue of subsection (1) above).'—[*Mr. Stewart.*]

Clause 109

VESTING OF CERTAIN SUPPLY PIPES

Amendments made: No. 158, in page 83, line 9, leave out from 'supplied' to 'shall' in line 11;

No. 159, in page 83, line 13, at end add

'as shall any apparatus used wholly or mainly in connection with that supply pipe; and a supply pipe in so far as so lying is, together with any apparatus so used in connection with it, referred to in the following provisions of this section as a "relevant supply pipe".';

No. 160, in page 84, line 8, after 'whether' insert '-(a)';

No. 161, in page 84, line 9, leave out from 'unjustified' to

'pipe' in line 10 and insert

';(b) apparatus is used wholly or mainly in connection with a supply pipe; or

(c) on a specified day a relevant supply'—[*Mr. Stewart.*]

Clause 116

DIRECTIONS IN THE INTERESTS OF NATIONAL SECURITY

Amendment made: No. 96, in page 87, line 4, leave out 'or sewerage services' and insert

', the provision of sewerage or disposal of sewage'—[*Mr. Stewart.*]

Clause 122

POWER TO REQUIRE LOCAL AUTHORITIES AND ASSESSORS TO SUPPLY INFORMATION TO THE NEW AUTHORITIES

Amendment made: No. 162, in page 89, line 20, leave out from 'date' to '27' in line 21 and insert

'—(i) "local authority" means an authority constituted under section 2 of this Act or a residuary body; and (ii) "assessor" shall be construed in accordance with section'—[*Mr. Stewart.*]

Clause 124

INTERPRETATION OF PART II

Amendment made: No. 98, in page 89, line 42, at end insert—

' "local authority" means, subject to section 122(3), an authority constituted under section 2;'—[*Mr. Stewart.*]

Clause 136

TRANSFER OF STAFF, PROPERTY ETC. TO THE ADMINISTRATION

Amendment made: No. 187, in page 93, line 44, leave out subsection (1)—[*Mr. Stewart.*]

Clause 140

DENOMINATIONAL SCHOOLS: PROPOSALS UNDER SECTION 22D OF EDUCATION (SCOTLAND) ACT 1980

Amendments made: No. 99, in page 96, line 13, at beginning insert 'in subsection (2)(a), for the word "the" there shall be substituted "an"; ( )';

No. 100, in page 96, line 32, leave out from 'pupils' to 'as' in line 33 and insert 'belonging to the area of another education authority';

No. 101, in page 96, line 37, after 'other' insert 'public';

No. 102, in page 96, leave out lines 38 to 40—[*Mr. Stewart.*]

Clause 141

PROVISION OF SCHOOL TRANSPORT AND OTHER FACILITIES

Mr. Jimmy Hood (Clydesdale): I beg to move amendment No. 3, in page 97, line 11, at end insert—

'(aa) in subsection (1) at the end there shall be inserted— "; provided that any motor vehicle used for the conveyance of pupils pursuant to this subsection shall be equipped with seatbelts for the use of any passengers travelling in it."'.

I want to start by stating the obvious—that this amendment is about education and that its competency is wholly relevant to education in Scotland. It seeks to make compulsory the fitting of seat belts in all vehicles transporting children to and from school. The Minister seems to think that this is a matter for the Department of Transport rather than for the Scottish Office. He is wrong, and I hope to persuade the House why it is so important that we provide protection for children travelling to and from school.

9 pm

There is a legal obligation on parents to send their children to school. It is therefore not unreasonable for them to expect the Government to provide legislation to ensure that their children are transported safely. My amendment would ensure that the legislation provided such protection. The Parliamentary Under-Secretary of State—the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton)—together with the Minister for Roads and Traffic, whom I am pleased to see in his place, have argued that we cannot legislate without impinging on the competency of the European Commission and that seat belts can be made compulsory only by means of Europewide legislation. The Select Committee on European Legislation, of which I am the Chairman, is currently inquiring into the competence of member states in respect of all issues of road safety. We hope, by the summer recess, to have taken evidence from the Commission and from both Ministers. I have not so far been persuaded of the validity of some of the Government's arguments. However, I shall not try to anticipate the Committee's conclusions.

Not long ago, we sat many hours during the course of which the Prime Minister himself sought to convince the House—in particular, his own Back Benchers—on the question of subsidiarity. If the protection of children travelling to and from school is not a matter for subsidiarity, what is? I want to read into the record a Commission statement dated 8 February. In that statement, Commissioner Bangemann outlines the approach that he intends to adopt to improve protection for bus and coach passengers, especially against the risk of ejection in the event of an accident:

"In the meantime, as the Commission has previously indicated, member states may still, within the limits set by Community law, introduce legislation regarding the use of certain categories of vehicles to transport members of the public—for example, motorway coaches or school buses."

I quote that comment for the purpose of stopping the nonsensical suggestion that the protection we seek cannot be provided by the House of Commons—that it can come only from Brussels. I do not accept that, and the words that I have just quoted prove our point.

The Government make a case about cost. They say that the cost of the compulsory provision of seat belts would be too inhibiting. It is nonsense to talk about cost in the context of children's lives. But let us get the matter into perspective. Like many other people, I argue that the cost involved here is not great. Seat belts could be fitted to a 53-seat coach for no more—probably less—than it takes to put a stereo cassette and a video unit in a coach. In that light, what we are talking about takes on a different meaning. If seat belts had to be fitted in all buses, the cost would obviously come down. Lo and behold, it might also be possible to give jobs to the unemployed. When people talk about cost, let them compare like with like.

In this situation, cost should not be an issue. In any case, it is estimated that the implementation of the Bill will cost up to £700 million. In that context, what is the relevance of questioning the cost of protecting children on their way to and from school?

Mr. Foulkes: I assure my hon. Friend that he has not only my support but that of my constituent Dorothy Wilson, whose son Christopher was tragically killed last year in a school bus at Auchinleck. Christopher's mother has set up a group to argue the case that my hon. Friend is putting forward so eloquently. My hon. Friend will have the eternal gratitude of Dorothy Wilson and her whole family if the Minister and the House accept his amendment.

Mr. Hood: I thank my hon. Friend. I have indeed met his constituent, and it was a tragic case.

Twenty-two children have been killed in coach accidents in the past 28 weeks—almost one child a week. We do not have time to equivocate or pontificate about where competence may lie. Our children are in daily danger of being killed as they travel to and from school. We have the power to stop that; I hope that the Minister will take action tonight to do just that.

I ask Conservative Members and Ministers to put themselves in the place of a bereaved parent and to think long and hard before voting against the amendment.

[Mr. Hood]

On 17 February this year at 10 o'clock in the morning, I received a phone call from my hon. Friend the Member for Edinburgh, South (Mr. Griffiths), telling me that he had just heard on the news that a child had been killed in a school bus accident in Biggar. A few minutes before I had phoned my wife at home, and she told me that my daughter had left for Biggar high school on the school bus. For a few minutes, therefore, I did not know whether the child who had been killed was my own daughter. I shall never forget the feeling of despair and anquish I experienced as I phoned home to find out from my wife whether my daughter had been killed. Fortunately she was able to tell me that it was not my daughter who had been involved in the accident.

My feeling was one of relief, immediately followed by guilt because I was relieved to learn that someone else's child, not mine, had been killed. I have since met the parents of the two children who died—another child died some time after the accident. I am determined to put in place legislation to protect our kids.

I should like to record my thanks to the Minister for the courteous way in which he received the parents who came to present a petition bearing 46,254 signatures. I have read press comments to the effect that the signatures came from all over Scotland; in fact most of them came from my constituency That means that well over 60 per cent. of my constituents must have signed the petition.

The Minister knows what is required now—indeed, I suspect that he supports the amendment. I know from my discussions with him that he is sympathetic and supportive. I hope that he will give us good news tonight. We must adopt seat belt legislation as a matter of urgency. Certainly, the supervision of school buses, coach design, traffic management and the installation of seat belts are all important parts of the overall solution, but seat belts are the most important.

The Government have three options. They can support my amendment, as I hope they will; or they can tell the House that they intend to return later with legislation to make seat belts compulsory on school coaches; or they can turn their backs on the problem and walk away. I very much hope that they will not turn their backs on it.

Mr. Gordon McMaster (Paisley, South): I thank my hon. Friend and congratulate him on what he is trying to achieve tonight. He will be aware that in a parliamentary answer to me, the Minister has already said he would disregard for capping purposes any expenditure incurred by local authorities. Does my hon. Friend agree that it is not enough, because it does not make seat belts compulsory on school buses?

Mr. Hood: My hon. Friend raises an important point. While I welcome the measure, and acknowledge that the Government's initial response was helpful, we still need legislation. We cannot have discretion when we are talking about saving children's lives. We cannot have a discretion which may be taken up in one part of the country but not in another. If it is at the discretion of expenditure for local authorities, priorities will take over and we will not achieve the safety that we require.

Therefore, it is important to have legislation to make it compulsory to have seat belts in school buses and I hope the Minister supports that tonight.

The Government do not have the option of walking away. If they walk away, turn their backs and allow the carnage of children being transported in buses that are then involved in crashes, deaths in school bus crashes will continue. In amendment No. 3 we have the opportunity to stop that carnage, so I hope the Minister will take the opportunity tonight and support the amendment.

Mr. Peter Bottomley (Eltham): I intervene in the debate because today we have had the announcement of the final figures for road casualties in Scotland, England and Wales for 1993.

The good news is that since the Department of Transport set a target of cutting casualties involving deaths and serious injuries by one third by the year 2000, it has virtually achieved that target. That is a staggering achievement which covers the whole of Great Britain. It is one for which most other countries in Europe, and certainly countries in North America, would give their eye teeth.

One of the more impressive interpretations is that if we accept that road traffic has increased by virtually 40 per cent., the rate at which people are killed and seriously injured has halved. That is dramatic. We have not had the same change for slight injuries, but those do not matter so much.

For the number of deaths to have come down from an average of 5,600 to just over 3,800 is a tribute to road engineers, vehicle engineers and those who use the roads —motor cyclists, cyclists and car users—have all contributed.

As the hon. Member for Clydesdale (Mr. Hood) rightly pointed out, there are still 3,800 deaths a year in Great Britain. We know the causes and the consequences of the crashes.

The whole House will agree with the hon. Gentleman that the time will come when all organised transport for children to and from school will have seat belts and the law will require that they should be used.

I have not been able to track back through the amendment, which will amend the Education (Scotland) Act 1980, to find out whether it would affect private transport as well as organised transport by the school, but I do not want to make nit-picking points. Getting it right will reduce risks and avoid some of the consequences when there is a crash.

As Esther Rantzen showed in her "That's Life" programmes in 1986, a child in a crash is more at risk of severe injury and we should accept that by being belted up in a car, a child reduces that risk by half or two thirds. That is a significant improvement. The improvement for a passenger in a bus or coach is less, but it is probably still significant; the improvement for a passenger in a minibus is probably the same as if they were in a car, so we need to work for all those improvements.

No doubt my hon. Friend the Minister will make a formal response to the amendment, put it in context and say what the Government may be able to achieve. If the House takes action which moves people from organised transport to parents' cars, we shall increase the risk by two or three times. A passenger in a private car is at two or three times the risk of someone in a bus or a minibus. We should be slightly careful about saying that a blanket change will instantly reduce the risk for those who travel on organised transport. I think that we will need to work out how to reduce the risk, while encouraging those who are putting

out contracts for transport to introduce safety provisions at a certain time—perhaps now or at a specified time in the future.

I say to both my hon. Friends on the Front Bench that the time has come to abolish the out-of-date habit of allowing education authorities to put three teenagers in seats which are meant for two.

Anyone who looks at 13-year-olds nowadays and pretends that three of them can be squeezed safely into a bus seat made for two is wrong. Responsibility in this area is shared by the Department of the Environment, the Treasury, the Department of Transport and the territorial departments. They should respond to the recent tragic vehicle accidents by abolishing that provision at once.

9.15 pm

Mr. John McFall (Dumbarton): I support the amendment of my hon. Friend the Member for Clydesdale (Mr. Hood). As he mentioned, between August 1993 and February 1994 we have seen 21 school children and three adults die on our roads. Five people have been seriously injured and 105 school children have been hurt.

In Scotland, we are particularly concerned about the incident in Biggar involving two pupils, Francis Scorgie and Tony Cousins. In the discussions we have had with parents' groups and others since then, the message has come across that only national legislation will secure compliance with real safety requirements and will guarantee the central Government funding which is necessary in order to implement them. If that were the case, bus companies, schools or local authorities could no longer pass the buck and continue to confuse parents with the finer details of contractual law.

The national Government need to help local government to combat the problem. The hon. Member for Eltham (Mr. Bottomley) mentioned the three-for-two rule. The Lothian region has abolished that rule and contractual arrangements make sure that the three-for-two rule does not apply. In Strathclyde, it will be abolished from the 1994-95 session. Strathclyde has also made an immediate commitment to spend £4.35 million on seat belts. Its total commitment will be £10.29 million over the next two years.

We are looking for a financial commitment from the Government to help local authorities with this problem. The Government can help in a number of areas—for example, vehicle identification for minibuses. A pilot scheme was conducted in my constituency of Dumbarton involving fitting to vehicles a sign on the nearside sun visor in the down position. The local authority has undertaken that scheme, but we need a commitment from national Government to reaffirm that that is the right way to go.

Within the context of the European Union, Strathclyde has also undertaken preparatory work on legislation to make mandatory the fitting of signs saying "Front" and "Rear" to all school transport vehicles. The Government could make identification mandatory for school vehicles. If that can be done in every town and city in America, it can be done in the United Kingdom.

Strathclyde and other local authorities are looking to central Government to consider, within any national guidelines and school transport provisions, the fitting of vehicle signs and the illumination of school buses while pupils are embarking or disembarking.

Above all, we require national guidelines about home-to-school transport. The Secretary of State for Scotland should address the full range of parental concerns regarding home-to-school transport by devising a set of national guidelines for implementation and resourcing local authorities through central Government.

I ask the Scottish Office Minister responsible for education to form a national working group of interested parties to devise these guidelines. That group should include parent representatives from, for example, the Scottish School Boards Association and the Scottish Parents Teachers Council.

We are masters in our own country when it comes to European legislation. The British Government are at liberty to name their own rules in relation to seat belts. I contacted the House of Commons Library today and I was informed that the United Kingdom can pass legislation that seat belts must be worn, but it cannot independently pass legislation that belts and anchorages must be fitted.

I am sure that hon. Members in all parts of the House agree with my hon. Friends that if the Government give a sign that they will pass such legislation, that will reassure thousands of parents throughout the country that the Government are serious. We ask the Government to make a genuine response tonight.

At the beginning of my speech, I mentioned the tragic fatal accident at Biggar involving two young people. The mother of one of them, Shona Cousins, said recently that she felt like walking into the Houses of Parliament and yelling, "Get a move on." We endorse that sentiment. We will not yell, "Get a move on," but we make a heartfelt plea on behalf of Shona Cousins and other parents who have tragically lost their children that the Government get a move on and legislate immediately.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I pay particular tribute to the hon. Member for Clydesdale (Mr. Hood), whose speech was moving, eloquent and passionately argued. I cannot understand the delay. Voices north of the border are legitimately asking why Scottish Office Ministers seem to hide behind the fact that this issue is not their responsibility—that the Department of Transport is the lead Department. That may be the case —and it is a welcome sign to see the Minister for Roads and Traffic in his place to hear these important discussions. However, it is weak-kneed in the extreme of the Scottish Office to say the matter has nothing to do with it and that action must await an already long-awaited report. I understand that the report is much more superficial than people expected, given the length of time taken to produce it.

I cannot understand the continuous and continuing delay. It is incumbent on the Government to take this evening's appropriate opportunity to make a clear statement. A clear statement in principle would do. If they will say, "We are committed to this in principle," we could argue about the time scale, funding and the relationship between central and local government in future. All that could be discussed, and it would be sensible to take time to get those aspects right.

At present, we are missing a clear statement that the Government have the political will to address the issue with the seriousness that it deserves, in the way that the hon. Member for Clydesdale did. I entirely subscribe to the argument that discussions should embrace the question of three pupils to two seats, and supervision should also be

[Mr. Archy Kirkwood]

reviewed. Proper provisions may cost money in the long run, but they are absolutely essential. The lives of 22 young children have been lost in 28 weeks, and that is a frightening statistic. There is not a lot of time. There are questions urgently to be addressed. The Government have the power to legislate, and I fail to understand how Conservative Members could possibly be persuaded to vote against the amendment. It would take a strong argument from the Treasury Bench to persuade me that it would be right to do so. The Government have the power to legislate, but they are not exercising it. The people of Scotland are right to ask why.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): With the indulgence of the House, I shall make a brief contribution. If we wait for Europe, we will wait a long time. The Government have been talking to the European Commission for years about this matter, and there is not much enthusiasm from many member states for protecting their children in the way that we want to protect the children of this country. I see no reason why we should not go it alone.

At present, local education authorities or school governors can tell their contractors, "You will not bus our children unless seat belts are fitted in your vehicles." They could do that immediately. With all the publicity that has been given to the issue, many local authorities are debating it now. As contracts are usually renewed in September, they will tell their contractors that from now on, their vehicles must be fitted with seat belts.

We have a dilemma. One cannot just fit seat belts. Bus and coach operators have been here today with lap belts and seats down in Dining Room B. The problem is that the front forward-facing seats that are exposed—the two front seats on the opposite side to the driver, and the middle seats at the back—must have seat belts now by law. Usually, the loading is 10G. The question is whether 6G is acceptable on other seats; if not, a great deal of structural alteration to the floors has to be made, because not all the seats go into chassis metal members.

It is very important that the Government give us the conclusions of the technical and cost report that they have on the table at the moment, because once we have that and get some technical guidance we will not need Government money or any great incentive; the coach operators are waiting to fit them. In fact, many of them have ordered them by the thousand and have them on the shelf waiting to fit, but cannot do so ahead of the conclusions of the report, which we hope that my right hon. Friend the Minister will be able to announce shortly. I do not see why, as the majority of trips are made by schools. The voluntary people with their own bus could have a fund-raising event and fit their own. They could go ahead and do it tomorrow, but we need the technical information.

That is why I hope that my hon. Friend the Member for Clydesdale (Mr. Hood), on the Opposition Benches, will be able to withdraw his amendment if we get the right answers tonight. *[Interruption.]* Yes, he is a friend. I like him.

If the Government show us that they are really going for it and we are to go it alone, we can get on and do it almost immediately. The coach operators wish to do it. The school governors want it. Many voluntary organisations want it, but we must have the technical know-how to ensure the correct loading on the belts. They are not just pretty belts to put around people. They must have an impact loading. That is the important thing.

I implore my hon. Friend to try to give us some guidance. If he cannot do so tonight, he should promise it within a few days so that the coach operators know the loading and what structural alterations have to be made.

Mrs. Ewing: In supporting the amendment moved by the hon. Member for Clydesdale (Mr. Hood), I make two personal points: first, I am a former pupil of Biggar high school and, although I did not know the youngsters involved or, indeed, the families, it touches one's heart when one thinks about the circumstances. I am very concerned about the pupils. Secondly, as a member of the Select Committee on European Legislation, I sit with the hon. Member when we deal with that aspect of legislation.

I started writing to the various Departments involved in the issue some time ago. It might be useful to remind the House that we are not looking for a knee-jerk reaction to a particular incident, but for legislation that will be effective and long term. When I first started taking up the issue, it was because parents in my constituency were writing to me about their concerns, because I represent a rural area, as does the hon. Gentleman, where youngsters have to travel long distances to reach their school.

I wrote to the Secretary of State for Transport and to the Minister for education and housing in the Scottish Office a considerable time ago and raised the issue of seat belts on minibuses. I made four points: what freedom the UK Government have to implement legislation pertaining to seat belts in minibuses and coaches; whether the Government have any facility to assist financially any owners or companies wishing to install them; what is the practice of our European Union partner countries; and what European directives and regulations have been issued on such matters.

To be fair, both Departments responded fairly quickly. The Minister for education and housing at the Scottish Office mentioned the Education (Scotland) Act 1980, which has already been referred to. But there is also the issue of regulation 3(a) of the Schools (Safety and Supervision of Pupils) (Scotland) Regulations 1990 for pupils when under their charge and under common law. As we have seen in the Aberdeen *Evening Express*, if we go ahead with the legislation, it could cost Grampian regional council £2 million. That is part of the difficulty that many local authorities face. If our local authorities are to implement effective regulations that will ensure that children travel to school in safety—from whatever corner of the community they come—the Government must recognise that they have a duty to assist authorities in implementing those regulations. The responsibility must be placed firmly with them.

In a letter dated 22 February, the Minister wrote:

"We are currently reviewing the full technical and cost implications of seat belts in these vehicles. Until this review is complete and we have full reports on the recent tragic accidents we feel that it would not be wise to consider making further regulations in this area."

We desperately want to know when the reports will be forthcoming: until we see them, we shall not know whether the Government are making any commitment to introduce the appropriate safety legislation.

9.30 pm

It is wrong for Ministers to blame the European Commission and European legislators for the problem. I have a copy of the sessional documents, dated as far back as December last year; the relevant motion was moved in the name of the European People's party, to which I believe the Government subscribe. The motion asked for individual member states to be allowed and encouraged to take over the whole idea of seat belts and roll-over bars in all new coaches as a matter of urgency. I shall send the document to the Minister if he wishes, but it is quite clear that there is a commitment to seat belts in Europe.

At the end of last year, the Government tried to blame the European Commission and the European Union for the fact that seat belts had not been installed. That is appalling. Contradictory statements were put out, which caused considerable confusion and concern to parents in my constituency and elsewhere in the United Kingdom. Let me place it on record that responsibility lies with the Government: they must legislate.

Sir Nicholas Fairbairn (Perth and Kinross): I will be brief. I had intended to speak for three hours, but I will speak for three minutes.

The issue seems simple to me. I cannot understand why anyone has not already legislated for seat belts to be provided in all vehicles carrying people at risk, whether they are of tender age, in old age or middle-aged. My one criticism of the amendment is that it is restricted to school children. Why should it not apply to all of us?

I have heard the excuses relating to cost, delay and the difficulties involved in fitting seat belts. I do not recall those arguments being accepted when seat belts were introduced for motor cars. If motorists did not have them, they were in trouble. No one said, "It takes an awfully long time to fit a seat belt; you have to measure it and fiddle around with it." Absolute nonsense!

This legislation is essential, and I hope that it will be extended to every member of the population. I thoroughly commend the hon. Member for Clydesdale (Mr. Hood) for tabling the amendment. No excuses based on cost, delay, reports, studies or any other stupid thing will convince me. It can be done tomorrow. If someone wants a seat belt for his car, he can drive along to the garage and have it fitted. Let the Government do this tomorrow.

Lord James Douglas-Hamilton: This is an extremely important debate. As my hon. Friend the Member for Eltham (Mr. Bottomley) pointed out—he has been a transport Minister—the number of road casualties has fallen, but that leaves no room for complacency. There can be no walking away from the problem; it will be given proper consideration. Indeed, it is being given urgent consideration now.

As my hon. Friend the Member for Littleborough and Saddleworth (Mr. Dickens) said, local authorities can do much by putting into their contracts the most appropriate terms and conditions to lay down in the circumstances.

The hon. Member for Clydesdale (Mr. Hood) made a moving and effective speech to raise an important issue. I fully understand his concerns; the fact that he lives in Biggar, and so shared the grief of that community following the Biggar school bus crash on 10 February, underlines his commitment to the cause. I was especially glad that he led a delegation of local parents from the Biggar area to see me in Edinburgh on 15 April, so that they could put forward their concerns to the Government. I listened to the powerful points that they made.

I have had several meetings with my hon. Friend the Minister for Roads and Traffic, and I am glad to see that he is here for the debate. The Scottish evidence has, of course, been fed in to the process.

More recently, the whole House will have shared the grief of the families of the two cub scouts, Andrew Lyle and Richard Olsson, and of Mr. Anthony Milburn—the three people killed in the tragic accident in North Yorkshire earlier this week. My right hon. Friend the Secretary of State for Transport will receive a full report on that accident, too, as soon as possible.

I make it clear at the outset that the Government share the deeply felt public concern about safety standards in school transport. As the hon. Gentleman knows, the safety of children is at the forefront of our concern. However, the Secretary of State for Transport has the lead responsibility for vehicle safety matters in the United Kingdom. His Department has recently completed a review of the technical and cost implications of fitting seat belts to all minibuses and coaches, and of related safety matters. The Government will take decisions shortly on the outcome of that review.

I am sure that there will be no disagreement in the House that it is vital that appropriate steps should be taken in all the circumstances. But I hope that hon. Members will also agree that whatever steps we take must be the right ones, fully informed by all the available evidence.

I shall return to the wider issues later, but first I shall address the substance of the amendment. As drafted, it would have a damaging effect on the delivery by education authorities of a school transport service, because it would require that no buses could transport children to school unless they were fitted with seat belts. If that restriction were incorporated into the Bill, it would in practice prevent education authorities from providing school transport for most of the children presently dependent on school buses to get to and from their schools. I am sure that that is not what the hon. Gentleman intended, but that is what the amendment would do.

Secondly, as I have said, the question whether seat belts should be fitted to any category of motor vehicles, including buses, is properly a matter for the Secretary of State for Transport. It would not be appropriate to introduce into clause 141 a provision on seat belts restricted to school transport in Scotland alone. Yet that would be the result of the amendment.

Mr. McLeish: This is a Scottish Bill, and the Minister is responsible for it.

Lord James Douglas-Hamilton: The matter has to be dealt with on a British basis; it will be dealt with collectively by Ministers as a whole.

Thirdly—

Mr. Foulkes: Will the Minister give way?

Lord James Douglas-Hamilton: No.

Thirdly, the amendment is technically flawed in that it refers to line 11—

Mr. Hood: Will the Minister give way?

Lord James Douglas-Hamilton: I shall give way to the hon. Member for Clydesdale, who moved the amendment, in a moment.

The amendment refers to line 11 on page 97, and would therefore amend section 50 of the Education (Scotland) Act 1980. In fact, the main provisions of that Act relating to school transport are in section 51. That is, of course, a detail, but it means that the amendment is flawed. For all those reasons, the Government must reject the amendment.

Mr. Hood *rose—*

Lord James Douglas-Hamilton: I have many more points to make, but I shall give way to the hon. Gentleman.

Mr. Hood: May I make an obvious point? If the amendment was out of order, Madam Speaker would not have chosen it to be debated. Therefore, the amendment is within the competence of the legislation, and it is within the competence of the Scottish Office to accept that protection, as part of a Scottish Bill, to protect Scottish children.

Lord James Douglas-Hamilton: I shall repeat what the Prime Minister said at the Dispatch Box yesterday:

"I hope that it will not be very long before we are able to publish it"—

that is, the report. He continued:

"The report has now been delivered to Ministers and I hope that they will be able to announce their conclusions shortly." —[*Official Report*, 17 May 1994; Vol. 243, c. 669.]

Mr. Foulkes: Will the Minister give way?

Lord James Douglas-Hamilton: No, I shall not give way now.

The matter has to be dealt with on a British basis. I fully appreciate the widespread concern in the House for immediate Government action, but the decisions that we take will have to be right in the light of all the evidence, and the fullest knowledge of all the facts. That is our priority now. I am taking careful note of the widespread concerns that have been expressed about school transport safety, including what has been said in the House today. We are concerned to make certain that appropriate steps are taken on the safety of school transport. The Department of Transport's review looks at the technical and cost implications of fitting seat belts to all minibuses and coaches, as well as related safety matters.

I do not believe that it would be appropriate to move forward in advance of the Department's conclusions. I hope that all hon. Members would agree that it is absolutely essential that we take the right decisions on safety measures when we are fully informed by all the available evidence and of the implications of our decisions. As the Prime Minister made clear to the House, we hope to be able to do so in the near future.

Mr. Dalyell *rose—*

Madam Speaker: Order. Is the Minister giving way on an intervention?

Lord James Douglas-Hamilton: I have sat down, Madam Speaker.

Mr. Dalyell: I just want the Minister to explain how it is possible under this legislation to have legislation on the disconnection of water supplies, but apparently not possible to have a different policy on seat belts. How does that come about? We had endless arguments in the Standing Committee about the disconnection of water supplies, and it was said to be quite proper to have separate legislation for Scotland—rightly, in the opinion of some of us—on disconnections. Why cannot the same thing be applied to seat belts? Is there an answer? The Minister is broody with answer.

Mrs. Ewing: On a point of order, Madam Speaker. I find it difficult to comprehend what the Minister has just said. It now seems that we cannot amend Scottish legislation through the normal processes of the House, because we have attempted with this amendment and debate to alter regulations pertaining to Acts which solely relate to Scotland—

Madam Speaker: Order. The hon. Lady is not putting a point of order to me. She really is attempting to take a second bite of the cherry. She has already spoken once, and therefore I cannot allow it. She is putting questions to me which concern legislation, which is not within my authority.

Lord James Douglas-Hamilton: With the leave of the House, I shall explain to the hon. Member for Clydesdale (Mr. Hood) that local authorities can put a specification into their contracts. They have that power now. The point I was making was that, while he may be confident in amending the Bill, it is not desirable before the review has reported to the House and to the Secretary of State for Transport.

Question put, That the amendment be made:—

The House divided: Ayes 244, Noes 274.

Division No. 246] **[9.42 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F.
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N. *(N'c'tle upon Tyne E)*
Burden, Richard
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alexander *(Montgomry)*
Chisholm, Malcolm
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cummings, John
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Dixon, Don
Dobson, Frank
Donohoe, Brian H.
Dowd, Jim
Dunnachie, Jimmy
Eagle, Ms Angela
Eastham, Ken
Enright, Derek
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fairbairn, Sir Nicholas
Fatchett, Derek
Field, Frank *(Birkenhead)*
Flynn, Paul
Foster, Rt Hon Derek

Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A.
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, George *(Knowsley N)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jamieson, David
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S.
Kilfoyle, Peter
Kinnock, Rt Hon Neil *(Islwyn)*
Kirkwood, Archy
Lewis, Terry
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Mrs Diana
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll Bute)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(Wy'nshawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pendry, Tom
Pickthall, Colin
Pike, Peter L.
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Ms Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Roche, Mrs. Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Alan Meale and
Mr. J. Spellar.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(Dorset North)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Blackburn, Dr John G.
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Graham
Brown, M. *(Brigg & Cl'thorpes)*
Browning, Mrs. Angela
Bruce, Ian *(S Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Rushcliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Tim
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Dr Liam *(Woodspring)*
Fox, Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Grant, Sir A. *(Cambs SW)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Rt Hon Sir Archie
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Alan
Hawkins, Nick
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, David
Hendry, Charles
Higgins, Rt Hon Sir Terence L.
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'rd-on-A)*
Howell, Sir Ralph *(N Norfolk)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey

Jones, Gwilym *(Cardiff N)*
Jones, Robert B. *(W Hertfdshr)*
Jopling, Rt Hon Michael
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lidington, David
Lightbown, David
Lloyd, Rt Hon Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Sir Roger
Montgomery, Sir Fergus
Moss, Malcolm
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Tim
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Richard *(Aldridge)*
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M. *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Whitney, Ray
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Irvine Patnick and
Mr. Bowen Wells.

Amendment accordingly negatived.

Clause 146

EXCLUSION FROM VALUATION ROLL OF SHOOTINGS, DEER FORESTS AND FISHINGS

Amendments made: No. 188, in page 99, line 41, leave out 'or'.

No. 189, in page 99, line 42, after 'fishings' insert 'or fish counters'.

No. 190, in page 99, line 46 [Clause 146], at end insert—

'() For the purposes of this section—
"fish counter" means any weir or other structure in inland waters primarily used for the purpose of counting fish; and
"inland waters" has the same meaning as in section 24(1) (interpretation) of the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951.'.—[*Mr. Stewart.*]

Clause 156

POWER OF SECRETARY OF STATE TO COMBINE AND DIVIDE LANDS AND HERITAGES

Amendments made: No. 103, in page 104, line 30, leave out '(a)'.

No. 104, in page 104, line 32, leave out from 'Parliament;' to end of line 37.—[*Mr. Stewart.*]

Clause 160

POWERS OF LOCAL AUTHORITIES TO BORROW AND LEND MONEY

Amendments made: No. 105, in page 106, line 30, leave out 'order made by statutory instrument' and insert 'regulations'.

No. 106, in page 106, leave out lines 31 to 33 and insert—

'() Regulations under this section shall be made by statutory instrument, but shall not be made unless a draft of any such statutory instrument has been laid before and approved by resolution of each House of Parliament.'.

No. 107, in page 106, leave out lines 37 to 39.—[*Mr. Stewart.*]

Clause 163

DIRECT LABOUR ORGANISATION/DIRECT SERVICES ORGANISATION ACCOUNTS

Amendments made: No. 219, in page 108, line 20, leave out from 'section,' to 'for' in line 22 and insert 'Direct Labour Organisation/Direct Services Organisation Funds (to be known as "DLO/DSO funds")'.

No. 220, in page 108, line 35, leave out from 'above' to the end of 37 and insert 'and which is, in the opinion of the authority, not required for the purpose of dealing with deficits in any such fund, may be transferred by them to the general fund maintained by them under section 93 of the Act of 1973 (general fund).'.

No. 221, in page 108, leave out line 42 and insert 'Paragraphs 22(1)(c) and 24A of Schedule 3 to the 1975 Act'.—[*Mr. Stewart.*]

Clause 171

POWERS TO CARRY ON TOURISM-RELATED ACTIVITIES

Amendment made: No. 191, in page 117, line 32, leave out 'in their area'.—[*Mr. Stewart.*]

Clause 172

PARLIAMENTARY DISQUALIFICATION

Amendments made: No. 108, in page 118, line 39, after 'by' insert 'virtue of'.

No. 109, in page 118, line 41, after 'by' insert 'virtue of'.

No. 110, in page 118, line 44, after 'by' insert 'virtue of'.—[*Mr. Stewart.*]

Schedule 13

Minor and Consequential Amendments

Amendments made: No. 224, in page 158, line 25, at end insert—

'( ) In section 119(3) (special provisions as to Scotland), for the words from "A" to "shall" substitute "A local roads authority".'.

No. 120, in page 160, line 33, leave out '(a)'.

No. 121, in page 160, line 34, leave out from beginning to 'paragraphs' in line 35.

No. 122, in page 160, line 35, leave out from 'below' to end of line 37.

No. 123, in page 160, line 47, leave out 'chief officer' and insert 'firemaster'.

No. 124, in page 161, line 17, leave out from beginning to end of line 22 and insert

', the fire authorities affected by it may amend or revoke that scheme by a subsequent scheme submitted to the Secretary of State by them jointly and the Secretary of State may by order approve any such subsequent scheme submitted to him.

(7A) A subsequent scheme under subsection (7) above may make provision with respect to any of the matters for which provision is required to be made, or may be made, by virtue of subsections (4), (5), (8)(b) and (8A) of this section.

(7B)'.

No. 125, in page 161, line 23, leave out '(b)'.

No. 126, in page 161, line 36, leave out from first 'and' to end of line 39 and insert

'such an order may make provision with respect to any of the matters for which provision is required to be made, or which may be made, by virtue of subsections (4), (5) and (8A) of this section.'.

No. 127, in page 162, line 2, leave out 'chief officer' and insert 'firemaster'.

No. 128, in page 162, line 4, leave out 'chief officer' and insert 'firemaster'.

No. 225, in page 163, line 24, leave out '"regional, islands or district council" substitute "' and insert

'the words from "any" to the end substitute "any'.

No. 129, in page 173, line 8, at end insert—

'( ) in subsection (3), for "committee", where it secondly and thirdly occurs, substitute "board";'.

No. 163, in page 175, line 21, at end insert—

( ) In section 63(2)(c) (activities in respect of which instruction may be provided etc.), for the words from "or" where it fourthly occurs, to the end substitute "or a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994".'.

No. 164, in page 175, line 27, after 'secondly' insert 'and thirdly'.

No. 131, in page 182, line 6, leave out "and".

No. 132, in page 182, line 7, at end insert '; and

(e) in subsection (8), for "duties of the reporter" substitute "functions of the Principal Reporter under this Act and under the Criminal Procedure (Scotland) Act 1975."'.

No. 133, in page 183, line 8, leave out "and".

No. 134, in page 183, line 23, at end insert '; and

(c) in paragraph 7, for "may" substitute "shall"'.

No. 226, in page 185, line 27, leave out '"regional or islands council" substitute "' and insert

'the words from "Scotland" to "council" substitute "Scotland, a'.

No. 293, in page 186, line 3, after 'insurance)' insert '—(a)'.

No. 299, in page 186, line 6, at end insert '; and

(b) after "such council" insert "the Strathclyde Passenger Transport Authority"'.

No. 227, in page 186, line 44, leave out from second 'for' to

'constituted' in line 45 and insert 'the words from "the council", where they thirdly occur, to "Scotland" substitute ", in relation to Scotland, a council'.

No. 228, in page 188, line 19, at end insert—

'( ) In section 31 (disqualification for nomination etc.)—

(a) for the words "chairman or vice-chairman", in both places where they occur, substitute "convener or depute convener";

(b) after subsection (3) insert—

"(3A) A person who is for the time being an officer or employee of the Strathclyde Passenger Transport Authority or an employee of a subsidiary of that Authority shall be disqualified for being appointed or for being a member of the Strathclyde Passenger Transport Authority."; and

(c) subsection (4) shall cease to have effect.'.

( ) In section 38 (disability of members from voting etc.), in subsection (4) for the words "chairman or vice-chairman" substitute "convener or depute convener".'.

No. 135, in page 188, line 24, at end insert—

'( ) In section 50B (access to agenda and connected reports), in subsection (4)(b), for the word "chairman" substitute "convener".'.

No. 136, in page 189, line 2, at end insert—

'() In section 67 (members of authorities not to be appointed as officers), for the words "chairman or vice-chairman" substitute "convener or depute convener".'.

No. 137, in page 189, line 4, after 'purposes)' insert '(a)'.

No. 138, in page 189, line 4, at end insert '; and

(b) in subsection (3)(c), for the words "chairman of a regional, islands or district council, a chairman" substitute "convener of a local authority, a convener".'.

No. 300, in page 189, line 37, at end insert—

'( ) In section 100 (auditor's right of access to documents)—

(a) after subsection (1) insert—

"(1A) Without prejudice to subsection (1) above, the auditor shall be entitled to require any officer, former officer, member or former member of an authority whose accounts are required to be audited in accordance with this Part of this Act to give him such information or explanation as he thinks necessary for the purposes of the audit and, if he thinks it necessary, to require any of the persons mentioned above to attend before him in person to give the information or explanation.";

(b) in subsection (2), for "subsection (1)" substitute "subsections (1) and (1A)"; and

(c) in subsection (3)—

(i) after "(1)" insert "or (1A)"; and

(ii) the words from "and to an additional fine" to the end shall cease to have effect.

( ) In subsection (3) of section 102 (reports to Commission by Controller of Audit), for the words "the audit" substitute "any matter arising out of the auditing".'.

No. 139, in page 190, line 10, at end insert—

'( ) In section 128 (educational endowments), in Table B, in subsection (2), for the words "Chairman of council" substitute "convener of council".'.

No. 229, in page 190, line 21, at end insert—

'( ) In section 133 (roads), subsection (1) shall cease to have effect.'.

No. 140, in page 191, line 14, at end insert—

'( ) Section 142 (public health) shall cease to have effect.'.

No. 141, in page 193, line 26, at end insert—

'( ) In section 190 (service of legal proceedings), for the word 'chairman', in both places where it occurs, substitute 'convener'.

No. 142, in page 193, line 26, at end insert—

'() For subsection (1) of section 194 (execution of deeds by local authority) substitute—

"(1) For a purpose other than is mentioned in subsection (1A) below, a document is validly executed by a local authority if signed on behalf of that authority by their proper officer.

(1A) For the purposes of any enactment or rule of law relating to the authentication of documents, a document is validly executed by a local authority if subscribed on behalf of the authority by being executed in accordance with the provisions of subsection (1) above.

(1B) A document which bears to have been executed by a local authority in accordance with subsection (1A) above shall, in relation to such execution, be a probative document if—

(a) the subscription of the document bears to have been attested by at least one witness; or

(b) the document bears to be sealed with the seal of the authority.".'.

No. 194, in page 193, line 28, at end insert—

'( ) In section 202 (procedure, etc., for byelaws), subsection (13) shall cease to have effect.'.

No. 143, in page 194, line 22, leave out 'paragraph 5(1) of'.

No. 144, in page 194, line 23, after 'authorities)' insert—

'(a) in paragraphs 1(4), 3(1), 3(2) and 3(3), for the word "chairman" substitute "convener";

(b) in paragraphs 3(2) and (3), for the words "vice-chairman" substitute "depute convener"; and

(c) in paragraph 5(1),'.

No. 145, in page 194, line 24, leave out 'chairman or vice-chairman' and insert 'convener or depute convener'.

No. 195, in page 197, line 36, at end insert—

'The House of Commons Disqualification Act 1975 (c.24)

. In Part IV of Schedule 1 to the House of Commons Disqualification Act 1975 (offices disqualifying for particular constituencies)—

(a) in the entry relating to Her Majesty's Lord-Lieutenant or Lieutenant for a region in Scotland—

(i) for the words "a region" substitute "an area"; and

(ii) for the words from "such part" to "Majesty" substitute "the area";

(b) the entry relating to Her Majesty's Lord-Lieutenant or Lieutenant for an islands area in Scotland shall cease to have effect; and

(c) in the entry relating to Her Majesty's Lord-Lieutenant or Lieutenant for the district of the city of Aberdeen, Dundee, Edinburgh, or Glasgow—

(i) the words "the district of" shall cease to have effect; and

(ii) for "district" substitute "city".'.

No. 146, in page 198, line 40, at end insert—

'( ) in subsection (2) of section 28 (reports on investigations), for the word 'chairman' substitute 'convener'.

No. 230, in page 199, line 10, at end insert—

'( ) in paragraph 22—

(i) in sub-paragraph (1), after head (b) insert—

"(ba) an insurance fund, to be used for the following purposes, namely—

(i) where the authority could have insured against a risk but have not done so, defraying any loss or damage suffered, or expenses incurred, by the authority as a consequence of that risk;

(ii) paying premiums on a policy of insurance against a risk."; and

(ii) in sub-paragraph (2), after "repair fund" insert "or the insurance fund".

( ) in paragraph 24(1), after "repair fund" insert ", or an insurance fund,";'.

No. 196, in page 202, line 14, at end insert—

'The Race Relations Act 1976 (c.74.)

. In section 71 of the Race Relations Act 1976 (local authorities: general statutory duty), the existing wording shall become subsection (1) of that section and after that subsection there shall be added—

"(2) In this section, "local authority", in relation to Scotland, means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ("the 1994 Act") and includes—

(a) a joint board and a joint committee within the meaning of the Local Government (Scotland) Act 1973;

(b) the staff commission established by virtue of section 12 of the 1994 Act;

(c) a water and sewerage authority within the meaning of the 1994 Act; and

(d) the Strathclyde Passenger Transport Authority.".'.

No. 197, in page 217, line 12, at end insert—

'( ) in subsection (1), for "an islands or district council" substitute "a local authority";'.

No. 198, in page 217, line 18, at end insert—

'( ) In section 15(2) (local authority's powers in relation to provision of recreational, sporting etc. facilities), for "An islands or district council" substitute "A local authority".

No. 199, in page 217, line 19, leave out 'subsection (1) of'.

No. 200, in page 217, line 19, after '15)' insert '—

(a) in subsection (1)—

(i) for "an islands or district council" substitute "a local authority";

(ii)'.

No. 201, in page 217, line 22, at end insert 'and

(iii) in each of paragraphs (c), (g)(ii) and (k)(ii), for "council", wherever it occurs, substitute "authority"; and

(b) in subsection (2)—

(i) for "an islands or district council" substitute "a local authority"; and

(ii) in paragraph (a), for "council" substitute "authority".'.

No. 231, in page 217, line 34, at end insert—

'( ) In section 18 (byelaws in relation to recreational, sporting etc. activities)—

(a) in subsection (1)—

(i) for "an islands or district council" substitute "a local authority"; and

(ii) for "council" substitute "authority";

(b) in subsection (2)(b), for "council" substitute "local authority"; and

(c) in subsection (3), for "council"—

(i) where it first occurs, substitute "local authority"; and

(ii) where it secondly occurs, substitute "authority".

( ) In section 24(1) (provision of gardening assistance for certain persons), for "An islands or district council" substitute "A local authority".

( ) In section 25 (local authority's functions in relation to cleansing of land)—

(a) in subsection (2), for "An islands or district council" substitute "A local authority"; and

(b) in subsection (3), for "islands or as the case may be district council" substitute "local authority".

( ) In section 26(1) (local authority's functions in relation to the provision of public conveniences), for "An islands or district council" substitute "A local authority".

( ) In section 27 (local authority's functions in relation to provision of a market)—

(a) in subsection (1)—

(i) for "An islands or district council" substitute "A local authority"; and

(ii) in paragraph (b)(i), for "council" substitute "authority";

(b) in subsection (3), for "An islands or district council" substitute "A local authority"; and

(c) in subsection (4), the words from "Without" to "Act" shall cease to have effect.

( ) In section 28 (local authority's functions in relation to the provision of clocks)—

(a) for "An islands or district council" substitute "A local authority"; and

(b) in paragraph (b), for "council" substitute "authority".

( ) In section 30(1), for the words from "an islands" to "may", where it first occurs, substitute "a local authority may, with the consent of the roads authority".

( ) In section 67 (interpretation), immediately before the definition of "the 1972 Act" insert—

"local authority" means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;".

No. 202, in page 219, line 40, leave out from 'seashore)' to end of line 41 and insert '—

(a) in each of subsections (1), (3), (4) and (5), for "district or islands council", wherever it occurs, substitute "local authority";

(b) in subsection (2)—

(i) in paragraph (a), for "council" substitute "local authority"; and

(ii) in paragraph (b)—

(1) after sub-paragraph (i) insert "and";

(2) in sub-paragraph (ii), for "the district council" substitute "any local authority other than the authority for Orkney Islands, Shetland Islands or Western Isles"; and

(3) sub-paragraph (iii) and the word "and" immediately preceding it shall cease to have effect;

(c) in subsection (5), for "council", where it secondly occurs, substitute "local authority".

( ) In section 123(1) (interpretation of sections 120 to 122), in the definition of "adjacent waters", in paragraph (b), for "district council" substitute "local authority".'.

No. 147, in page 219, line 41, at end insert—

'( ) In section 123(2) (interpretation of sections 120 to 122), after the words "purposes of ", where secondly occurring, there shall be inserted "giving notice or, as the case may be,".'.

No. 203, in page 219, line 44, at end insert—

'( ) In Schedule 2 (control of sex shops)—

(a) in each of paragraphs 3, 4, 5(1), (3), (4), (5), (6), (7) and (8), 7(2), (7), (8) and (10) and 8(1), (2), (3), (4), (5), (6), (7) and (8), for "district or islands council", wherever it occurs, substitute "local authority";

(b) in paragraph 6—

(i) in sub-paragraph (1), for "district or islands council" substitute "local authority"; and

(ii) in sub-paragraph (6), for "islands or district council" substitute "local authority";

(c) in paragraph 9—

(i) in sub-paragraphs (1), (2), (4) and (5), for "district or islands council", wherever it occurs, substitute "local authority"; and

(ii) in sub-paragraphs (3)(g) and (h), for "council", in each place where it occurs, substitute "local authority";

(d) in paragraph 10—

(i) in sub-paragraphs (1), (2) and (3), for "district or islands council", wherever it occurs, substitute "local authority"; and

(ii) in sub-paragraph (3), for "council", where it secondly and thirdly occurs, substitute "authority";

(e) in paragraph 12(1), (2)(b), (3), (4) and (6) for "district or islands council", wherever it occurs, substitute "local authority";

(f) in paragraph 13—

(i) in sub-paragraphs (1), (2), (4), (5), (6), (7), (8), (9) and (10), for "district or islands council", wherever it occurs, substitute "local authority"; and

(ii) in sub-paragraphs (6) and (9), for "council", where it secondly occurs in each of those paragraphs, substitute "authority";

(g) in paragraph 14—

(i) in sub-paragraph (1), for "islands or district council" substitute "local authority"; and

(ii) in sub-paragraphs (2), (3), (4), (5), (6) and (7), for "district or islands council", wherever it occurs, substitute "local authority";

(h) in paragraph 15—

(i) in sub-paragraphs (1), (2), (3) and (5), for "district or islands council", wherever it occurs, substitute "local authority";

(ii) in sub-paragraph (2)(b), for "council" substitute "authority"; and

(iii) in sub-paragraph (3), for "council", where it secondly occurs, substitute "local authority";

(i) in paragraph 16(1), (2), (3) and (4), for "district or islands council", wherever it occurs, substitute "local authority";

(j) in paragraph 17—

(i) in sub-paragraphs (1), (2) and (4), for "district or islands council", wherever it occurs, substitute "local authority"; and

(ii) in sub-paragraph (4), for "council", where it secondly occurs, substitute "authority";

(k) in paragraph 18—

(i) in sub-paragraphs (1) and (2), for "district or islands council" substitute "local authority";

(ii) in sub-paragraph (1), for "council", where it secondly occurs, substitute "authority"; and

(iii) in sub-paragraph (2), for "council", where it secondly and thirdly occurs, substitute "authority";

(l) in each of paragraphs 19(8) and 20(1), (3) and (5), for "district or islands council", wherever it occurs, substitute "local authority";

(m) in paragraph 22—

(i) for "district or islands council" substitute "local authority"; and

(ii) for "its" substitute "their";

(n) in paragraph 23—

(i) in sub-paragraphs (1), (2) and (3), for "district or islands council", wherever it occurs, substitute "local authority";

(ii) in sub-paragraph (2), for "council", where it secondly occurs, substitute "authority"; and

(iii) in sub-paragraph (4)(c), for "council" substitute "local authority";

(o) in paragraph 24—

(i) in sub-paragraphs (1), (2)(a), (3), (6), (7) and (9), for "district or islands council", wherever it occurs, substitute "local authority";

(ii) in sub-paragraph (6), for "council", where it secondly, thirdly and fourthly occurs, substitute "authority"; and

(iii) in sub-paragraph (9)(b), for "council" substitute "authority"; and

(p) in paragraph 25(1) and (3), for "district or islands council", wherever it occurs, substitute "local authority".'.

No. 204, in page 221, line 41, at end insert—

'( ) In section 19(3)(b) (local authority in Scotland empowered to regulate use of roads by public service vehicles), for "regional or islands council" substitute "council constituted under section 2 of the Local Government etc. (Scotland) Act 1994".'.

No. 205, in page 222, line 32, at end insert—

'( ) In section 55(3) (arrangements for provision of meals etc. on picnic sites), for "regional, islands or district council" substitute "local authority".'.

No. 206, in page 222, line 35, at end insert—

'( ) In section 95(2) (recovery of expenses by road authority where contravention of section), the words "or by the district council" shall cease to have effect.

( ) In section 97(6) (trading: meanings of certain expressions)—

(a) in the definition of "relevant public market", in paragraph (b), for "regional, islands, or district council" substitute "local authority"; and

(b) in the proviso to that definition, for "council", in both places where it occurs, substitute "local authority".

( ) In section 113(1)(c) (transfer of property and liabilities in connection with special roads etc.), for "regional council" substitute "local authority".'.

No. 207, in page 222, line 41, leave out '(1)'.

No. 208, in page 222, line 42, after '(a)' insert 'in subsection (1)—

(i)'.

No. 209, in page 222, line 44, at end insert—

'( ) in the definition of "maintenance", in paragraph (b), for "an islands or district council" substitute "a local authority";'.

No. 210, in page 223, line 6, at end insert '; and

(b) in subsection (3)(c), for "an islands or district council" substitute "a local authority".'.

No. 211, in page 229, line 12, leave out from '1' to ', for' in line 13 and insert '(interpretation)—

(a) in subsection (1)—

(i) after paragraph (h) insert "and"; and

(ii) paragraph (k) and the word "and" immediately preceding it shall cease to have effect; and

(b) in subsection (3)(a)'.

No. 301, in page 229, line 14, at end insert—

'( ) In section 2 (defined activities), after subsection (9) insert—

"(10) Without prejudice to his powers to make orders or regulations under any other provision of this Part of this Act, the Secretary of State may by order provide that, from 31st March 1995 or such later date as may be specified in the order until such date as may be so specified, being a date not later than 31st December 2001, the provisions of this Part of this Act shall apply in relation to local authorities subject to such modifications as may be so specified.".

( ) In section 15 (orders, regulations etc.), in each of subsections (2) and (5), after "section 2(9)" insert "or 2(10)".'.

No. 212, in page 229, line 21, at end insert—

'(a) after the entry relating to the Peak Park Joint Planning Board insert—

"The Strathclyde Passenger Transport Authority."; and

(b)'.

No. 213, in page 230, line 48, at end insert—

'( ) In section 67B(2) (tests to check whether defects have been remedied), for "a region or islands area" substitute "the area of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994".'.

No. 148, in page 242, line 41, after '(interpretation)' insert '—

(a)'.

No. 149, in page 242, line 44, at end insert '; and

(b) in the definition of "relevant water body", in paragraph (b), for "a water authority within the meaning of the Water (Scotland) Act 1980" substitute "a water and sewerage authority established by section 61 of the Local Government etc. (Scotland) Act 1994".'.—[*Mr. Stewart.*]

Schedule 14

Amendments made:

REPEALS

No. 150, in page 244, line 14, column 3, at end insert—

'In section 36, in subsection (2), the words "and thirty-six" and "and twenty-three" and subsections (3) and (6).'

No. 232, in page 247, line 44, column 3, at end insert—

'Section 31(4).'.

No. 165, in page 248, line 31, column 3, at end insert—

'In section 100(3), the words from "and to an additional fine" to the end.'.

No. 233, in page 248, line 52, column 3, at end insert—

'In section 133, subsection (1).'.

No. 166, in page 249, line 2, column 3, leave out 'Section' and insert—

'Sections 142 and'.

No. 151, in page 249, line 52, column 3, at end insert—

'Section 193(2).'.

No. 214, in page 249, line 59, column 3, leave out 'subsection (1A)' and insert—

'subsections (1A) and (13).'.

No. 234, in page 250, line 18, column 3, at end insert—

'Schedule 14.'.

No. 215, in page 250, line 36, at end insert—

'1975 c. 24.	The House of Commons Disqualification Act 1975.	In Schedule 1, in Part IV, the entry relating to Her Majesty's Lord-Lieutenant or Lieutenant for an islands area in Scotland and, in the entry relating to Her Majesty's Lord-Lieutenant or Lieutenant for the district of the city of Aberdeen, Dundee, Edinburgh, or Glasgow, the words "the district of".'.

No. 235, in page 251, line 6, column 3, after '22' insert—

', in sub-paragraph (1), head (c) and, in sub-paragraph'.

No. 236 in page 251, line 11, column 3, leave out 'paragraph' and insert 'paragraphs 24A and'

No. 237, in page 258, line 8, column 3, at end insert—

'In section 27(4), the words from "Without" to "Act".'.

No. 152, in page 258, line 14, column 3, at end insert—

'In section 121, in subsection (6), the words from "and of" to "that proposal" and, in subsection (7), the words from "but the" to "his consent" and the word "nevertheless".'.

No. 216, in page 258, line 14, column 3, at end insert—

'In section 122(2)(b), sub-paragraph (iii) and the word "and" immediately preceding it.'.

No. 217, in page 258, line 52, column 3, at end insert—

'In section 95(2), the words "or by the district council".'.

No. 238, in page 258, line 53, column 3, leave out 'paragraph' and insert 'paragraphs 27(3)(a) and'.

No. 218, in page 259, line 27, column 3, after 'words "' insert 'and'.

No. 239, in page 259, line 45, column 3, leave out 'paragraph 11' and insert—

"in paragraph 11, the words from "and", where it first occurs, to the end.'.—*[Mr. Stewart].*

Clause 176

CONSEQUENTIAL AND SUPPLEMENTARY PROVISIONS

Amendments made: No. 111, in page 122, line 10, after '1968;' insert—

' "joint committee" and "joint board" have the meanings given by section 235(1) of the 1973 Act;'.

No. 112, in page 122, line 12, after '2' insert 'of this Act'.—*[Mr. Stewart.]*

Clause 178

SHORT TITLE, COMMENCEMENT AND EXTENT

Amendment made: No. 192, in page 123, line 16, after 'Act' insert ', except section 158,'.

Title

Amendments made: No. 153, line 21, leave out from 'to' to 'children's' in line 22.

No. 154, line 22, after 'hearings;' insert

'to amend the procedure for making byelaws under section 121

Revenue Support Grant

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Andrew Mitchell.]*

9.57 pm

Mr. John Evans (St. Helens, North): I congratulate you, Madam Speaker, the Ministers and my hon. Friends on the Opposition Front Bench on the speedy way in which you cleared the important business on the Bill so that I could start my even more important business on the Adjournment. I refer, of course, to the subject of the rate support grant settlement, particularly as it affects my constituency and the City of Westminster.

The Minister is well aware that I am extremely grateful to have this opportunity to speak, once again, on this subject. During the past four years, I have spoken on innumerable occasions and asked innumerable questions, both written and oral, on the rate support grant settlements. I asked a further question about it today.

I was moved to ask for the Adjournment debate because of an answer I received from the Prime Minister to an oral question. I asked the right hon. Gentleman:

"Is he aware of the fact that if Westminster city council had received the same rate support grant per head of population as the borough of St. Helens it would have been forced to charge £1,019, instead of £245, for a band A property? Will the Prime Minister explain to my constituents how a rate support grant settlement that throws up such huge disparities is not politically corrupt?"

I shall not bore the House with the Prime Minister's entire reply. It is sufficient to say that towards the end of the exchanges on the question he spoke of

"some of the reasons why Westminster is so efficient and some of the reasons why the council deserves to be re-elected."—[*Official Report*, 3 May 1994; Vol. 242, c. 591.]

The Prime Minister's answer demonstrated that Her Majesty's Government were still attempting to brazen out the rigging of the grant support system in favour especially of Westminster city council and of the London borough of Wandsworth, which are often described as Tory local government flagships.

I think that all of us were also aware of some of the allegations that were surfacing about what was or was not to be broadcast in the BBC "Panorama" programme about the affairs of the city of Westminster. Indeed, I think that all of us who watched the "Panorama" programme on Monday night agree that it portrayed a shocking story of graft and corruption at the very heart of this country—the city of Westminster—and it was corruption on a scale which, I believe, is without precedent in Great Britain.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Andrew Mitchell.]*

Mr. Evans: Anyone who watched that programme recognises that Her Majesty's Government strong-armed the BBC into keeping the programme off the air during the period of the local government elections. The BBC should be condemned for bowing the knee to the threats and intimidation to which it must have been subject. That was a programme about local government in Britain in the 1990s, which everyone had a right to see, and it should have been shown for people to watch.

The votes of the people who saw the programme would have been influenced because they would have recognised,

[Mr. Evans]

Westminster, but that it was obvious that Ministers, and in one or two cases Conservative Members, had gone along with what had happened in that borough. Although I note, and will accept, that Members of Parliament have said that they had no knowledge of what was going on in the city of Westminster, it is interesting that, as far as I am aware, none has condemned anything that took place in that borough.

I shall concentrate on the difference in treatment of the city of Westminster and of my constituency and the borough that I represent—St. Helens. They are boroughs with similar populations and similar duties and responsibilities to their electorate. Apart from the huge discrepancies in the grants that they receive, their performance differs.

The Prime Minister, in his answer on 3 May, praised Westminster for its efficiency. If that was correct, one would have assumed that when the district auditor reported earlier this year on the accounts of Westminster city council he would be able to praise the borough. Far from that, the district auditor condemned, in terms which I have never seen before, the activities of the council and, as all of us understand it, a number of councillors in the borough and a number of the officers of the borough are facing surcharges approaching £21 million. The *Evening Standard* last night suggested that, following further investigations, the likely bill for the irregularities is approaching £55 million. We shall all be interested to know the outcome.

St. Helens is a borough which was hard done by by the Government in the past three or four years. The district auditor's report for St. Helens highly praised the borough and all that it had done in the past year.

"In his annual report, District Auditor Frank Kerkham gives special mention to the Council's 'sound and business like' management.

Among services most praised was the way the Authority collects and monitors Council Tax collections. He says: 'By the end of October 1993 the money owed in Council Tax was £4.9 million. This represents 3.9 per cent. of the gross debit for three years of the community charge's existence.'

This represents a good performance given that the Authority has had to introduce and collect the Council Tax in tandem with collecting residual community charge."

He went on to praise the borough in a number of other ways. Thus a borough that had been desperately strapped for support grant from the Government was praised for its efficiency by the district auditor.

Because revenue support grant is distributed according to the standard spending assessment formulae, this year Westminster received £2,622 per primary school pupil whereas St. Helens received £1,851—a difference of £770. Does it cost that much more to educate a primary school child in Westminster? In secondary education, the position is even worse. Westminster receives a grant per pupil of £3,677, whereas St. Helens receives £2,590 per pupil—a difference of more than £1,000. Why should St. Helens school children be regarded as so much cheaper to educate than children in Westminster?

Mr. William O'Brien (Normanton): I appreciate the opportunity to support my hon. Friend in his Adjournment debate. The comparison that he makes between the boroughs of St. Helens and Westminster is identical to the comparison between Wakefield district council and Westminster. Will my hon. Friend mention the other authorities in the Webber Craig group, which is a group of authorities that includes St. Helens and Wakefield?

My hon. Friend mentioned SSAs. In March 1994, the Secretary of State issued a report that said:

"The Government has consistently taken the view that SSA is an appropriate benchmark against which to consider whether spending decisions of an authority have resulted in a budget which is excessive."

Neither St. Helens nor Wakefield has spent excessively. The figures for education in Westminster are evidence of excesses. If there was to be capping, that is where it should have been.

Mr. Evans: I am grateful to my hon. Friend for drawing to the attention of the House the fact that his authority, like another five authorities that are grouped in what is known as the Webber Craig group, which are well known to the Minister, suffers from similar problems.

The position with social services is just as bad as that with education. Westminster receives more than £18 million more for its social services than St. Helens. The position was graphically described in the *St. Helens Star* on 6 January 1994 when it said:

"St Helens received a massive £18 million less a year than Westminster to spend on these vital services. That's £994 less to spend on each of our elderly people.

For every elderly person living in the Borough, the Council receives just £131 compared to Westminster's £257—almost double what St Helens receives."

That shows how an authority at one end of the country receives substantially more to look after its elderly citizens than a borough at the other end of the country.

St. Helens has had a raw deal ever since SSAs were first established. Because of how they were calculated, St. Helens has had to cut no less than £20 million from its budget in the past three years. The council has had to close a library, an elderly persons' home, a family centre, a day nursery and a day centre and increase charges for school meals, meals on wheels and home helps. Regrettably, the cuts have been inflicted on the elderly and the very young —the most defenceless people in the community.

I want to put to the Minister some of the questions that constituents have asked me on many occasions. In the borough of St. Helens there is considerable resentment about how people are treated. I pay tribute to the local newspapers, the *St. Helens Star* and the *St. Helens Reporter*, which have regularly featured these issues so that citizens may understand precisely what is going on.

How can it be fair that an authority such as the one in Westminster, with a population only 4 per cent. higher, receives 70 per cent. more in terms of SSAs and 116 per cent. more in revenue support grant than my council? The sums of money involved are huge. My constituents, who know that their council is efficient, would have to be charged twice the council tax that people in Westminster have to pay. Obviously they are extremely angry about this.

The Government's SSA of £220 million for Westminster is supposed to reflect the council's need to provide services at a standard level. Does not the fact that Westminster spends £3 million less mean that it is failing to provide services at that level? Is not revenue support grant distributed according to SSAs? If Westminster is spending less than the SSA, it must be receiving rate support grant in respect of expenditure that it is not incurring. Surely that cannot be justified.

If the Prime Minister argues, as he did in a parliamentary answer to me on 3 May, that Westminster has achieved efficiency savings—he pointed out that £11 million had been saved as a result of compulsory competitive tendering: the equivalent of £110 in council tax—why is the council still receiving rate support grant as if it had not achieved those savings? Should not its SSA be reduced to reflect them?

The Prime Minister's reference, in his reply to me, to the loss of SSA in Wandsworth was irrelevant. I had not mentioned Wandsworth; I had referred simply to Westminster and St. Helens. It is true that Wandsworth lost standard spending assessment, but it was given £26 million in SSA reduction grant to cushion the effect. Westminster received a reduction grant of £7 million. Both authorities benefited because of the change in SSA methodology. There was no such cushion when, in 1991, St. Helens was capped. We lost £6 million, on the basis of the national average, as a result of the switch from what was known as grant-related expenditure assessment—GREA—to SSAs. There was no preferential treatment for St. Helens on that occasion.

I am quite happy to put on record the fact that we in St. Helens and the other Webber Craig authorities are grateful for some of the changes in SSA calculations this year. I should like to make it clear that they have been beneficial. We recognise that the inclusion of the long-term unemployed—a measure for which we fought for a long time—has been advantageous, and we give credit to Ministers for listening to the arguments that we put forward in meetings last year and for going part of the way towards meeting our case.

In answer to my question 7 today, the Minister of State indicated that discussions with the local authority associations about revision of the SSAs were continuing. I and, I am sure, my colleagues in the Webber Craig authorities warmly welcome those discussions and trust that they will be brought to a happy conclusion.

I should like to ask the Minister to consider the inclusion of two or three items. We believe that account should be taken of the fact that the provision of nursery education ought to be based on the actual number of children rather than on proxy figures. After all, we know exactly how many under-fives in St. Helens are being educated. Could not the actual, not the proxy, figures be used? The construction of the additional educational needs index should also be reconsidered, as it is based on three rather broad proxy figures: children of lone parents, children of benefit claimants and children of ethnic origin.

I suggest that the numbers of statemented children could be considered in this context—they are statemented, after all, so as to receive the special education that they so badly need. I also suggest that the assessment of the number of children at risk should be based on actual numbers, not on proxies. St. Helens, like most other authorities, knows exactly how many children are on its at-risk register.

As I said the last time I spoke in a debate on this subject —indeed, I have often said it—local government finance is a complex, mysterious and arcane subject, and I suspect that only local authority finance executives understand it. The rest of us have to work very hard—I suspect that the Minister sometimes has to work even harder—to keep up with the jargon and the changing patterns involved in mastering this complex subject.

I should point out, however, that local government finance affects every person in the land. After all, it used to be reflected in people's rates; then in the community charge; now in the council tax. It is thus important that we try to get it right. I thank the Minister of State and the Under-Secretary for listening to the authorities and trying to produce a fairer system. They can rest assured that if they produce figures which are fairer, and which therefore benefit our hard-pressed constituents, we will be grateful.

10.16 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): It will help the House if I briefly set out the general principles and mechanisms of the local government finance settlement before turning to the points about St. Helens made by the hon. Member for St. Helens, North (Mr. Evans). I hope that both the *St. Helens Star* and the *St. Helens Reporter* will give my comments extensive coverage.

Government support for local authority spending this year will be £34.3 billion, a large sum of money representing an increase of 1.7 per cent. on the amount spent in the previous year. That is fair settlement, consistent with our determination to maintain a firm grip on public spending, of which local government accounts for about a quarter. Clearly, the total amount of money available for local government spending has to be distributed to the various local authorities in the fairest possible way—there is no argument about that.

That is done by means of the revenue support grant, which is distributed to local authorities by reference to standard spending assessments. SSAs are an objective, statistically based measure of the amount that an authority needs to spend to deliver a standard level of service. In other words, having regard to different populations and different needs, each local authority should be treated—and as far as the Government are concerned, will be treated —equally.

Our aim is to ensure that the available resources are divided fairly, so that each authority is placed on an equal footing. Of course, that is not an easy task. In evidence to the Environment Select Committee, the local authority associations said:

"The distribution of grant to 420 authorities in England on an equitable basis is a complex task and it is not surprising that the extensive analysis and research over the years has shown that there are no simple answers."

But we do try extremely hard. The Audit Commission observed that

"the SSA system . . . is a more sophisticated system for equalising needs than any overseas system examined in this study and it is an improvement on its predecessor in many respects."

Last year, we carried out a thorough review of the calculation of the standard spending assessment which incorporated an in-depth look at all the points that the hon. Gentleman raised relating to St. Helens. The review was prompted by the need to incorporate new data on social conditions from the 1991 census, but we also took the opportunity to carry out a root and branch review of the SSA formula more generally.

The review was carried out in close co-operation with the local authority associations. We made the underlying data freely available to the associations and provided exemplifications of any option which the associations wished to consider. I and ministerial colleagues also met delegations from more than 30 individual local authorities to hear their views and discuss their ideas.

[Mr. Tony Baldry]

The Environment Select Committee has recently produced a report on SSAs. One of the Committee's first conclusions in that report is this:

"We welcome the openness with which this year's SSA review has been carried out, and we trust the approach will continue in future years."

So do we.

One of the Committee's final conclusions is:

"We recognise that the changes to the SSA methodology this year have led to some commonsense improvement in the 1994-95 proposals."

I hope that we will continue to earn the commendation of independent experts and the Select Committee for the fact that our proposals for SSAs are arrived at through open and co-operative discussion and are both common sense and fair.

Mr. William O'Brien: Will the Minister give way?

Mr. Baldry: No.

Just because we aim to ensure a fair distribution does not mean that everyone will be happy with the result. I totally refute any suggestion that the distribution system is somehow rigged in a party political way. If anyone cares to look at the figures, they will see that a large number of the local authorities that have gained this year as a result of recent SSA changes are Labour-controlled authorities.

In his evidence to the Select Committee, Mr. Tony Travers, who is generally recognised as an objective and informed academic in this area, said:

"A number of commentators have accused SSAs of being politically rigged . . . Yet there is no evidence of such political intervention".

The review of SSAs last year was thorough and wide ranging and I agree with the Select Committee that there will always be a trade-off between improving the technical content of the SSAs and increasing its complexity.

I do not plan such a wide-ranging review this year. Of course, that does not mean that there will be no changes. We will always continue to discuss the SSA methodology with local authority associations and with individual authorities which wish to make a contribution.

St. Helens was one of the authorities that benefited from the review of SSAs. It got more money this year than it would have done under the old formula—although I recognise that it was not as much as some other authorities, nor evidently as much as the hon. Gentleman would have liked.

St. Helens SSA went up by just over 3 per cent.—more than the average for metropolitan districts of 1.3 per cent. —and under the capping rules St. Helens can set a budget some 5 per cent. above SSA. If one compares what St. Helens actually spent last year with what it can spend this year—comparing like with like—that is a permitted increase of 1.7 per cent. It is an increase and in no way a cut.

St. Helens education SSA increased by 3.1 per cent.; its personal social services SSA increased by 5.7 per cent. and its all other services block SSA increased by almost 11 per cent. As a result of the introduction of an index measuring economic circumstances, for which St. Helens and others in the Webber Craig group of local authorities have campaigned, it did extremely well.

St. Helens will also benefit from committed spending under the single regeneration budget of £11.4 million in 1994-95 and a share of the £1 billion objective 1 programme money for Merseyside. The Department of Transport has also been able to provide an extra £6.6 million of borrowing approvals to help finance the additional costs of the M62 link road—again in response to a case put by St. Helens in which Environment Ministers took a close interest.

I am disappointed by the hon. Gentleman's comparison with Westminster. I think it is cheap stuff; I think it is poor stuff. It is belittling and it is not worthy of the hon. Gentleman.

The measures used to arrive at the standard spending assessment for Westminster are exactly the same measures as are used for every other authority. They give a higher SSA per head than in St. Helens simply because that is what the statistics show. But the statistics also show that 23 out of the 32 London boroughs get more per head than St. Helens, irrespective of political control.

The SSA review this year reduced Westminster's SSA by 1.6 per cent.—a greater reduction than the average for inner London boroughs. Total external support per head for Westminster—made up of revenue support grant, redistributed business rates and SSA reduction grant—is below the average for inner London boroughs. The low level of council tax in Westminster is, in large measure, simply a reflection of the excellent budgeting by Westminster council, which set a budget some 11.6 per cent. below SSA.

I hope that the hon. Gentleman will study the SSA grants for the London boroughs this year. Having done so, I hope that he will take back any scintilla of a suggestion that they have been politically rigged. Conservative-controlled Kensington and Chelsea has had a reduction in its SSA grant this year of 8.3 per cent. In Conservative-controlled Wandsworth, there has been a reduction in SSA of 10.6 per cent. Conservative-controlled Brent has seen a reduction in its SSA of 8.5 per cent. Ealing, which, at the time that the SSA was set, was Conservative controlled, has seen a reduction in SSA of 3.8 per cent. Redbridge, which, at the time that the SSA was set, was also Conservative-controlled, has seen an SSA reduction of 1 per cent.

The hon. Gentleman could then look at some of the Labour-controlled boroughs in London. Greenwich has had an increase of 7.6 per cent. in its SSA grant. The SSA grant for Barking and Dagenham has increased by 11.8 per cent. The grant for Hillingdon has increased by 7.7 per cent., and so on. It is complete nonsense to suggest that any of the SSAs are politically rigged in any way. They are set objectively using the best possible criteria after lengthy and extensive discussions with the local authority associations.

Mr. Evans: Will the Minister spend one minute explaining to the people of St. Helens why Westminster receives £1,000 more per child for secondary education as compared with St. Helens?

Mr. Baldry: If the hon. Gentleman reads *Hansard* tomorrow, marks out the word "Westminster" and puts in its place practically any other London borough, he could make exactly the same speech again replacing the word "Westminster" with "Greenwich", "Lambeth", "Newham" or "Islington". That is simply because that is what the statistics demonstrate in terms of need and in terms of the formula that has been worked out openly and objectively with the local authority associations.

I am delighted that St. Helens has welcomed the review of the SSAs and, in particular, the inclusion of health and economic indicators. The work that we have done this year with the Webber Craig group of authorities clearly demonstrates our preparedness and determination to make the system as fair as possible.

Expert independent commentators agree that the process by which we decide the distribution of resources between authorities is as open and as fair as practicable without creating a system that is impossibly complex. The formula is exhaustively discussed with local authority representatives and the data come from statistical returns which are common to all local authority areas.

I appreciate that the hon. Gentleman would like to see St. Helens do better from the system. Many hon. Members would like their areas to do better. Of course, we shall continue to strive to balance these conflicting demands as fairly and reasonably as possible. In a system such as this there may always be scope for further improvements.

As I have made clear, we are always happy to consider with the local authority associations any proposals for improvements. But the improvements will be objective and they will apply to every local authority, irrespective of political complexion. If St. Helens wishes to press further for specific changes to the SSAs, it needs first to seek to persuade other local authorities to put a case to us in the discussions that are already under way. As always, any case that is put forward will be discussed openly with a view to arriving at an approach that is fair to all authorities.

In the meantime, I am sure that St. Helens council wants to make the best use of the £105 million of grant that has been made available to it this year, in addition to the money that it has—

The motion having been made at Ten o'clock and the debate having continued for half an hour, MADAM SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Ten o'clock.

House of Commons

Thursday 19 May 1994

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

FEDERATION OF STREET TRADERS UNION (LONDON LOCAL AUTHORITIES ACT 1990) (AMENDMENT) BILL (BY ORDER.)

Order for Second Reading read.

To be read a Second time on Thursday 16 June.

Oral Answers to Questions

HOME DEPARTMENT

Identity Cards

1. **Mr. Campbell-Savours:** To ask the Secretary of State for the Home Department what further discussions have taken place on the introduction of identity cards.

3. **Mr. Gale:** To ask the Secretary of State for the Home Department what further consideration he has given to the introduction of identity cards.

The Secretary of State for the Home Department (Mr. Michael Howard): We keep this issue under constant review. I fully appreciate the widespread support which exists for a national identity card scheme.

Mr. Campbell-Savours: May I suggest that Ministers stop trying to sell a national identity card scheme on the basis that it would be a tool to deal with social security fraud—[HON. MEMBERS: "Why?"] Conservative Members should wait. Despite the lobby that wants to insert an element of political correctness into the debate, is not the truth that a national identity card scheme could enhance civil liberties, be a major tool in tracking down crime, particularly tax fraud, and also be of immeasurable benefit to people needing emergency medical treatment?

Mr. Howard: The hon. Gentleman has identified a number of advantages that an identity card could have. As he knows, there are considerable practical difficulties and we are trying to find ways to overcome them.

Mr. Gale: Given that a properly designed identity card could be used as a travel document throughout the European Union, as a passport for pensions and social benefits and to carry medical and banking information, that people in the Press Gallery, hon. Members, servants of the House and many other people in many walks of life already carry identity cards, that the honest person has nothing to fear from carrying an identity card, and that the introduction of such a scheme has the support of the Association of Chief Police Officers, the Superintendents Association and the Police Federation, will my right hon. and learned Friend bring forward in the next Session of Parliament the measures necessary to introduce such a scheme?

Mr. Howard: My hon. Friend makes an even more compelling case than the hon. Member for Workington (Mr. Campbell-Savours). However, the practical difficulties still need to be overcome. My hon. Friend was not, perhaps, entirely accurate in his description of the organisations which support the introduction of an identity card, but I readily accept that there is widespread support for such a scheme.

Mr. Spellar: Why does the Home Secretary not come clean and admit that the identity card is a political gimmick with a huge cost? His Department's figures show that a scheme would cost £475 million to set up and £50 million to £100 million per year to run. Will he reflect on the figures produced by his colleagues in the Department of the Environment, which show that council tax registers record a 34 per cent. turnover each year? Would that not result in enormous administrative problems? Those are the real practical difficulties and costs of the scheme.

Mr. Howard: I do not conceal from the House that there are practical difficulties. However, the hon. Gentleman would have had a most effective answer to the points that he raised in the early part of his question had he been able to see the number of his hon. Friends shaking their heads as he spoke.

Mr. Batiste: Does my right hon. and learned Friend agree that many organisations are now exploring different technologies for smart ID cards? If the Government act quickly they could co-ordinate that activity and produce a card that would have widespread application in the years ahead.

Mr. Howard: My hon. Friend makes an extremely important point, which I assure him is not lost on the Government.

Mr. Allen: Before the Home Secretary is tempted to snatch at a panacea and cure-all for all the things that are wrong with society, will he heed those who have strong reservations in principle about identity cards, those who feel that they could be discriminatory and those who make the case that professional criminals could easily evade the use of such cards? Before the right hon. and learned Gentleman goes any further, will he conduct some serious Home Office research? If he then intends to bring proposals before the House, will he ensure that it is on the basis of an all-party consensus?

Mr. Howard: Given the difference of views expressed in the past two minutes, it would be difficult to strike a consensus that would satisfy everyone.

Mr. Skinner: It would.

Mr. Howard: I am delighted to have the agreement of the hon. Member for Bolsover (Mr. Skinner). At the end of the day, we will have to make a decision on the matter, but I can certainly give an undertaking to the hon. Member for Nottingham, North (Mr. Allen) that we will listen to all the views that are expressed.

Obscene Publications Branch

2. **Mr. Nicholas Winterton:** To ask the Secretary of State for the Home Department when he last met the Commissioner of Police of the Metropolis to discuss the future of the obscene publications branch; and what view he expressed at that meeting.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Charles Wardle): My right hon. and learned Friend discussed this matter with the Metropolitan police commissioner on 25 April at one of their periodic private meetings.

Mr. Winterton: Is my hon. Friend aware that speculation about the future of the obscene publications branch will be greeted with glee by the paedophiles and pornographers? Does he agree that the sooner a statement is made that that branch will continue to do the wonderful work that it has been doing and that it will not be broken up or divided, the better it will be for reducing pornography and other unfortunate things that happen in this country?

Mr. Wardle: I shall seek to reassure my hon. Friend even now. There is no question of any relaxation in the fight by the Metropolitan police against pornography. The opposite is the case. The commissioner is examining the way in which all his special operations are organised to see whether there are more effective ways of doing the job. It has to be good management sense to see whether the police can crack down even more effectively on obscene publications and paedophilia.

Drug Abuse

4. **Mr. Hendry:** To ask the Secretary of State for the Home Department what steps his Department is taking to reduce the growth of drug abuse.

Mr. Howard: The Government's strategy for tackling drug misuse is aimed at reducing both the supply of, and the demand for, drugs. Key elements in the strategy include increasing the effectiveness of enforcement, developing prevention measures, publicity and education, and improving the treatment and rehabilitation of drug misusers.

Mr. Hendry: I thank my right hon. and learned Friend for that clear answer. Has he seen the evidence from parts of the world where cannabis has been legalised? It has resulted in a rapid increase in the consumption of both hard and soft drugs, a massive increase in health costs and an escalation of crime out of all proportion to that which existed before. Will my right hon. and learned Friend assure the House that he will have none of the nonsense peddled by some Opposition Members that cannabis should be legalised in Britain? It sounds as though they have been taking it.

Mr. Howard: I can give my hon. Friend that assurance without equivocation. I entirely agree with the points that he has made.

Mr. Stevenson: Is the Home Secretary aware of the specific dangers attributed to the continued use of so-called poppers? Is he further aware of the research done in the United States which clearly shows that the free use of so-called poppers reduces the effectiveness of the immune system? In the light of representations made, for example, by Staffordshire county council and other authorities, what action does the Home Secretary envisage taking to ban the use of these dangerous substances?

Mr. Howard: I am aware of some of the incidents which have occurred in Staffordshire and elsewhere involving the misuse of substances such as that to which the hon. Gentleman refers. We are considering carefully whether the action he suggests as appropriate should be taken.

Mr. Butler: Does my right hon. and learned Friend agree that in dealing with drugs, as with other crimes, it is not sufficient simply to talk about being tough on crime and the causes of crime, but it is necessary also to be tough on criminals?

Mr. Howard: Yes, Madam Speaker.

Mr. Blair: Does the Home Secretary agree that it is horrific that children, sometimes as young as 11, are gaining access to drugs even within the school gates? Does he accept, as the police say, that the problem is likely to get worse with the introduction of highly violent and organised crime rings from the former eastern Europe? Does he agree that if we do not put in place the proper strategy to fight drug abuse, the fight against crime will be hugely hindered?

Mr. Howard: I of course agree with the hon. Gentleman that some of the instances of supply of drugs to young children are horrific. I also agree that we have to be on our guard to ensure that the problem is not aggravated by the influx of either drugs or weapons from eastern Europe. We have a strategy in place which adopts a comprehensive approach to the problems relating to drugs and we are examining it to see to what extent it can be improved.

Secure Training Centres

5. **Mr. Coe:** To ask the Secretary of State for the Home Department when he will publish details of the proposed secure training centres for young offenders.

The Minister of State, Home Office (Mr. David Maclean): I intend shortly to place in the Library of the House a copy of the operating specification for the new centres.

Mr. Coe: I thank my hon. Friend for his answer. He will be aware that people in my constituency, as in all other constituencies, are angry and tired of having their homes broken into, their cars stolen and often burnt out and their hard-earned property burgled. Does he recognise that the need for secure centres is more important than ever before and that the thrust of activity in those centres must concentrate on rehabilitation, education and training, but above all on counteracting offensive and offending behaviour?

Mr. Maclean: My hon. Friend is absolutely right. That is why the experts at the sharp end—the police—have given a complete and total welcome to our proposals that action can be taken against 12 to 14-year-olds who are currently outwith the law. My hon. Friend is also right that in the special centres for young persistent offenders we intend to concentrate on training, rehabilitation and addressing the offending behaviour. We can do that only if

we take the offenders away from the street corners and get them into specialist centres where specialists can give them the training that they need.

Mr. Gunnell: As the professionals dealing with young people are generally opposed to the proposals, which will separate children from their families by great distances, and as the centres will not be able to offer the national curriculum, how does the Minister intend to overcome those defects? Does he accept that in the past other methods have proved much more effective than the Government's experiments to combat youth crime?

Mr. Maclean: I do not accept what the hon. Gentleman says. Nothing like this has been tried before. That is why it is wrong for certain people to give the impression that the centres are mini-prisons; they are not that at all. I must tell the hon. Gentleman, in the nicest possible way, that I should be more willing to listen to his point were it not for the complete inconsistency shown by the Opposition recently. In this Chamber, there was no all-out assault by the Opposition against the provisions in the Criminal Justice and Public Order Bill dealing with young offenders, but in another place, the whole Opposition Front Bench tried to remove entirely the clauses dealing with young offenders.

Right to Silence

6. **Mr. Streeter:** To ask the Secretary of State for the Home Department what priority he gives to reform of the right to silence; and if he will make a statement.

7. **Mr. Page:** To ask the Secretary of State for the Home Department what progress he has made on his plans to abolish the right to silence.

Mr. Maclean: Current restrictions on drawing proper inferences from a suspect's silence are repugnant to common sense and open to exploitation by experienced criminals. I attach a high priority to our reforms of the so-called right to silence rules.

Mr. Streeter: Does my hon. Friend think that our reform of right to silence is one of the measures that the chairman of the Police Federation had in mind when he said yesterday:

"Our Home Secretary is more in tune with the Police Federation than any other Home Secretary for 30 years"?

Mr. Maclean: Yes, I am aware of that remark. I am sure that in the spirit of fairness the hon. Member for Warwickshire, North (Mr. O'Brien) intended to make that quotation available to the House as well. In addition, the Police Federation has written to me about the Criminal Justice and Public Order Bill saying:

"If the measures contained in this Bill are implemented, they will enhance the stature and ability of the criminal justice system to reduce crime, successfully bring criminals to justice and significantly reduce the fear of crime, thereby improving the quality of life for many members of society."

That is the police view; it is the Government's view as well.

Mr. Page: Does my hon. Friend find it rather odd, as I do, that a person accused of serious fraud has to provide information under threat of a penalty while a person accused of a criminal offence can remain silent? Does he agree that the guilty are the only people who are worried and frightened about the removal of the right to silence and is it not common sense to see it go?

Mr. Maclean: My hon. Friend is absolutely right, but it is not merely the police who agree that those changes to the so-called right to silence are essential. The Lord Chief Justice confirmed that our proposals are absolutely right, saying:

"I do not think the proposed measures are unfair. On the contrary I think they introduce an element of common sense and realism which has been sadly lacking hitherto."

And so say all of us.

Mr. Gerrard: How can the Minister justify his proposals to allow an adverse inference to be drawn if a person remains silent when questioned not by police officers but by people who may be completely untrained, such as private security officers or store detectives? Is that not guaranteed to lead to more miscarriages of justice?

Mr. Maclean: I do not accept what the hon. Gentleman says. Nor did the House accept it, as I seem to recall that on Third Reading the Criminal Justice and Public Order Bill received a majority of 176 votes in this Chamber. If the hon. Gentleman and his hon. Friends—I know that some of them voted against it, including the hon. Member for Bolsover (Mr. Skinner) and others—and the Opposition Front Bench had thought that that part of the Bill was so reprehensible I am sure that they would have voted against it.

Mr. Trimble: May I refer the Minister to the speech in another place by the former Lord Chief Justice of Northern Ireland? In relation to the Northern Ireland provisions on which the measure is based, he said that he had heard no complaints from the Bar in Northern Ireland about its operation? May I also refer the Minister to the report published this week which shows that the operation of the legislation in Northern Ireland has made very little impact on the system there, thus disproving the alarmist stories put about here and reinforcing our point that his proposals are modest? What should be done is seriously to address the right to silence, properly so called, to ensure that it is modified for certain persons in certain categories.

Mr. Maclean: I do not entirely accept that the proposals are modest, but they are not so draconian or radical as some people who are trying to damage the Bill make out. A lot of crystal ball gazing has been going on about the so-called right to silence, which I find quite unnecessary because if one looks at the Northern Ireland experience one can read the book, and it is a book that has worked. We should be guided by what the Lord Chief Justice said, based on the experience in the courts there.

Crime (Departmental Policy)

8. **Mr. Ian Bruce:** To ask the Secretary of State for the Home Department what progress he has made in implementing his 27 points to tackle crime.

Mr. Howard: Nineteen of those 27 measures are being taken forward in the Criminal Justice and Public Order Bill. Five do not require legislation and are being implemented administratively. I hope to legislate on the remaining three as soon as a suitable opportunity is available.

Mr. Bruce: I congratulate my right hon. and learned Friend on that record so far and add to the congratulations expressed by my hon. Friend the Member for Plymouth, Sutton (Mr. Streeter) on the remarks made by the chairman of the Police Federation. May we have a war on the thugs and criminals who attack our police officers and believe that they can get away scot free? May we also ensure that every police officer has adequate protection and offensive weapons to stop the attacks ever taking place, because thugs will know that the treatment that they receive will be much harsher than the treatment that they hand out to police officers?

Mr. Howard: I entirely agree and I am grateful to my hon. Friend for his remarks. I am determined to ensure that our police officers, who face the gravest dangers and risks on our behalf, day in and day out and night in and night out, are properly equipped to face those risks. That was why I authorised the extra measures that the Commissioner of Police of the Metropolis announced on Monday and why at the Police Federation conference yesterday I made an announcement about the progress of our trials in relation to batons. I am determined to do what is necessary to ensure that our police officers are properly equipped.

Mr. Simpson: If the Home Secretary is concerned about crime prevention, why does he insist on taking funding out of projects such as the Nottingham wheelbase project which, at a cost of less than £50 per young person per week, has a high success rate in deterring young people from crime? Why does he withdraw funding from preventive projects and divert it, leaving the community-based approach ill prepared and underfunded?

Mr. Howard: We have always made it clear that the safer cities programmes would not be permanent in any particular place. We wanted to show what could be done in particular cities and then to move on and demonstrate that elsewhere. I am sure that the hon. Gentleman, given his concern for these matters, will be the first to congratulate the Government on the fact that spending on crime prevention increased to £240 million last year from £200 million the year before—an increase of no less than 20 per cent.—without taking into account any part of the £6 billion per year spent by the police on crime prevention.

Mr. Shersby: Is my right hon. and learned Friend aware that the new stop and search powers in the Criminal Justice and Public Order Bill represent a major breakthrough after 10 years of argument as to how best the police can tackle the difficult problem of knives and sharp pointed weapons? Does he agree that it is a triumph for the whole House to have recognised that difficult problem and given the police the powers that they need to deal with it?

Mr. Howard: I agree with my hon. Friend and I pay particular tribute to the part that he played in drawing the need for extra legislation to the attention of the House. I am satisfied that the additional powers are needed and that they will prove an effective reinforcement of the powers already available to the police. If we are determined to make progress in the fight against crime, we must ensure that our police have the powers that they need. That is something that I am determined to provide.

Mr. Hoon: Will the Home Secretary be bringing forward a list of the number of policy U-turns he has been forced to make since announcing his 27-point plan?

Mr. Howard: The answer is none whatever. If the hon. Gentleman cares to go through the 27 points, he will find that there have been no changes in any of those 27 points save in one very minor respect relating to the right to silence.

Pornography

9. **Mr. Ottaway:** To ask the Secretary of State for the Home Department how he intends to combat the trade in computer-generated pornography; and if he will make a statement.

Mr. Maclean: We are taking a number of steps in the Criminal Justice and Public Order Bill to ensure that the legislation to control pornography can keep pace with changing technology.

Mr. Ottaway: Does my hon. Friend recognise the need to stay one jump ahead of criminals who seek to exploit technology for their own advantage? Will he confirm that the proposed measures will take into account the latest developments in computing?

Mr. Maclean: Yes. I believe that the measures that we have taken in the Bill, many of them within days or weeks of the Select Committee on Home Affairs reporting, will deal with all aspects of computer pornography. We are still turning our attention to two issues: international transmission from foreign countries, and advertising. Apart from those two, however—and they are not germane to dealing with the main problems of computer technology—the measures in the Bill will deal with all aspects of computer pornography in whatever shape or form that vile trade takes now or in the foreseeable future.

Mr. Mike O'Brien: If the Minister is so anxious to quote the chairman of the Police Federation, why did he not accept the federation's proposed amendments to the Criminal Justice and Public Order Bill to strengthen the laws on computer pornography? Does he accept that the comments made by the chairman of the Police Federation yesterday about the Home Secretary ended with a reference to what the chairman perceived as the greatest threat to policing in a generation in the current inquiry into the core functions of policing, which the general secretary of the federation said could lead to a reduction in the number of police officers from 126,000 to 80,000 by the end of the decade if the Government get their way?

Mr. Maclean: The hon. Gentleman is trying to make bricks without straw, but I congratulate him on his courage in being the only Opposition Member to stand up and quote the police today. The Opposition have been quoting the police for the past 12 months, but since the chairman of the Police Federation said yesterday that the current Home Secretary is more in tune with the police than any Home Secretary in the past 30 years, I suspect that the Opposition will be dropping the idea of such quotations like hot bricks.

I am confident that, before the Bill leaves the Palace of Westminster, all the concerns about computer pornography will be addressed and we shall have a comprehensive measure to deal with that vile trade.

Cautioning Guidelines

10. **Mr. Sykes:** To ask the Secretary of State for the Home Department what response he has had to the new guidelines on cautioning; and if he will make a statement.

Mr. Howard: The new cautioning guidelines have been widely welcomed. The early indications are that they are already starting to have the intended effect.

Mr. Sykes: Will the Home Secretary promise that his welcome statement marks an end to the scandalous string of cautions that have only encouraged crime? Is he aware of the widespread support for adopting some of the measures used in Singapore for successfully dealing with crime?

Mr. Howard: I very much hope that the cautioning guidelines will have the effect to which my hon. Friend referred, but the measures taken in Singapore go somewhat further than the cautioning guidelines that I have so far authorised.

Mr. Michael: Will the Home Secretary join me in reminding the House that the first caution has had a remarkable success rate, in that some 87 per cent. have not re-offended after a first cautioning? Will he also remind the House of the pressure from the Opposition for a reduction in the number of inappropriate second and subsequent cautions? Why has he not also accepted the constructive proposals that we have put forward to deal immediately with the causes of offending and nip things in the bud as soon as a second offence is committed?

Mr. Howard: I agree with the hon. Gentleman that the first caution has an important part to play, and nothing in my new guidance detracts from the first caution in appropriate cases. I confess that I do not recall being under great pressure from the Opposition to issue revised cautioning guidelines. Perhaps that appeared in the 10th footnote to page 103 of one of the hon. Gentleman's briefing notes. We must of course take the causes of crime seriously and take action to deal with them, but it is action, not slogans, which matter, and the Government are taking the necessary action.

Mr. Brazier: Does my right hon. and learned Friend accept that his measures to review the guidelines for cautioning are welcome, as the public are sick of seeing hardened youngsters being cautioned again and again? Do not the courts also have a role in the cautioning of parents? Should not we remind the courts of the considerable powers that they have enjoyed for some time now to bind over parents whose children persistently offend?

Mr. Howard: The formal caution normally takes place in the presence of parents, so they see the extent to which their children are at risk if they continue to offend. As my hon. Friend knows, we have taken a number of measures, including those in the Criminal Justice and Public Order Bill, to increase the responsibility that parents must bear for the offences of their children, and which make them responsible in certain circumstances for the failure of their children to comply with the requirements of supervision orders.

Prisoners

11. **Mr. Bennett:** To ask the Secretary of State for the Home Department what steps the Government are taking to reduce the number of prisoners being held in police cells.

Mr. Charles Wardle: Refurbished accommodation at Manchester and Durham prisons has been brought back into use and other measures have been taken. Those have helped to reduce the number of prisoners in police cells from 540 in mid-March to 142 on 16 May.

Mr. Bennett: Welcome though that reduction is, does the Minister accept that the use of police cells is totally inappropriate for remanding convicted prisoners and reduces the efficiency of the police force? Given that the past three Home Secretaries have promised that the practice would stop 12 months ago, is not it appalling that it is still going on?

Mr. Wardle: I am astonished that the hon. Gentleman should ask that question without alluding to the fact that the problem arose in the north-west because of a prison riot in Manchester four years ago, when 1,600 places were destroyed. I hope that he and his hon. Friends will concentrate on the fact that Manchester prison's population is building up again, locked out prisoners are being taken in at the rate of 60 a week there and Doncaster prison will open next month with an extra 779 places. So the use of prison cells for that purpose should shortly be unnecessary.

Mr. Matthew Banks: Will my hon. Friend give the House the assurance that he will press ahead with the utmost vigour with the prison building programme? Without more spaces, we shall not be able to put behind bars people of the type that the British public want to see there.

Mr. Wardle: My hon. Friend is absolutely right. It will not have eluded him that on a number of occasions in recent months my right hon. and learned Friend the Home Secretary has made telling speeches in which he has said that prison works. At the same time, the prison population has been going up, and crime figures have been coming down a little.

Ms Ruddock: Will the Minister admit that the peak figures he has given for the use of police cells—those for March—were occasioned by the fact that the Prison Service tried to meet the Home Secretary's target of 31 March for ending the practice of having three prisoners to a cell? Does he accept that the number of prisoners being doubled up in cells is rising relentlessly month after month and that prison officers are now expressing deep concern about the fact that current levels of overcrowding undermine the rehabilitation regime for prisoners and endanger the safety of prison officers?

Mr. Wardle: It would no doubt have been helpful to the House if the hon. Lady had reminded us that in 1987, 5,000 prisoners were held three to a cell, whereas none are now. Thus, progress is being made. The hon. Lady is right in that in some cases additional accommodation can be used—a further 3,700 places, I think—on the basis of operational maximum usage.

Mr. Garnier: May I invite my hon. Friend to visit Gartree prison, which is in my constituency. There he will see that money is being well used to expand an

establishment where the prisoners are not overcrowded, where Prison Officers Association staff enjoy good working relations with the management and where many Opposition Members might have a happy stay.

Mr. Wardle: I am sure that if I do not get an opportunity to take up my hon. Friend's kind invitation, my hon. Friend the Minister of State will. My hon. Friend is absolutely right: the prison building programme has worked, we have got rid of the problem of three in a cell, as we were advised to do, and the system is working far better than before.

Mr. Maclennan: In the light of the Minister's optimism about the prison building programme, may I ask whether he is now prepared to sink his plan for prison ships?

Mr. Wardle: That is no more than a contingency plan. There are contingency plans in any well-run organisation. I should have liked to hear the hon. Gentleman talk about the plans for Fazakerley prison, a privately financed establishment that will be only the second prison in Merseyside. There are more in Kent. The House will be aware that Lord Woolf said a few years ago that it is better to accommodate prisoners not on prison ships but as near as possible to their families. That is what Fazakerley will be all about. It is a good illustration.

Police, Cheshire

12. **Mr. Brandreth:** To ask the Secretary of State for the Home Department what plans he has to visit the Cheshire constabulary to discuss his current legislative proposals affecting the police; and if he will make a statement.

Mr. Howard: I visited Blacon police station, in my hon. Friend's constituency on 9 May, where I had the opportunity to discuss a wide range of questions with the local police.

Mr. Brandreth: I thank my right hon. and learned Friend for taking the time and trouble to visit the fine community of Blacon and for taking time to talk to the police and members of the community about their concerns. Is he aware of the fact that in the city of Chester the crime rate is now down and the detection rate up? The police officers in Chester welcome every addition to their armoury in the fight against crime—a fight which they are waging with increasing success.

Mr. Howard: I entirely agree. The police officers I met in Blacon were keen to tell me about their progress in the fight against crime and of the high regard in which my hon. Friend is held.

Mr. Miller: It is a pity that while the Home Secretary was visiting my constituency—he was launching the European campaign of the local candidate, who is likely to fail—he did not take the trouble to meet the chief constable. Will the right hon. and learned Gentleman congratulate Ellesmere Port and Neston borough council on the work that it is doing, in conjunction with many local companies, to dissuade young people from getting involved in dangerous activities that take up the time of railway police and the fire brigade and inconvenience many businesses? Will he also congratulate the "Pioneer" newspaper on its work on drugs?

Mr. Howard: I can tell the hon. Gentleman that the occasion that took me to his constituency—the launch of the candidacy of David Senior, the excellent Conservative candidate for that Euro-seat—was extremely well attended. All those who were present will be campaigning vigorously for Mr. Senior as soon as the current truce is over.

Crime Prevention Schemes

14. **Mr. Soley:** To ask the Secretary of State for the Home Department what new proposals he has to fund crime prevention schemes.

Mr. Charles Wardle: The Government already fund and support a significant number of programmes and projects linked to crime prevention. In line with the manifesto commitment, 10 new safer cities projects have been set up and a total of up to 40 are planned.

Mr. Soley: Is not it time to adopt a coherent strategy on crime prevention and its funding? The White City estate in my area, for instance, reduced the burglary rate by 61 per cent. over two years by means of co-operation between the local police and the council, which was funded by the council and the estates action programme. However, urban funding—which provides much of the money—is being phased out, and programmes such as "keep safe" will be lost. When will the Home Office put its money where its mouth is and start protecting people from crime by providing a properly funded crime prevention programme?

Mr. Wardle: It would have been nice if the hon. Gentleman had mentioned the Hammersmith and Fulham safer cities project, which funded 85 crime prevention schemes at a cost of £600,000. He will know that, to date, safer cities projects have incurred a cost of £21.5 million, of which £7 million has been spent by local authorities.

We have a comprehensive crime prevention strategy. My right hon. and learned Friend the Home Secretary talked earlier about the expenditure across Whitehall as a whole. That does not include the more than £6,000 million spent on the police, some of which goes towards crime prevention, as it is one of their primary statutory duties.

Mr. Patrick Thompson: This afternoon in the House, strong support has been expressed for the funding of a new crime prevention scheme—the introduction of identity cards. Will my hon. Friend bear in mind the fact that practical difficulties can be overcome, particularly as what worked perfectly well in the 1940s could also work in the 1990s?

Mr. Wardle: As my hon. Friend will appreciate, that is why the matter is kept under review.

Jurors

15. **Mr. Thomason:** To ask the Secretary of State for the Home Department what progress he has made on his plan to prevent those on bail from serving on a jury.

Mr. Maclean: The Criminal Justice and Public Order Bill, which is currently receiving consideration in another place, provides that people on bail will be banned from jury service.

Mr. Thomason: I welcome that answer. May I take it that my hon. Friend considers it unacceptable for a person to be in the dock one week and in the jury box the next?

Mr. Maclean: Absolutely. That is the main reason why we have taken this sensible step. The Royal Commission on criminal justice also recommended that persons on bail should be disqualified from jury service, and I think that making that necessary change will enhance the status of the criminal justice system.

Crime Statistics

16. **Mr. Hain:** To ask the Secretary of State for the Home Department what has been the percentage change in crime and the increase in police officers in south Wales since 1979.

Mr. Charles Wardle: The number of offences recorded in south Wales increased by 132 per cent. between 1979 and 1993. At the end of February 1994, the actual number of police officers in post had increased by 188.

Mr. Hain: Is the Minister aware that some £40 million of the Home Office's allocation to South Wales police authority has been nicked by the Welsh Office on its way to the authority, which has been underfunded by that amount for the past six years? Does he realise that that is having a devastating impact on local policing? Crime has soared by 135 per cent. since 1979, when the Minister's Government came to power.

Mr. Wardle: The hon. Gentleman must be aware that the financial difficulties faced by South Wales police authority emanate from inaccurate budgeting, which deprived the South Wales police force of £2 million last year. In addition, the chief constable had asked for an extra 8 per cent; he was given 2 per cent.

Centrally funded grant provision for this year would have allowed a further 5.5 per cent. increase in spending. If the South Wales police authority had matched that amount, a further £5 million would have been available, at a cost of £800,000 to each of the three Glamorgan county councils, whose total aggregate spending is £900 million, but the authority did not do that—it provided 1.75 per cent.

Youth Crime

17. **Mr. Riddick:** To ask the Secretary of State for the Home Department what steps are being taken to deter youth crime.

Mr. Maclean: A wide range of action is in hand at both national and local level, which is intended to prevent or deter juvenile crime.

Mr. Riddick: Is my hon. Friend aware that many of my constituents are thoroughly fed up with the way in which a number of youngsters are making their lives a misery? May I assure him that, contrary to what some Labour Members might think, my constituents—indeed, all members of the general public—are delighted that the Government are taking measures to tackle the problem of bail bandits and to introduce the concept of secure units? Is he further aware that what my constituents really want is the introduction of corporal punishment?

Mr. Maclean: The House will be aware that the Criminal Justice and Public Order Bill, with strong measures to deal with juvenile crime, received a majority of 176 in this House. That is a measure of the support in the House of Commons for it. I hope that those who are scrutinising that Bill will look carefully at the strong importance that the House has attached to dealing with persistent juvenile offenders, and reflect carefully before making any changes.

PRIME MINISTER

Engagements

Q1. **Mr. Hain:** To ask the Prime Minister if he will list his official engagements for Thursday 19 May.

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Hain: Did the Prime Minister personally obtain the permission of Her Majesty the Queen to privatise the Royal Mail?

The Prime Minister: My right hon. Friend the President of the Board of Trade will make a statement about the Royal Mail shortly. I have no doubt that he will deal with all the matters that concern the hon. Gentleman.

Mr. Batiste: My right hon. Friend will be aware of the statement by the French Government that they propose to remove a part of their forces in Bosnia by the year end if there is not more rapid progress towards a political settlement and if other countries do not provide greater assistance. What is the British Government's response to that?

The Prime Minister: What the French Government have said is not that they are going to withdraw all their troops from Bosnia at the end of the year but that they propose to reduce by 1,000 their troops in Croatia, and a small number of further troops—I think 1,500—from Bihac. Even when those reductions have been made, the French will still be the largest troop contributors to the former Yugoslavia. The United Kingdom Government, of course, come second. We have no intention at the moment of removing our troops, although, of course, their safety at all times is paramount.

Mrs. Beckett: When the Post Office was not even mentioned in the Conservative party election manifesto and the effects of privatisation are causing chaos on British Rail and pushing up gas prices for ordinary families, why are the Government now looking to privatise the Post Office?

The Prime Minister: As I said to the hon. Member for Neath (Mr. Hain) a moment ago, my right hon. Friend the President of the Board of Trade will make a full statement to the House about the Government's proposals in just a few moments. The right hon. Lady would be well advised to wait for that statement. As to British Rail, I think that she will find that, when it is operating as a privatised concern, as with the other privatised concerns, the service will be infinitely better than it was under nationalised control.

Mrs. Beckett: Contrary to what the Prime Minister says, the experience of most of the British public, particularly in the case of British Rail and of water, is that the end result of privatisation has been higher charges and poorer service. Do the Government never learn?

The Prime Minister: What we see in what the right hon. Lady had to say is the same old knee-jerk opposition to private ownership. It is interesting to see that the same old centralising tendency remains among those on the Opposition Front Bench, just as it always has. What privatisation has produced is better services, profits instead of losses, tax revenue instead of taxpayers' subsidy, and a better service for the consumer. That is because the private sector will run services better.

Mrs. Beckett: Does the Prime Minister realise that the Post Office successfully combines running a profitable business with providing a public service that is of fundamental value to the whole community and that no one can be confident that that service will survive undamaged, especially in rural areas? Is not it another privatisation that is unnecessary, unpopular and unworkable?

The Prime Minister: Once again, in the way that they have done so frequently, right hon. Members make conclusions before they know what is to be proposed and how matters are to be dealt with. Time and again, they have been proven wrong and, on this occasion, they will see how wrong they are very speedily.

Mr. Congdon: Does my right hon. Friend agree that the proposed new secure training orders for young offenders are a welcome step in protecting the public from persistent young offenders and will be welcomed by most people?

The Prime Minister: Yes, I agree with my hon. Friend about that. I think that they will certainly combine an effective punishment with a decent education. What those new centres will offer is the opportunity for young criminals to break away from crime and give the public a break from their offending. I am delighted that that commonsense view is now generally but not, it seems, universally held.

Mr. Ashdown: If, as I hope and believe, the Prime Minister is serious about wishing to use this opportunity permanently to improve the quality of debate in the House, would he be prepared to open discussions and take suggestions about how we might improve these 15 minutes of Prime Minister's Question Time—only a few weeks ago, he described as "ritual confrontation"—in order to make them more informative and more in keeping with what most people want?

The Prime Minister: I think that many people in the country believe that these 15 minutes would be used more effectively on policy matters if questions were asked specifically about matters that must concern the people who watch our proceedings on television or read about them subsequently. I certainly wish that to be the case, but it is a matter for the House and for those who question me rather than for me. I am here to respond to the questions that are asked. [HON. MEMBERS: "Oh!"] The theory that this time is not always wisely used by the Opposition was most clearly illustrated just now.

Mr. Stephen: Is my right hon. Friend aware that most of our constituents believe that the young American vandal in Singapore got exactly what he deserved? Will my right hon. Friend consider the new clause that I have tabled to the Criminal Justice and Public Order Bill, designed to prevent that vandal, and every other criminal, profiting from his crime by selling his story to the press?

The Prime Minister: As my hon. Friend knows, we are seeking in the Criminal Justice and Public Order Bill to make a whole series of changes to improve crime and punishment in this country. I believe that the provisions in the Bill will be very popular across the country, and I hope that they will have the full support of the people. I regret that so many hon. Members on the Opposition Benches still seem to be more concerned for the criminal than for the people against whom the criminal perpetrates his crimes.

Q2. **Mr. McKelvey:** To ask the Prime Minister if he will list his official engagements for Thursday 19 May.

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. McKelvey: Does the Prime Minister recall the helpful reply that he gave me some weeks ago when I asked a question about the passage of the Civil Rights (Disabled Persons) Bill? Why then did he go on to direct, or at least condone, the sleekit and contemptible tactics used by a Minister to scupper the Bill? Has he no remorse for the disabled of this country? Does not he feel that he should allow the Bill to be passed so that disabled people can have basic civil rights?

The Prime Minister: I think that the whole House shares the broad aims of the Bill promoted by the hon. Member for Kingswood (Mr. Berry), but the reality is that the Bill, as has been shown in Committee and subsequently, is unworkable in a number of ways. It would impose immense costs and open up enormous scope for litigation. The people who understand and consider such matters carefully will appreciate that fact.

As the hon. Gentleman will know, for I have told the House on previous occasions, we intend to press ahead with our own proposals, with consultation on a range of measures about discrimination in order to eliminate unjustified discrimination in employment, provide access to goods and services, to financial services and to buildings and to establish an advisory body on disability. That is the right way to proceed in order to produce measures that genuinely will work and will help disabled people. That is the way that we have proceeded in the past and will proceed in the future.

Q3. **Mr. Burns:** To ask the Prime Minister if he will list his official engagements for Thursday 19 May.

The Prime Minister: I refer my hon. Friend to the reply I gave some moments ago.

Mr. Burns: If my right hon. Friend will forgive me for changing the subject, does he agree that the unemployment figures released yesterday and the steady fall in unemployment over the past 12 months is welcome news which shows that our economic recovery is steady and sustainable? Does my right hon. Friend agree with me that it is somewhat strange that when the news is bad about unemployment no one questions the authenticity of the figures but when the news is good and people are getting

back into work some people seek bogusly to take away from that good news by questioning the authenticity of the figures?

The Prime Minister: My hon. Friend makes a telling point with great clarity. The facts speak for themselves: unemployment is down by about 100,000 over the last three months and it has been down by more than 250,000 over the last year. What has been especially encouraging is that long-term unemployment has been falling as well. What is equally striking is that, while unemployment falls across the whole of the United Kingdom, it is still rising throughout much of Europe. That shows the extent to which our economy has recovered and is continuing to grow, in sharp contrast to most European economies.

Q4. **Mr. Win Griffiths:** To ask the Prime Minister if he will list his official engagements for Thursday 19 May.

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Griffiths: Has the Prime Minister had time this week to read about the seven suicides reported to have been triggered by the actions of the Child Support Agency? An ever-growing number of fathers are giving up work because they cannot afford to pay what the Child Support Agency assesses them for, yet many single mothers are worse off as a result of the agency's activities. Will he now set aside his well-worn and repeated phrase about keeping the activities of the agency "under review" and institute immediate radical reform by bringing new legislation to the House?

The Prime Minister: The hon. Gentleman is well aware that we made a number of changes some time ago. It is clearly sensible to let those changes settle down and to get a little more experience of how they are working. The changes were widely welcomed and, in many cases, they reduced the amount of maintenance that absent parents were required to pay. There were a number of other changes that I think that most people would regard as the right way forward.

The hon. Gentleman has now embarked upon the exercise of that useful quality—the wisdom of hindsight. The principle of the legislation is right. It was widely welcomed in the House. We are determined to examine what is happening and make sure that if changes are shown to be necessary, they can continue to be satisfactorily made.

Mr. Marland: Is my right hon. Friend aware that the losses in excess of £2 billion that were announced by Lloyd's of London earlier this week bring its total losses to more than £8 billion for the past three years that accounts are available? Is my right hon. Friend further aware that that has led to the suicides of 11 of Lloyd's investors? If it is correct, and it is correct, that there should be an official inquiry into the activities of Mr. Frederick West of 25 Cromwell street, Gloucester, does my right hon. Friend agree that it is also right that there should be an official inquiry into the business practices of some professionals at Lloyd's, which have led to the deaths of its investors?

The Prime Minister: As I think that my hon. Friend knows, a number of civil cases relating to Lloyd's are now before the commercial courts. It would be most unwise of me to comment on that issue while that is the case.

Lockerbie

Q5. **Mr. Dalyell:** To ask the Prime Minister if he will have discussions with the German Government about the statements of Edwin Bollier and Ulrich Lumpert concerning the destruction of Pan Am 103 over Lockerbie.

The Prime Minister: The Scottish prosecuting authorities and police have worked closely with their German counterparts in the course of the Lockerbie investigation. Any discussion of evidence or information that may be relevant to the investigation would be a matter for the Crown Office and the Dumfries and Galloway constabulary to pursue with the relevant German authorities.

Mr. Dalyell: So why has Bollier's written request to have a sight of his timers, so that he can determine whether they were in the batch that went to Libya or the batch that went to the Stasi, been turned down?

The Prime Minister: I am aware of the recent press reports alleging that both Bollier and Lumpert have additional information on the supply of electric timers to the East German Stasi. The Lord Advocate has taken the view that the available evidence justifies the criminal charges that have been brought against the two Libyans. The hon. Gentleman will, of course, be aware that beyond that, I cannot comment on the detail of the available evidence while the criminal investigation is still proceeding.

Mr. Dalyell: On a point of order, Madam Speaker. In view of the unsatisfactory nature of that reply, I beg to give notice that I shall seek to raise this matter on the Adjournment at the earliest opportunity.

Engagements

Q6. **Mr. Spring:** To ask the Prime Minister if he will list his official engagements for Thursday 19 May.

The Prime Minister: I refer my hon. Friend to the reply I gave some moments ago.

Mr. Spring: As we congratulate President Mandela on his recent inauguration, does my right hon. Friend agree that the best hope for South Africa's future lies in economic growth and job creation, flowing from a free enterprise system? Does he further agree that policies such as deregulation, competition and privatisation form the best basis for economic success anywhere in the world?

The Prime Minister: I entirely agree with my hon. Friend about that. It is no surprise that the policies of deregulation, competition and privatisation are now being adopted in every part of the globe. They are certainly being imitated in central and eastern Europe and in the former Soviet Union. As for South Africa, I wish President Mandela every success in building the strong and stable South Africa that we all wish to see. I am sure that if he pursues those policies, they will assist.

Business of the House

3.31 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): Will the Leader of the House state the business for next week?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): Yes, Madam.

Perhaps I should explain that we were especially anxious that Her Majesty's Opposition should have a proper opportunity to study the statement on the Post Office, and I therefore hope that it will be for the general convenience of the House if I make the business statement now, before the statement by my right hon. Friend the President of the Board of Trade.

The business for next week will be as follows:

MONDAY 23 MAY—Conclusion of remaining stages of the Deregulation and Contracting Out Bill.

Motion on the Railways Pension Scheme order.

Motion on the Railway Pensions (Protection and Designation of Schemes) order.

TUESDAY 24 MAY—Third Reading of the Local Government etc. (Scotland) Bill.

Motion on the Northern Ireland (Emergency and Prevention of Terrorism Provisions) (Continuance) Order.

WEDNESDAY 25 MAY—Motion for the Spring Adjournment.

Motion on the Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order.

THURSDAY 26 MAY—Debates on the Adjournment.

The House will also wish to know that European Standing Committees will meet at 10.30 am on Wednesday 25 May to consider European Community documents as follows:

Committee A, document No. 4168/94 and the supplementary explanatory memorandum submitted by the Ministry of Agriculture, Fisheries and Food on 16 May relating to intra-Community trade in bovine animals and swine.

Committee B, unnumbered explanatory memorandum submitted by HM Treasury on 16 March relating to the discharge of the General Budget for 1992, document No. 6214/94 relating to the fight against fraud in 1993 and document No. 6214/94 ADD1 relating to the anti-fraud strategy and work programme for 1994.

[Wednesday 25 May:

European Standing Committee A—Relevant European Community document: 4168/94, Intra-Community Trade in Bovine Animals and Swine. Relevant reports of the European Legislation Committee: HC 48-x (1993-94) and HC 48-xviii (1993-94). European Standing Committee B—Relevant European Community documents: (a) Unnumbered, 1992 Budget Discharge; (b) 6214/94, The Fight against Fraud in 1993; 6214/94 ADD1, Anti-Fraud Strategy. Relevant report of the European Legislation Committee: (a) HC 48-xiii (1993-94); (b) HC 48-xvii (1993-94) and HC 48-xviii (1993-94).]

Madam Speaker: Before hon. Members put questions to the Leader of the House on the business statement, they may find it helpful to know that, in view of the changed date for the rising of the House, Northern Ireland questions, which were to have been taken on Thursday 26 May, will now be taken on Thursday 16 June and that there will be consequential alterations to the rota for subsequent Thursdays. A revised rota will be published as soon as possible.

Since those hon. Members who are interested in Northern Ireland questions will have had insufficient notice to table questions today for 16 June, arrangements have been made for questions to the Secretary of State for Northern Ireland to be tabled next Tuesday 24 May, when there is Northern Ireland business. Questions to the Prime Minister for 16 June are unaffected and should be tabled today. Full details are available at the Table Office and hon. Members are advised to consult that office if they are in any doubt.

Secondly, I remind hon. Members that, on the motion for the Adjournment of the House on Thursday 26 May, up to nine hon. Members may raise with Ministers subjects of their own choice. Applications should reach my office by 10 pm on Monday. A ballot will be held on Tuesday morning and the result made known as soon as possible thereafter.

Mr. Brown: I thank you, Madam Speaker, for your statement, and I thank the Lord President for his statement. May I especially thank him personally and the Government's business managers for rearranging the business for next Thursday and today? Many hon. Members on both sides of the House will be attending John Smith's funeral service, either in Edinburgh or in one of the regional centres, tomorrow. Would not it have been possible to have postponed business or scheduled tomorrow's business for some other occasion so that tomorrow would have been entirely free of business?

On a more controversial matter, may I raise with the Leader of the House a request for a statement from the Minister for the civil service, dealing with the use of civil service time to draft wrecking amendments for Conservative Back Benchers to table for private Members' Bills? If the Government are opposed to a private Member's Bill, for reasons that they no doubt regard as legitimate, surely they should stand up and say so and not use the civil service in such a hole-in-corner, blatant, party political manner.

The Leader of the House will have noticed the resonance in the House caused by the question of my hon. Friend the Member for Glasgow, Pollok (Mr. Dunnachie) at Prime Minister's Question Time last Tuesday, as he will have noticed the resonance caused by the question from my hon. Friend the Member for Bridgend (Mr. Griffiths) in the House today concerning the Child Support Agency. He will have seen today's comment from the Chairman of the Social Services Committee, who has described the Child Support Agency as "a spectacular failure". May we have a debate on the agency and a statement of the Government's plans for reforms?

Finally, may I invite the right hon. Gentleman to reconvene the previous meeting that was held to discuss the Jopling report with a view to achieving a consensus and making progress?

Hon. Members: Hear, hear.

Mr. Newton: The hon. Gentleman referred to resonance in the House. It is clear that his final remarks drew just such a resonance. He will know—I think that the right hon. Member for Derby, South (Mrs. Beckett) will not mind me mentioning it—that I was due to have a meeting with her on Thursday, but for reasons that the

whole House will well understand it was not possible to have it. I understand that the hon. Gentleman has indicated that he hopes to be able to meet me and I, in turn, hope to arrange that for next week. Therefore, we are all keen—[*Interruption.*] Well, nearly all as I had better not speak for those below the Gangway—to make progress on those matters.

I do not think that I can add to what my right hon. Friend the Prime Minister said a few moments ago about the Child Support Agency.

On the question of the drafting of amendments—the hon. Gentleman referred to the need for my right hon. Friend to say something—I draw the hon. Gentleman's attention to the letter that the head of the civil service recently wrote to his hon. Friend the Member for Oldham, West (Mr. Meacher), the Opposition spokesman on those matters, making it clear that there was nothing improper in Ministers asking civil servants to assist in the preparation of Bills, or amendments to Bills, including private Members' Bills, whether they are to be tabled by the Government or handed to Back-Bench sponsors or, as was eventually decided in that case, to other Back Benchers.

Tomorrow's business is, of course, governed by Sessional Orders passed by the House some months ago.

Lastly, on perhaps a happier note, I am grateful to the hon. Gentleman for his kind remarks about our response to the unhappy circumstances with which we have all been faced this week. I am glad that we have been able to make a number of helpful adjustments to Government business.

Mr. Ian Taylor (Esher): Will my right hon. Friend try to find time next week to discuss planning? There is a particular worry in my constituency about unwanted planning applications from Tesco and Sainsbury for super-stores on the edge of communities, with the potential for ripping the heart out of those communities. A debate would be a good opportunity for me to vent my spleen about the behaviour of those two super-stores.

Mr. Newton: Although I cannot promise precisely that opportunity next week, I point out that there are a number of opportunities for many matters to be raised. I hesitate to encourage my hon. Friend to vent his spleen on me in the debate on the Spring Adjournment. Should he do so, I shall endeavour to ensure that I am armed with some kind of comment.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Further to the exchange between the Prime Minister and my right hon. Friend the Member for Yeovil (Mr. Ashdown) about procedure, what is to prevent the Leader of the House from introducing next week draft amendments to the Standing Orders of this place and inviting the House to vote on them on a free, unwhipped vote so that we can make the urgent changes to procedure for which, I am sure, there is widespread support throughout the House?

Mr. Newton: I know that that suggestion is intended to be helpful and I take it as a useful indication of the hon. Gentleman's strong support for reform. He will have heard my exchange with the hon. Member for Newcastle upon Tyne, East (Mr. Brown). That is the sensible next step.

Mr. Nicholas Winterton (Macclesfield): May I support the calls that have been made from two major parties in the House for amendment to the way in which the Child Support Agency operates? Although we fully support the objective that absent parents, whether fathers or mothers, should pay towards the cost of the upkeep of their children, the way in which the agency is operating is a disgrace and an abuse of the power that the House gave it. The Government must act, not next week but this week, to rectify the injustices currently being perpetrated by the agency.

Mr. Newton: My hon. Friend, like others, will have heard what my right hon. Friend the Prime Minister said. I will, of course, ensure that my right hon. Friend the Secretary of State for Social Security has his attention drawn to his remarks. I know that Ministers are carefully considering the points made in the House.

Mr. Tony Benn (Chesterfield): Will the Leader of the House give us an assurance that the very important statement containing amplifications and clarifications of the Downing street declaration which we understand from the press is to be made by written answer will be dealt with in the House so that there will be an opportunity to question the Secretary of State for Northern Ireland and that it will not simply be pushed away along with other matters that may be appropriate for a written answer? The matter is important not only here but all over the world. There is great interest in the prospects for peace in Northern Ireland.

Mr. Newton: I am sure that my right hon. and learned Friend the Secretary of State for Northern Ireland will look carefully at what the right hon. Gentleman has said. There will be an opportunity to refer to Northern Ireland matters next week, although whether precisely what the right hon. Gentleman has in mind would be in order is not perhaps for me to say.

Mr. Toby Jessel (Twickenham): Although I realise that my right hon. Friend cannot give an undertaking on this, may I ask that, when he considers the business for Monday 13 June, he bears in mind the fact that the Lords *v.* Commons tug of war is to take place at 7.15 pm? It is expected to raise a substantial sum for the Macmillan cancer appeal.

Madam Speaker: That is perhaps a matter for advertisement in *The House Magazine*.

Mr. Newton: I can certainly undertake to my hon. Friend, whose vigorous support for this and a number of other causes is well known, that I shall bear the point in mind. I cannot go quite so far as to say that it will be the decisive factor.

Mr. Roger Berry (Kingswood): Will the Leader of the House please confirm that he will provide time next week for the completion of the remaining stages of the Civil Rights (Disabled Persons) Bill, given that on 29 April the House, without any opposition from the Government, called for time to be made available? In addition, contrary to what the Prime Minister said today, the alleged deficiencies and certainly the cost implications were not debated in Committee because the cost compliance assessment was not provided by the Government for the Committee. The Government did not, in fact, oppose a single clause of the Bill in Committee. Should not we have time now to complete the remaining stages?

Mr. Newton: I am afraid that I cannot give the undertaking for which the hon. Gentleman asks. My right

[Mr. Newton]

hon. Friend the Prime Minister has made it clear that the Government's purpose is constructive but that they see the way forward as being slightly different from the way in which the hon. Gentleman sees it.

Mr. Harry Greenway (Ealing, North): May we have a debate next week on the important decision of a Committee of the House to veto the Crossrail Bill? Crossrail is essential for west London, for my constituency and for other areas, with 60,000 jobs and general prosperity being created on both sides of London. Perhaps the debate could centre on early-day motion 1215.

[*That this House expresses its dismay at the decision of the Committee on the Crossrail Bill; reaffirms its strong support for the Crossrail project which will provide better public transport and many thousands of new jobs for people in London and the South East and which will help provide London with the infrastructure it requires as one of the world's leading financial and commercial cities; and calls upon Her Majesty's Government to bring forward urgently the necessary measures to ensure this project proceeds without delay.*]

That motion is supported by hon. Members on both sides of the House.

Mr. Newton: I do not know whether it will bring any comfort to my hon. Friend, but this is a matter of some concern in my Braintree constituency also.

The Government have consistently made clear their commitment to the project, and they share the disappointment about the action of the Committee. The commitment remains, and we are currently having discussions with the promoters of the Bill about how best to proceed.

Mr. Nigel Spearing (Newham, South): Will the Leader of the House confirm what I think he said a few moments ago—that it was entirely legitimate for a Minister of the Crown to cause amendments under public money to be drafted by parliamentary counsel and then passed to private Members for a private Member's Bill? If he did—

Madam Speaker: Order. Will the hon. Gentleman phrase his question in a different way so that it relates to business next week, as this is business questions?

Mr. Spearing: During a debate next week, will the Leader of the House confirm what he said earlier on the matter which I have just raised? Is not it against the traditions of the House for the Crown to spend public money on interfering and stifling the political and legislative initiative of private Members who are sent here by the public?

Mr. Newton: I simply quoted directly from a letter from the Secretary to the Cabinet to the hon. Member for Oldham, West (Mr. Meacher), who raised the matter with him.

Mr. David Shaw (Dover): Is my right hon. Friend aware that a report on the parliamentary data and video network has been completed by the Information Committee, but that no debate has yet been arranged? The whole data network system in the House will come to a full stop until that is possible. Can my right hon. Friend assure the House that steps will be taken so that hon. Members can chase up Ministers by electronic mail on behalf of their constituents? That would greatly speed up the process, and would abolish the need for the enormous amounts of paper which are used, and stop trees being cut down.

Mr. Newton: I am always anxious to assist my hon. Friend in any way in the vigorous pursuit of his duties. I hope at an appropriate time to arrange a debate on the report, but some consideration is still being given to the matter by the appropriate committees, including the Finance and Services Committee.

Mr. Dennis Skinner (Bolsover): Will the Leader of the House reverse the decision to have an extra day off next Friday in view of the fact that the Government say that there is not enough time to debate the Civil Rights (Disabled Persons) Bill? Is not it a kick in the teeth for the disabled that the House is getting up a day early when we could have debated that Bill? The Government are under instructions to give that Bill extra time. Surely Friday would be a suitable occasion for it. Will the right hon. Gentleman revise what he said and give that Bill time so we can get it on the statute book to help 6.5 million disabled people, instead of kicking their crutches away?

Mr. Newton: If I may say so, I made no reference whatever to questions of time or shortage of time in responding to the hon. Member for Kingswood (Mr. Berry).

Mr. Matthew Banks (Southport): My right hon. Friend will be aware that Britain has been in the forefront of Europe in introducing measures for casualty reduction on our roads. When the Department of Transport shortly publishes its report on introducing seat belts into minibuses and coaches, will my right hon. Friend try to find time to debate the issue so that Britain may be in the forefront on this issue too?

Mr. Newton: I will certainly give consideration to that matter. My hon. Friend is right to say that this country has been in the forefront of Europe, and one of the outstanding achievements of recent years has been the reduction of deaths on the roads.

Mr. Peter Mandelson (Hartlepool): May I urge the Leader of the House to arrange for a debate next week on the future of the civil service in view of reports this morning that the Government plan to place senior officials on fixed, short-term contracts? Before the civil service is further casualised and, I fear, politicised, will the right hon. Gentleman give a clear undertaking that the Government will listen to the views of the Treasury and Civil Service Select Committee, and to the views of the House as a whole, before they reach any further conclusions on the matter?

Mr. Newton: The Government always look very carefully at anything that any Select Committee says.

Mr. Simon Coombs (Swindon): May I support the call of other hon. Members for a debate, at an early date, on the Child Support Agency? May I remind my right hon. Friend that about a year ago he was good enough to arrange a debate on the United Kingdom tourist industry during which the then Minister with responsibility for tourism —my hon. Friend the Member for Salisbury (Mr. Key) —said that he very much hoped that it would become an

annual event. Does my right hon. Friend share our hon. Friend's hope, which is also my hope, and can he provide time for a debate on tourism before too long?

Mr. Newton: I share the hope, but I cannot yet say that it is necessarily an expectation.

Mr. David Winnick (Walsall, North): Is it possible for the Minister for Social Security and Disabled People to make a further statement next week, bearing in mind that information has now emerged that the amendments provided by parliamentary counsel for Tory Back Benchers to wreck the Civil Rights (Disabled Persons) Bill were prepared some 16 days before the Minister made a statement to the House saying that his Department had no knowledge of the matter?

Does not the Leader of the House understand the feeling of disgust throughout the country at the fact that the Government have used every underhand method to try to wreck a Bill that would help the disabled? The Minister should give an explanation and, in my view, he should resign.

Mr. Newton: The fact that the drafting of the amendments was set in hand shortly after the Bill emerged from Committee was clearly and straightforwardly stated in my right hon. Friend's letter to the hon. Member for Workington (Mr. Campbell-Savours). Yesterday's answer added nothing new in the way that the hon. Gentleman has suggested.

As for the rest, I simply say that my right hon. Friend, in a letter to the hon. Member for Workington, acknowledged an error and he made a personal statement and gave an unreserved apology to the House. In my judgment, the matter should be left there.

Mr. Jack Thompson (Wansbeck): Will the Secretary of State consider providing time—if not next week, some time in the near future—for a debate on unemployment in the Northern region? The Secretary of State for Unemployment—*[Interruption.]* Employment—although I got it right the first time—has been in great voice this week about the drop in unemployment nationally, which the Prime Minister confirmed today, but there is a problem in the Northern region. In my constituency the figures for February-March show that male unemployment has risen by 540 while female unemployment has dropped by 49, most of it due to part-time work. Those figures reflect the position throughout Northumberland and, indeed, the Northern region. We deserve a debate on unemployment in the Northern region.

Mr. Newton: I cannot promise a debate, but I shall bring the hon. Gentleman's remarks to the attention of my right hon. Friend the Secretary of State. As the hon. Gentleman knows, I had considerable involvement with the Northern region over a long period and I certainly would not just dismiss his concern. However, I must express some pride at the amount of new manufacturing industry that has been brought to the north in recent years.

Mr. Graham Riddick (Colne Valley): Following the comments of the hon. Member for Walsall, North (Mr. Winnick), will my right hon. Friend take time next week to discuss the matter with our hon. Friend the Member for Exeter (Sir J. Hannam), whose commitment to the disabled is second to none in this House, and who on the radio this morning said that he believed that the vendetta being waged by some people against our right hon. Friend the Minister for Social Security and Disabled People should be stopped forthwith?

Mr. Newton: I did not hear those remarks, but I certainly echo both the comments that my hon. Friend made about our hon. Friend the Member for Exeter and the remarks that he attributes to him. I would add one thing. While the tribute to my hon. Friend the Member for Exeter was entirely due, it would also be right to say that there are not many who have made a greater contribution to advancing the cause of the disabled than my right hon. Friend the Minister for Social Security and Disabled People.

Mr. David Trimble (Upper Bann): I direct the right hon. Gentleman's attention to the debate proposed for Tuesday evening and ask him to reconsider it. The report of Mr. J. J. Rowe QC into the operation of the emergency provisions Act of 1993 was placed in the Library only late on Monday night and as of yesterday it was not available in the Vote Office. Nevertheless, there is to be a debate on Tuesday evening on that important matter, which should be properly considered by the House. There is plenty of time—the order does not have to be made until the end of June. Surely it would better enable the House to give fuller consideration to the report and to the debate if it was postponed.

Mr. Newton: I cannot undertake to postpone the debate, but immediately I am able to do so I will look into the point that the hon. Gentleman made about the availability of documents.

Mr. D. N. Campbell-Savours (Workington): Now that we have established from the letter of 13 May that we have just received from Robin Butler to my hon. Friend the Member for Oldham, West (Mr. Meacher) that Back Benchers can have drafting assistance from parliamentary counsel, could such assistance be put on a more solid basis? Could the service be advertised to Members and, in future, where clearly there are drafting problems with amendments tabled by Opposition Members, could we go to parliamentary counsel at public expense—*[Interruption.]* Perhaps we can have a statement on the matter next week, Madam Speaker. Could we go to parliamentary counsel at parliamentary expense to ensure that Ministers cannot knock our amendments down on the basis that they are badly drafted? Could such a service be put on a proper footing to help Opposition Back Benchers? Perhaps we could have a statement from the Dispatch Box on the matter next week.

Mr. Newton: I find myself slightly puzzled because the hon. Gentleman has been here a considerable time. It remains the case that parliamentary counsel draft on the authority of Ministers, but that help is often given on that authority to Back Benchers on both sides of the House. A whole set of Bills currently before the House or recently passed by the House were drafted by parliamentary counsel.

Dr. Tony Wright (Cannock and Burntwood): As we are about to have a statement on the Post Office, does the Leader of the House agree that it would be more sensible if all Members received the written statement ahead of the oral statement? At present only some Members receive the

[Dr. Tony Wright]

written statement in advance. Would not it be far more sensible to proceed in the other way? Will the Leader of the House inaugurate that practice from next week's business?

Mr. Newton: Consideration of that proposal would, in the first instance, be for the Procedure Committee. Obviously, we would consider carefully any recommendation. I can make no commitment. The existing convention, which is part of the usual channels, is that copies of the statement are made available a reasonable time in advance to the Opposition Front Bench. One reason for the fact that the business statement is being made now rather than when earlier advertised is to provide time for the hon. Member for Livingston (Mr. Cook) to study the statement that he is now studying.

Mr. Harry Barnes (Derbyshire, North-East): When a resolution of the House has been passed by due procedure, should not it be acted upon? A motion in the name of the hon. Member for Exeter (Sir J. Hannam) was passed on 29 April. Should not we have a full debate? If the Government are against the Civil Rights (Disabled Persons) Bill, should not they have the guts to vote it down while the rest of us have an opportunity to support it?

Mr. Newton: The motion to which the hon. Gentleman refers was explicitly framed as an expression of opinion. It does not bind the Government any more than it overturns the Sessional Order of the House about the time for private Members' Bills. I cannot add to what I and, before me, my right hon. Friend the Prime Minister said about the Government's approach to the Bill and their desire to advance the cause of disabled people in constructive, workable and practical ways.

Sir Peter Emery (Honiton): Will my right hon. Friend next week read the report of the Procedure Committee which recommends, not that statements should be made available in advance, because statements are often altered at the last moment, but that all documents relating to a statement should be published not after the statement is made but 15 minutes before so that Members may have access to them? That is a recommendation of the Procedure Committee. I hope that my right hon. Friend will consider it most fully.

Mr. Newton: My right hon. Friend knows that I always consider as constructively as I can his Committee's proposals. I see some difficulties with the one to which he refers. It is different from the proposal that was put to me. If I remember rightly, the Procedure Committee's report explicitly did not cover written statements and said that the Committee did not believe that it was appropriate for them to be available in advance.

Mr. Robert Banks (Harrogate): Does my right hon. Friend agree that not all Bills that come before the House which are drafted by parliamentary counsel are perfect? Would not it be better for parliamentary counsel to be dislodged from their ivory tower to allow Members of Parliament to have more direct access to them?

Mr. Newton: I should be the last person to suggest that no Bill ever coming before the House that had been drafted by parliamentary counsel was perfect in every respect, but I am not sure that the conclusion that my hon. Friend seeks to draw would necessarily follow.

Post Office

3.59 pm

The President of the Board of Trade and Secretary of State for Trade and Industry (Mr. Michael Heseltine): With permission, Madam Speaker, I should like to make a statement on the Post Office.

On 29 July 1992, I announced that the Government would be considering the future structure and organisation of the Post Office. I made it clear then that we would consider a variety of options both in the public and private sectors. In March, the Trade and Industry Committee published a report on the future of the Post Office. We have considered that carefully.

The Government have now decided that they will shortly publish a Green Paper setting out the issues in full and outlining the options for change. In view of the intense speculation of the past two days, however, I thought it important that I should make this early report to the House.

The Post Office is an essential part of our national life. It provides at least one daily delivery of mail throughout the country at a uniform tariff, which is the same regardless of whether one lives in Westminster or the Western Isles. It handles some 60 million items of mail per day. Perhaps most important of all, it maintains a network of some 20,000 post offices which serve their local communities in a way that no other organisation can match.

The Government therefore made their consideration of the future of the Post Office subject to three vital and non-negotiable commitments, all of which we clearly set out in our manifesto. These are, first, the maintenance of a nationwide letter and parcel service with delivery to every address in the United Kingdom; secondly, a uniform and affordable structure of prices; and, thirdly, a nationwide network of post offices. Under no circumstances would we put those commitments at risk.

There are three principal businesses of the Post Office: Post Office Counters, the Royal Mail and Parcelforce. The Green Paper will outline a number of options, but I can announce some firm decisions today.

Let me begin with the Counters business. Every Member of the House is well aware of the vital importance of the network of post offices, particularly in rural areas, but also in our towns and cities. The Government fully recognise the key role that they perform in our communities. That is why the maintenance of a nationwide network is non-negotiable.

The Counters business is essentially a partnership between the public and private sectors. The central core, which negotiates contracts and provides back-up services, is Government owned. But the vast majority of post offices —all but some 800 of the 20,000 outlets—are privately run sub-post offices operating under an agency agreement.

The Government can see no case for changing that structure. It works well. It ensures that the Government retain the necessary control over the maintenance of the nationwide network. It also allows for private sector initiative at local level where the local post office is at the heart of local communities.

During the review, however, the case has been put forcefully, particularly by the National Federation of Sub Postmasters, that the commercial prospects of the post office network need reinforcement. I understand and share that view. Most post offices are small shops, and the Government understand the pressures on such shops as a

result of social change. We therefore intend to proceed with two measures specifically designed to improve their position.

First, we will be giving Post Office Counters greater freedom in future to seek new clients from the private sector to supplement their existing client base, which consists largely of public sector bodies. The best way of maintaining the network is to give it freedom to compete for new business on fair terms, and thus increase the spread and scale of its activities. The Green Paper will set out our proposals.

Secondly, we propose to automate many of the clerical procedures that lie behind much of the business of the network. These procedures—particularly those related to the payment of benefits—have been unchanged for decades. Work is thus under way between the Counters business and the Benefits Agency to devise a method of automating the payment of social security benefits. That will provide not only an extremely cost-effective way of paying benefits, but an electronic platform in post offices enabling the business to provide enhanced services for all its clients, new and old.

Work on that project is at an early stage, but we are looking to extend the public/private sector partnership by the involvement of the private sector in the management and funding of the project.

I should like to comment on the relationship between Post Office Counters and the Royal Mail. The Royal Mail does not cross-subsidise post offices. Post Office Counters has been run as an independent business since 1986 and has been profitable throughout that period. Some post offices in rural areas do, of course, make a loss on a strict accounting basis. Post Office Counters has existing powers to support such post offices. Indeed, at the present time, 2,700, of which 1,800 are part time, are already supported by a flat fee, regardless of the business that they undertake.

Post Office Counters and its clients see the nationwide network not as a liability, but as an asset which enables it to provide a unique service to villages and hamlets throughout the land. It enables the Benefits Agency, for example, to provide a service for the millions of people who have no bank accounts and live in remote areas.

The business link with the Royal Mail is also important, although Members may be interested to know that only about 25 per cent. of Post Office Counters' turnover comes from the Royal Mail. In any proposals, however, the Government will require the Royal Mail to continue to use post offices, as they do at present.

I shall now turn to the Royal Mail, which accounts for more than 70 per cent. of Post Office turnover. It is the most efficient postal service in Europe. It is a modern, profitable business and it is looking to expand into what is rapidly becoming a European and even a world market for postal services. That is in itself only a part of a global communications market that is one of the most innovative industrial sectors of all.

The Post Office board wishes the Royal Mail to be free of many of its constraints. Indeed, the board has made it clear that the increasing competition in its marketplace is beginning to pose a real threat to its ability to maintain its current performance. In its recent report, the Select Committee on Trade and Industry accepted that argument. The Government also recognise the case for change.

The Green Paper will set out the options, showing the advantages and disadvantages and, in particular, the case for retaining a substantial minority shareholding in a newly created public company. In addition, preferential share entitlements for the employees of the post office and sub-postmasters would ensure that a significant holding of shares would be in the hands of those people most immediately concerned with the future of the business.

The Green Paper will also set out an option for retaining the business in the public sector, but extending its commercial freedom as far as is consistent with continued public sector status.

Let me emphasise that none of those options would in any way reduce the social obligations placed on the Royal Mail. To ensure this, any legislation would set up a regulatory system to ensure that those obligations were properly defined and policed. The Government's commitments to universal delivery, six days a week to every household, with a uniform and affordable tariff remain non-negotiable and would be written on the face of the legislation.

Tariffs would be controlled through regulation. Experience has shown that social commitments can be delivered through strong regulation; for example, regulation requires BT to provide telephone boxes in rural areas. In the same way, it would be our intention to require the Royal Mail to maintain its letter services in rural areas.

I turn now to Parcelforce. I announced on 15 July 1992 the Government's intention to privatise Parcelforce, which already operates in a fully competitive market. Work has been going on since then on the best method and timing of the sale of Parcelforce. Of necessity, we have done so in the light of the Post Office review. It would be possible to continue with our original plans, but there are important synergies between Parcelforce and the Royal Mail. The Government have decided in include Parcelforce in their new proposals for the Royal Mail. We shall, of course, pay particular attention to the need to avoid any unfair cross-subsidy from the Royal Mail to Parcelforce.

Before concluding, may I reassure the House on three specific points? First, it has been suggested that any change of status would lead to VAT on stamps. That is simply wrong. I can assure the House that, under any proposals that we finally adopt, stamps will continue to be exempt from value added tax.

Secondly, I can assure the House that all existing pension rights will be preserved in any case.

Thirdly, the House will be aware that the Post Office, and in particular the Royal Mail, has long had important connections with the monarch. I am pleased to announce to the House that, after consultation, Her Majesty has agreed that, if a public sale option were to be pursued, Royal Mail would be given permission to use a depiction of Her Majesty's head on postage stamps, to use the royal emblems, the Crown and the Cypher and to be registered as Royal Mail plc at Companies House.

I will soon bring forward a Green Paper setting out the options and the Government's preferred proposals. It will allow an opportunity for a full public debate on this complex area.

We are committed to increasing the opportunities for the Post Office and Post Office network, and to ensure that the national standard of service is maintained. We will wish to ensure in any change that the interests of the consumer continue to be protected by effective regulation.

There is common accord that major change is needed if the Royal Mail is to meet the growing competitive threat that it faces.

[Mr. Michael Heseltine]

The Government believe it important to allow the Royal Mail to build on the excellence of its reputation and to compete both at home and internationally where the quality of its achievements and the reputation it enjoys offer an exciting future. We hope to make rapid progress to enable this major British organisation to achieve its ambitions.

Mr. Robin Cook (Livingston): The President will acknowledge that he has spent two years and £1 million on consultation over the future of the Post Office. He will also concede that his main announcement this afternoon is that he has reached the conclusion that he requires further consultation on the future of the Post Office.

Has the right hon. Gentleman not heard the chairman of the Post Office say that the delay is a millstone round the Post Office which needs to be removed if it is not to grind to a halt? That chairman and the management of the Post Office were entitled to more decisive action from the President, who purports to lead British industry, than the announcement of a Green Paper.

Just so that the House is clear that the President's heart is in the Green Paper, can he assure the House that he went to the Cabinet this morning to argue for permission to publish a Green Paper that he cannot print today?

I welcome the President's commitment to give commercial freedom within public ownership to Post Office Counters. I particularly welcome it, as it is the option that he told the Select Committee in January was not feasible. Now that he has decided that that option is feasible, why can he not agree to applying the same option to the Royal Mail? Does he not recognise that if he agreed to the same solution for the Royal Mail, he would have unanimous support throughout the House?

Mr. Keith Mans (Wyre): No, he would not.

Mr. Cook: He would have unanimous support from everybody except those whose votes he will need if he wants to become leader—*[Interruption.]* I am happy to say that he is welcome to those votes.

If the President wants that solution, he does not need a Green Paper, as we could agree to it this afternoon. His only reason for wishing to present a Green Paper is to keep open the option of privatisation. Is not the real reason why he does not announce his decision today the fact that the Government are terrified of announcing the privatisation of the Post Office while the public still have a chance to vote on it at the forthcoming election?

I warn the President that he will never sell to the public the idea of privatising the Post Office. *[Interruption.]* I notice that Conservative Members did not try to sell it at the last general election, when they did not breathe a word of it in their manifesto. The President will not sell the idea to the public because the public know that privatisation would end the uniform tariff on postage. [HON. MEMBERS: "No."] Can the President tell us how the assurance that he has given the House today on the uniform tariff for postage differs from the assurance on the uniform tariff on gas when the Government privatised British Gas? Does he not know that, only last week, his Department gave the green light to British Gas to charge more to remote regions? For how many years after privatisation would it remain possible to post a letter at the same price from any part of Britain to any address in Britain?

The President will not succeed in selling privatisation to the public because the public know that privatisation would threaten their local post office branches—*[Interruption.]* Oh yes, oh yes. Does he really believe that a separate, privatised mail company will continue to collect and deliver mail at a loss from post office branches with a small turnover? If he does, is he prepared to guarantee that each of the 20,000 post offices would be involved in that collection?

The President rightly acknowledged that the Post Office is a public sector success story. It provides the best letter service in Europe at one of the cheapest prices. It does not need a penny subsidy from the Treasury, but for 20 years has subsidised the Treasury with profits. Why cannot the Government accept that the simple logic of that success is that the best place for the Post Office is in the public sector? If they cannot accept that, I warn them that we shall lead the national campaign to demand that the Post Office stays where it belongs—owned by the public, in the public sector and providing a service to the public.

Mr. Heseltine: I came here this afternoon intent on discussing the Post Office and its future. Suddenly, the issue of leadership has been raised. I was waiting for the hon. Member for Livingston (Mr. Cook) to suggest a Green Paper on leadership. I understand the machinations of the political truce, which I thought the hon. Gentleman was only too keen to advocate in the House. The hon. Gentleman wants not a Green Paper but the reddest possible paper that he can lay his hands on. [HON. MEMBERS: "Get on with it."] I came here to get on with it, but the hon. Member for Livingston apparently had his mind on a totally different constituency from the one in which we are interested. Having considered his ambitions and what he had to say, I must say with all my heart—and I speak for all my hon. and right hon. Friends—that I wish him the very best of luck. I would go even further: he may launch a campaign in the country; I shall launch one in the country to help him achieve what he is so obviously trying to achieve.

It is incumbent upon us in the House to take—*[Interruption.]* I am sorry that there is so much turmoil among Opposition Members. I thought that they were genuinely interested in the success of this great industry. The industry is entitled to the most serious consideration of the House.

May I answer the first question put to me by the hon. Member for Livingston which was relevant to the subject under consideration? Yes, this morning I asked the Cabinet for support for a Green Paper and I am delighted that Cabinet members were prepared to go along with my proposals. It is important that the widest range of issues and opportunities involved be explored and that the public understand what is going on. We must listen to people's ideas and take account of the strengths and disadvantages of those ideas.

I pay tribute to the Select Committee on Trade and Industry, which conducted a most thorough investigation into the matter. The House must realise that there is no option called the status quo. If we try to preserve the status quo, the erosion of the Post Office's market share will be continued by the private sector, which is now providing an increasing number of ever-more sophisticated services. Thus, it is eating into the ability of the Post Office.

One of the options available to us is a move to the private sector, while another apparently gives more

discretion within the public sector. But any public sector option would involve the borrowing of money on the back of Treasury guarantees and would, therefore, produce a particular dilemma for all those private sector companies that have to raise money in their own names and compete fairly in the marketplace. One of the most powerful arguments advanced by the management of the Post Office is based on its desire to become a world-class player in a world which will increasingly see a shrinking number of major companies competing.

I should like to mention the matter in respect of which I part company most profoundly with the hon. Gentleman. He points, quite rightly, to the remarkable success achieved by the management of the Post Office within the domestic framework of Britain in providing a service that is much admired. But the management of the Post Office is looking for enhanced freedoms, including the ability to go out into the marketplace and win for Britain. Classically, the Labour party finds every conceivable reason for preventing just that.

Several hon. Members *rose—*

Madam Speaker: Order. The initial exchanges have taken more than 20 minutes. I am now looking for brisk questions and very brisk answers.

Sir Cranley Onslow (Woking): I congratulate my right hon. Friend on dealing so effectively with the leadership nonsense that came from the Opposition.

How long does my right hon. Friend think the consultation process is likely to take, bearing in mind the fact that he, like the Select Committee, evidently recognises the urgency of enabling the Post Office to compete in the world market in which it must operate?

Mr. Heseltine: I am extremely grateful to my right hon. Friend, who, as he played a significant role in the Select Committee's deliberations, is aware of the urgency of this matter. We shall produce the Green Paper as quickly as possible—within not many weeks—and shall urgently reach the conclusions that flow from it. We understand the need to make up our minds.

Mr. Alex Carlile (Montgomery): With his usual eloquence, the right hon. Gentleman ensured that the first five pages of his statement were a eulogy of the Post Office's services. Before selling the depiction of Her Majesty's head to the highest bidder, will he explain how he proposes to guarantee the integrity of the delivery service in rural areas? Does he propose that there should be a privatised monopoly? Does he propose that there should be a regionalised monopoly? Does he propose that there should be competition within localities? If there is to be competition within localities, how on earth will the regulator be able to ensure a daily delivery by a postman or a postwoman for people living in remote rural areas?

Can the right hon. Gentleman confirm that at present many sub-postmasters and sub-postmistresses work long hours for nothing for Post Office Counters? Will he see that the regulator ensures proper contractual arm's-length negotiation?

Mr. Heseltine: The hon. and learned Gentleman has raised a number of important issues. I assure him that we shall not be prepared to make the changes that we might, after consultation, be prepared to consider unless we are able, by contract and under statute, to ensure the universal delivery of services. There will be a tough regulatory process to ensure that, if the single-company option is adopted, the company will be statutorily charged with responsibility for delivering services.

Mr. Alex Carlile: Monopoly.

Mr. Heseltine: The hon. and learned Member says that that would be a monopoly. I wonder where he has been. The dilemma that we face is that an increasing range of services in every part of the country are competing with the Post Office. We see it every day—different services, international services, overseas companies. It is very important that, whatever we decide to do, the public should be assured, from the very beginning, of the absolute sine qua non: there will be a regular six-day-a-week delivery at a uniform tariff across the country.

Mrs. Ann Winterton (Congleton): Is my right hon. Friend aware that my constituents will consider his proposals to be rather like the curate's egg—good in parts? They will be much encouraged by the proposals for rural sub-post offices: the extension of their services will enable them to play a greater part in the local community. My constituents will also be encouraged by the fact that postmen and women employed by the Royal Mail will have an opportunity to buy a stake in their own business. They would be even more reassured, however, if the Government said that they would retain their shareholding, to ensure an excellent arrangement between the public and private sectors.

Mr. Heseltine: I am grateful to my hon. Friend for her constructive analysis, with which I agree. The Government have made it clear that one of the options that we shall present involves a very large minority shareholding; furthermore, if we adopted that option, it would also give employees of the business a substantial opportunity to gain a shareholding. The combination of those opportunities would mean that, overall, the interests of those immediately concerned would have an important influence on the future of the organisation.

Mr. Richard Caborn (Sheffield, Central): I thank the President of the Board of Trade for announcing the Green Paper, for two reasons. First, it will at least move the arguments on, and—we hope—bring about an early decision. Secondly, it suggests that the right hon. Gentleman has experienced a fairly substantial change of mind: when he spoke to the Select Committee, he was clearly in favour of privatisation and had ruled out commercialisation.

May I ask the right hon. Gentleman two questions? First, will he consider keeping the whole of the Post Office together if that option emerges from consultation on the Green Paper? There is a strong industrial logic for keeping the three component parts together. Secondly, in considering commercialisation, will the Government refer to models such as Nuclear Electric, British Nuclear Fuels Limited, the BBC and BP Burmah—models that can work effectively without going into the private sector?

Mr. Heseltine: The hon. Gentleman will recognise that BT, which he mentioned, is now in the private sector and is very successful.

Mr. Caborn: I mentioned BP.

Mr. Heseltine: BP is also in the private sector. BP and BT are both in the private sector, which means that a large number of British citizens own shares in those companies. The hon. Gentleman happened to choose two companies that—in the name of this country—are world class, trading internationally to the immense benefit of the country. Let me add—as the hon. Gentleman raised the matter—that, since its privatisation, BT has provided a range of services at a lower price than people would have believed possible at the time of that privatisation.

Of course, when a Government publish a Green Paper they are inviting consultation; but, in the course of the Green Paper debate, the Government are likely to present their own ideas about what they think the future should be. I understand the hon. Gentleman's view—he has studied the matter carefully—and I shall consider to what extent the Green Paper should reasonably reflect an option that, on the surface, is not immediately attractive.

Mr. Robert Hicks (Cornwall, South-East): Does my right hon. Friend accept that many people living in peripheral regions of the United Kingdom are becoming increasingly apprehensive about the effects of privatisation —or part-privatisation—following the introduction of regional differential pricing for electricity and gas? Does he accept that relieving the existing Treasury constraints on the Post Office is the most satisfactory way of achieving the objectives that we all seek for the organisation?

Mr. Heseltine: I am most grateful to my hon. Friend; I know that he has taken a particular interest in the matter. I can give him a categorical assurance that there will be no regional differential in the charges relating to the universal delivery on which I have given the House an assurance.

Mr. John McWilliam (Blaydon): Will the President of the Board of Trade reconsider those last words? His predecessors in other Departments have given precisely the same reassurance, and it has proved unfounded in many instances. Will the right hon. Gentleman also think very carefully about what he is doing in announcing the Green Paper? All that the Post Office really needed was access to a bit more commercial freedom, and access to funds without the external financing limit. A system of bonds that did not give any shareholders' rights—which was proposed before—could have provided that, but it was ruled out in the case of BT simply because the Treasury did not like it, not because it was not efficient.

Mr. Heseltine: I do not think that the hon. Gentleman understands the nature of the implication that flows from borrowing that apparently has the Government's guarantee behind it. I do not believe that there would be an argument for assuming that we can just allow the Post Office to raise bonds, and therefore produce money, in some way that would carry a Government guarantee with which it would then be able to compete with the private sector, which has no such privilege.

Mr. Patrick Cormack (Staffordshire, South): Is my right hon. Friend aware that many old-fashioned Tories, of whom I am proud to be one, view the prospect of Royal Mail plc about as favourably as they would his old regiment at Buckingham palace being replaced by Group 4?

Mr. Heseltine: For once in his life, my hon. Friend has not understood the immensely close relationship between my old relationship and many of the employees of Group 4 Security.

Mr. Tony Benn (Chesterfield): Is the Minister aware that, for 334 years since 1660, the Royal Mail has been a public service, not only through the counters until quite recently, but through the people who called at everybody's house every day, and were a form of contact; that there is no justification for privatisation for commercial freedom, because, over the years, as he will know, the Post Office has developed, as with the giro, a completely new bank from within which was so successful that the Government sold it off; that the consequences of privatisation will be higher salaries for the management, which is why they want it, and poorer services and redundancies?

With great respect, after I heard the President give assurances about the pits 18 months ago, nothing that he says is believed, because he did not honour the assurances that he gave in 1992. Many people, and I am one of them, think that the sale of this asset to Tory businesses that funded the Conservatives' campaign will have a sniff of corruption about it from the very outset.

Mr. Heseltine: The great value of a Green Paper debate is that we shall have the opportunity of listening to the views of the right hon. Gentleman, which, in my view, have hardly changed through any of the 300 years to which he drew the House's attention.

Sir Michael Grylls (Surrey, North-West): Does my right hon. Friend agree that it must be obvious to almost everybody in the country, perhaps with the exception of the socialists opposite, that if the Royal Mail is to remain competitive, and become even more so in the future, it must be given commercial freedom and freedom to invest; that if the Government fail to do that, they will be failing in their duty as the current owner of that business; and that the best way of achieving that is to privatise the Royal Mail and give it that freedom?

May I ask a question on local post offices? Would not it help them in their hour of need—as he has said, they are going through a difficult phase—if they were given priority access to the lottery terminals when the lottery comes into action, as that would help them a lot?

Mr. Heseltine: My hon. Friend realises that the issue of the allocation of the lottery contract has already been determined by the House, although the results have not yet been finalised. My hon. Friend made the point about setting the Post Office into a world in which it can expand and create a more competitive system. That is precisely why we have been conducting the review. I will certainly listen carefully to what he has to say.

Mr. Clifford Forsythe (Antrim, South): We on this Bench strongly favour the status quo for sub-post offices, and I welcome the assurances given by the President on them. We will study the Green Paper very carefully. When we have done so, we will make our views known. If we require any—may I use the word?—"clarification", perhaps we could seek a meeting with the President.

Mr. Heseltine: The hon. Gentleman is most courteous and of course he can be assured that, although I will not indulge in clarification, any other form of consultation is readily available to him and his hon. Friends.

Sir Giles Shaw (Pudsey): May I congratulate my right hon. Friend not only on proceeding with this idea but on doing so through a Green Paper, a lesson from which many of his colleagues might learn in the complicated legislation that has recently been passed? Will he give an assurance that Post Office Counters and small sub-post offices will not have to wait for the results of the Green Paper to be reassured about pension transmission and other activities, which they sorely need at the present time?

Mr. Heseltine: My hon. Friend is most kind. We realise that there is considerable pressure on us to move the decision-making process forward and there was, of course, a temptation just to come up with a scheme, as sometimes happens in government, and move on from there. However, after wide consultation, we took the view that some issues were perhaps separate from the strict economic imperatives and called for a rather more timely and cautious way of proceeding.

Ms Kate Hoey (Vauxhall): Will the Secretary of State assure me that there will be a clear option in the Green Paper, which will satisfy 90 per cent. of the public and everyone—including management—who works for the Post Office, for the Post Office to remain as one integral unit and have more commercial freedom? Will that be a simple option in the Green Paper?

Mr. Heseltine: The Green Paper will try to cover the horizon of options, as the hon. Lady requires. However, it is fair to say that if we were going to consider something along the lines of what she suggests, the opportunities for the Post Office would be so constrained as to make the exercise hardly worth while.

Sir Peter Emery (Honiton): Does my right hon. Friend accept that his announcement about Counters will be a great relief to every sub-postmaster and sub-postmistress because it will resurrect the possibility of their staying in business, which is essential for country districts?

Will my right hon. Friend make sure that the Green Paper points out the ways in which the interests of the tens of thousands of ordinary postmen who work in country areas will be protected, because they are also a great part of the country's structure and have a considerable role to play beyond that provided by the Post Office, as they deliver milk and do the various other little things that keep country districts operating smoothly?

Mr. Heseltine: I am grateful to my right hon. Friend, especially for his remarks about Counters, which are merited by my statement today. I think that postmen and postwomen will take into account the fact that the service that they are delivering—a universal service at a universal tariff—will be enshrined by statute in the new arrangements. Those men and women will, therefore, be needed to carry out tomorrow the work that they are carrying out today; but we shall put before them another option: instead of doing so just as paid employees of the Post Office, they might do so as paid employees of the Post Office but owning parts of the business for which they work.

Mr. Jeff Rooker (Birmingham, Perry Barr): Is the President of the Board of Trade aware that most Opposition Members hope that the result of this Green Paper exercise is the same as that of the first that he carried out on the poll tax, which effectively rubbished it completely?

Bearing in mind the right hon. Gentleman's well-deserved reputation for bringing modern management to government in the past decade or more, does he accept that the big defect of his statement is that he has been unable to provide a date for publication of the Green Paper? He said that it could be in a few weeks, but we should like to know whether it will before the House rises for the summer recess. More important, he has been unable to establish a reasonable period for the consultation process —five or six weeks would be wholly inadequate. Does he accept that regional meetings will be required so that the general public feel that they have been genuinely consulted?

Mr. Heseltine: I understand that consultation periods are never long enough, but I have been through this process often enough to know that the views that we have heard expressed today will not change whether the consultation process takes a day, a week or a year. It is important to balance the interests of reaching a decision with a reasonable consultation period.

Mr. Rooker: How long?

Mr. Heseltine: To be straight with the hon. Gentleman, in the normal course of events, I should have wished to come to the House with specific answers to the sort of questions that he is putting to me. However, faced with the fact—

Mr. Campbell-Savours: And the whole of the Cabinet.

Mr. Heseltine: No, not the Cabinet at all in that context. The fact is that somebody, in the growing convention of the day, leaked the information to the newspapers. *[Interruption.]* The hon. Gentleman has few expectations about the system in which he works. I believe that it would be much better to do these things in an orderly way without leaks. Nevertheless, given that there had been a leak, it seemed to me to be courteous to make a statement to the House at the earliest opportunity—if for no other reason than to stop the mischief making of people such the hon. Member for Livingston (Mr. Cook).

Mr. John Butterfill (Bournemouth, West): I am most grateful to my right hon. Friend for the attention that he has given to the views expressed by the Select Committee. What he has said today is very welcome, in particular his recognition that the world is moving forward very rapidly and that the development of new technology—electronic mail, faxes and everything else—means that the Post Office will have to make considerable capital investments in order to compete in the future.

Does my right hon. Friend agree that that capital can be raised only through the private sector and that it would be quite unreasonable to expect commercial freedom to allow the Post Office to raise that capital through the Treasury? It would be unreasonable for its competitors and a complete fudge. Will he resist the blandishments of the hon. Member for Livingston (Mr. Cook) which amount to nothing less than cooking the books?

Mr. Heseltine: My hon. Friend makes some very important points. Every attempt that the Government have made to enhance the opportunities for British industry by

[Mr. Heseltine]

turning nationalised industries into trading companies has been resisted by the Opposition parties. They have been wrong on every single occasion.

The fact is that we have to wrestle with the difficulties and discuss them on a wider basis than the forum today allows. The idea that businesses can simply operate in the public sector pretending that they are private sector businesses is not realistic.

Mr. Peter Hain (Neath): Surely the President is aware that his favoured privatisation option will have a devastating impact on areas such as Wales because it will encourage the cherry picking of profitable traffic and the social dumping of remote areas.

The separation of the Post Office Counters business as a rump service in the public sector could be very dangerous for remote, rural sub-post offices which have been effectively subsidised by the Post Office and are currently institutionally supported by it. [HON. MEMBERS: "They have not."] Yes, they have from time to time. Will the President of the Board of Trade give a specific guarantee that all existing second deliveries in urban areas will be maintained and that existing collection and delivery arrangements in rural areas will be maintained so that we do not go down the New Zealand route? Is he maintaining the £1 limit on the letter monopoly?

Mr. Heseltine: The hon. Gentleman has asked the sorts of questions which made it so necessary to make a statement to the House today. Although I have made it absolutely clear that his fears are utterly groundless, he still got up and asked his questions as though they involved new points that no one had heard about.

All over Wales today, post offices are subjected to increasing competition, whether in the form of fax machines, bike boys or international companies delivering the more expensive products. The fact is that the Post Office is now subject to that competition. The issue that we face is the extent to which we can free it to enable it to fight back, not only in this country but internationally where many competitors are based.

Sir Anthony Grant (Cambridgeshire, South-West): Is my right hon. Friend aware that the proposals concerning sub-post offices are particularly welcome in view of the enormously important role that they play in the community? It is absolutely absurd that they should have to haggle with the Treasury for months before they are allowed to sell even a fishing licence.

Is my right hon. Friend further aware that the all-party Select Committee on Trade and Industry—which included a Liberal-Democrat Member—noted, without objection or criticism, that one solution was privatisation and another was part-privatisation? Committee members raised no objection to that suggestion. That statesmanlike and sensible attitude contrasts remarkably with the ideological nonsense that we have heard from both Opposition parties today.

Mr. Heseltine: My hon. Friend, who sat through the hearings of the Select Committee, makes a point that the House should take into account. When, in the Select Committee's long investigation, the arguments were paraded clearly, rationally and calmly, the Committee formed very clear and unanimous views across all parties that progress had to be made.

I very much welcome what my hon. Friend said. However, I make one small qualification. I am delighted that Counters are able to sell fishing licences, but it would be wrong to suggest that it was Counters which had to spend many months haggling with the Treasury.

Mr. Dennis Canavan (Falkirk, West): Does the President of the Board of Trade agree that the Royal Mail is the oldest and most successful postal service not just in Europe, but throughout the world? Does he agree that the 51 per cent. privatisation proposal will inevitably mean a reduction in service and an increase in unemployment?

With regard to the question about the Queen's head on stamps, if El Presidente is not calling "off with her head" at this stage, will only 49 per cent. of her head be left and will the next stage of his crazy privatisation programme involve selling off 51 per cent. of the Crown jewels?

Mr. Heseltine: What I find absolutely depressing about that sort of remark is that the hon. Gentleman stands up and says what an excellent organisation the Post Office is and then assumes that if it is given the freedom to expand it will get worse. I take exactly the opposite view. I think that if it is given the freedom to expand it will do an even better job than it is doing now.

Mr. Edward Leigh (Gainsborough and Horncastle): It has been a long, careful road since we embarked on this process nearly two years ago. Will my right hon. Friend assure us that we will have a decision in time for the House to consider privatisation legislation in the next Session of Parliament?

Clearly, the Government have, rightly, made up their minds that the status quo proposal is a non-starter, as is commercial freedom in the public sector, for the reasons given by my right hon. Friend. In short, I congratulate him and his right hon. Friends on having the courage at last to give the Post Office the freedom to invest in the private sector and on having the wisdom to reassure the public that a uniform tariff will be retained.

Mr. Heseltine: I am most grateful to my hon. Friend. I realise, as do all my colleagues, that we must balance proper consultation with the need for a decision. My hon. Friend may take some satisfaction from the fact that the statement has been made this afternoon.

Mr. Alex Salmond (Banff and Buchan): At a time when the Scottish Office is being forced away from the privatisation of water and steered away from the privatisation of forestry, can the President of the Board of Trade explain why he wanted to swing ahead and sell off bits of the Royal Mail before his proposal was overturned by his Cabinet colleagues?

Is not the real explanation for today's bungled statement that the President wanted to put on a macho display of political virility for the electorate and the Tory Back Benchers? In view of his climb-down, will he in future take the advice of another blond, Zsa Zsa Gabor, who said that, in her extensive experience, "Macho men ain't mucho"?

Mr. Heseltine: That was a rather pathetic intervention when we first heard it from other Opposition Members, and it got no better when repeated by the hon. Gentleman.

Mr. Nicholas Winterton (Macclesfield): Although I am a Conservative Member who is deeply unhappy about the fragmentation and privatisation of the Post Office—which could be a privatisation too far—I congratulate my right hon. Friend on his statement and the fact that he has decided to publish a Green Paper.

Will my right hon. Friend give me two assurances in that regard? First, will he assure me that he will listen to the comments that are made about the Green Paper and that, if those comments are overwhelmingly opposed to the proposals, he will drop them? Secondly, will he give me a cast-iron assurance this afternoon that the 49 per cent. that he intends the Government to hold under one of his proposals will be held by the Government ad infinitum?

Mr. Heseltine: My hon. Friend is, as he says, a Conservative, and so am I. One of the responsibilities of being a Conservative and being in government—a responsibility not shared by the parties opposite—is that every so often one has to take decisions. Sometimes they are lonely, but they can often be right. It is important to show a degree of leadership when one can see the way that the world is going, perhaps even in advance of public opinion and understanding.

It is important to have regard to the overall health of the industry and the national interests that are deeply ingrained in the future potential of the industry. We will listen very carefully to the consultation that will take place. We will certainly look at what commitments may be necessary and for how long in respect of whatever level of Government shareholding there may be.

My hon. Friend generously said that he welcomed the Green Paper and the consultation process. He will know that, throughout the process, we have listened to his views, as well as those of many of my colleagues. That is one of the reasons why today we have provided what is not essentially an economic answer, but a wide political, social and economic answer.

Mr. Dennis Skinner (Bolsover): Will the Lord—I was going to call the right hon. Gentleman the "Lord President"; we shall soon be putting his head on the stamps. Will the President of the Board of Trade comment on the fact that we have a Green Paper rather than a White Paper only because of the Euro-elections, and that all the safeguards that we have been given on sub-post offices and all the rest will fade away after 9 June?

Mr. Heseltine: The hon. Gentleman is diametrically wrong. I had not intended to publish any sort of paper at this stage, because, as the House will see, there are questions that I am not yet in a position to answer. I am making the statement as a response to a leak, which I regard as a discourtesy to the House, and which I am trying to put right.

Mr. Barry Porter (Wirral, South): As my right hon. Friend has been handed a Macclesfield black spot, may I offer him a Wirral green spot, and congratulate him on his proposal? As a member of the Select Committee who has listened to all the arguments, I consider my right hon. Friend's idea a most sensible way of approaching the matter. We have reached no decisions, except that we cannot leave things as they are. All that I can do now is to offer my congratulations to the President, and I trust that Macclesfield will go back to where it wants to go, sit in its own little village and think, perhaps, that this might be the best way in which to proceed.

Mr. Heseltine: I would not wish to intrude in any way in what sounds like something of an internecine war between my two parliamentary colleagues, so I simply welcome what my hon. Friend the Member for Wirral, South (Mr. Porter) said. However, I regard what he described as a Macclesfield black spot as one of the most encouraging green spots that I have ever heard delivered by my hon. Friend the Member for Macclesfield (Mr. Winterton).

Mr. Nigel Spearing (Newham, South): As the President praised the Royal Mail in his statement, and implied that we could not keep the status quo simply because of the inevitable rising tide of competition, can he tell us why the House itself should not, through some legislative form, ensure that the magnificent letter service remains broadly as it is today?

Mr. Heseltine: Because the people charged with the responsibility of managing the service do not believe that that can happen, and because an all-party Select Committee, with a Chairman drawn from the hon. Gentleman's party, has advised the Government and the House that the status quo is not an option.

Dr. Keith Hampson (Leeds, North-West): Is my right hon. Friend aware that the Chairman of the Select Committee first floated the idea of the BP solution—a part-privatisation—because the Committee could not see how any Treasury under any Government could provide the huge sums of investment necessary not only for the Post Office to compete abroad, but to stop the deterioration of services here at home?

That is why the sort of solution that my right hon. Friend suggests, which would enable the Post Office to raise funds outside the public sector borrowing requirement—no Treasury would ever agree to that—seems to fit the bill.

Will my right hon. Friend confirm that the Government stake would be no more than 49 per cent., and that the workers' stake in the operation would be at least, say, 10 per cent?

Mr. Heseltine: I have not given a figure for the Government stake today, although percentage figures can be considered in the Green Paper. Certainly one option that the House will want to have in mind, which I have mentioned before, is for the Government to have a large minority stake—suppose it were 49 per cent. The work people and the sub-postmasters might have a significant stake in addition to that. That is not quite the BP solution—I recognise that at once—but it is a variant of that solution, and I believe that it would give much reassurance to a wide body of opinion outside as well as inside the House. The Government will parade that and other options.

Ms Estelle Morris (Birmingham, Yardley): If the President is concerned about the Post Office's lack of freedom to compete, does he agree that that calls for immediate action, not for further delay? He said that making the Post Office competitive in the public sector would cost the nation money, but does not he accept that privatisation of the Post Office would also lead to a loss to the nation's economy—for example, of the contribution of

[Ms Estelle Morris]

£750 million that has been made over the past 10 years? That has been the steady contribution of the Post Office to the economic health of the nation.

Mr. Heseltine: The hon. Lady takes a narrow view of the way in which one has to judge such matters. Nobody suggests moving the Post Office abroad. The issue is where the ownership lies, and to what disciplines it is to be subjected. The profit would be distributed within this country one way or another. The question is whether it should continue to go directly to the Treasury by way of a dividend, which means that the Post Office is denied the opportunity to invest in itself.

One of the Post Office's major complaints is that it is not allowed to keep back the amount of retained profit that it would control in the private sector, because the Treasury earns a larger receipt than would be paid in the private sector. If the House says that therefore we should not take so much from the Post Office, it is really saying that that would have an effect on the public sector borrowing requirement and the Government's finances. The money cannot go both ways.

There are issues that we have to face. However, I agree with the hon. Lady that we need to take decisions quickly.

Several hon. Members *rose—*

Madam Speaker: Order. We shall now move on.

Points of Order

4.55 pm

Mr. Alfred Morris (Manchester, Wythenshawe): On a point of order, Madam Speaker. You asked me to leave with you overnight a written parliamentary reply informing me yesterday that on 20 April 1994 the Minister for Social Security and Disabled People authorised his officials to instruct parliamentary counsel to draft the 80 amendments to the Civil Rights (Disabled Persons) Bill tabled by five hon. Members. I also gave you other and related papers, and I know that you have been considering them in the context of a ruling you gave in the House last week. Is there anything you can now tell me about the outcome of your consideration?

Madam Speaker: I am aware, of course, of the answer given to the right hon. Gentleman yesterday, and I remind him and the House that I have no direct responsibility for ministerial answers. The answer that he mentioned appears to give a date relevant to a sequence of events described in the letter from the right hon. Member for Chelsea (Mr. Scott)—the Minister for Social Security and Disabled People—to the hon. Member for Workington (Mr. Campbell-Savours) on 9 May. It does not open up any new area for examination by me regarding an incident which I told the House on 11 May was closed so far as I was concerned. Hon. Members must find other ways of pursuing the matter that do not involve the Chair.

Mr. Roger Berry (Kingswood): On a point of order, Madam Speaker. The statement to which the privilege complaint referred was that by the Minister for Social Security and Disabled People on 6 May that he had:

"No part whatever in the drafting of any of the amendments"—to the Civil Rights (Disabled Persons) Bill—"and, to the best of my knowledge, nobody in my Department had been involved in the drafting"—[*Official Report*, 6 May 1994; Vol. 242, c. 991.]

Madam Speaker: Order. I understand the hon. Gentleman's intensity of feeling on the issue, but I have now dealt daily—indeed, several times a day—with it. Of course I must deal with points of order made to the Chair, but what are now being raised are matters of debate, for which I have no responsibility. If the hon. Gentleman has a point of order for the Chair, perhaps he will come to it and I shall try to deal with it.

Mr. Berry: Is it not in order for you to review your ruling, Madam Speaker, because the implication of the written answer received last night is that we are being asked to believe that the Minister forgot an instruction that he had given a mere 16 days—

Madam Speaker: Order.

Mr. Berry: A mere 16 days before—

Madam Speaker: Order. I am on my feet. The hon. Gentleman appears to be challenging what I have said in the House on a number of occasions. I have just said that what has happened does not open up any new area for examination by me. I cannot make it clearer than that. Is the hon. Gentleman challenging my statement? If he is, perhaps he is not aware of our procedures. I want to deal with him as gently as I can, but if he is challenging my statement he must put a substantive motion on the Order Paper so that it can be debated. I cannot speak any more clearly. We have a very precise language . I said that what has happened does not open up any new area of examination for me. I cannot take the matter further than that.

Mr. Berry: I am not challenging your statement, Madam Speaker, and I am most grateful for your tolerance towards me. I was asking whether, given the information that we now have, it is in order that we are being asked to believe that the Minister forgot an instruction that he gave only 16 days beforehand. Would it be in order for you to review your—

Madam Speaker: Order. I have just told the hon. Gentleman that there is no reason for me to review my ruling. I saw last night the answer that was given, and I am giving the hon. Gentleman my ruling. I am very sympathetic to hon. Members who entered the House at the general election and are keen and anxious to get their Bills through. However, I have to carry out the procedures and Standing Orders given to me by the House. The hon. Gentleman understands that.

Mr. Berry *indicated assent.*

Madam Speaker: I have enormous sympathy with the work that the hon. Gentleman has put in, but I cannot bend the rules and procedures of the House to meet the demands of one Member, or even of a handful of Members.

Mr. John Austin-Walker (Woolwich): On a point of order, Madam Speaker.

Madam Speaker: It does not relate to the same matter, of course, does it?

Mr. Austin-Walker: It is a completely separate point of order. I wish to raise it in the presence of the Lord President of the Council.

Madam Speaker: Points of order are not for any other Member of the House; only for me.

Mr. Austin-Walker: On a point of order, Madam Speaker. Have you any responsibility for the procedure for the guidance of Ministers? In the light of the new information given in the written answer to my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris), is not there a case for the Prime Minister to come to the House to make a statement?

Madam Speaker: I have nothing to do with guidance for Ministers. I have enough responsibility in the House without guiding Ministers. I have not had any information from any Minister, certainly not from No. 10, that the Prime Minister is seeking to make a statement. However, motion No. 1 very much concerns me.

SPEAKER'S ABSENCE

Ordered,

That the Speaker have leave of absence tomorrow, Friday 20th May, to attend the funeral of the Right honourable John Smith, formerly Member for Monklands, East.—[*Mr. Newton.*]

Coal Industry

5.1 pm

The Minister for Energy (Mr. Tim Eggar): I beg to move,

That the draft Coal Industry (Restructuring Grants) Order 1994, which was laid before this House on 21st April, be approved.

The House will be aware that British Coal has on the table with the unions a package which includes a lump sum payment of £6,000, the contractualisation of British Coal's basic generous redundancy terms, existing pay rates and the introduction of flexible working arrangements. That is a generous offer to British Coal employees which helps to provide some certainty for the future. While the great bulk of redundancy payments are, of course, financed by restructuring grants, that package is a matter for British Coal and the unions.

The draft order laid before the House is the eighth annual order under section 3 of the Coal Industry Act 1987 and has three main purposes. First, it specifies the kinds of expenditure in the present financial year for which grant may be paid. These are set out in the schedule to the order and are unchanged from those specified last year. Secondly, the order sets the maximum percentage of relevant expenditure which may be met by grant. The Government have decided that the maximum rate for 1994-95 should remain at 90 per cent. Thirdly, the order increases the cumulative ceiling for payments of restructuring grant from £2,500 million to £3,000 million, as permitted under the Coal Industry Act 1992.

I will explain the third purpose in more detail. The 1987 Act, as amended by the Coal Industry Act 1992, limits the cumulative provision for restructuring grant to £2,500 million, increasable by order up to £3,000 million. At the end of 1992-93, cumulative restructuring grant paid to British Coal was some £1,900 million. During 1993-94, British Coal made claims for restructuring grant amounting to more than £740 million. If all those claims had been met, the cumulative total paid since 1987 would have been £2,640 million. Due to the current ceiling of £2,500 million, grant claims of £140 million for 1993-94 remain unpaid, the expenditures involved having been funded temporarily by voted loans to the corporation. Further claims for some £110 to 120 million are expected in relation to 1993-94 costs. Those expenditures, already incurred in 1993-94, would imply the need for an increase in the cumulative ceiling to over £2,750 million.

As hon. Members will be aware, the provision for restructuring grant in this year's supply estimates is £425 million. A major part of that provision will be taken up by the £250 million or more of expenditure incurred by British Coal last year, for which grant will be paid this year if the House approves the current order. It is too early to say what further eligible expenditure may be incurred in the current financial year, although we have already received a claim for £6 million in respect of job losses in April.

I hope that that explanation will assist the House and I look forward to listening to the debate. I commend the order to the House.

5.3 pm

Mr. Martin O'Neill (Clackmannan): As you would imagine, Madam Deputy Speaker, I do not propose to divide the House on the order, although it would be wrong to assume that the Opposition necessarily give it an unalloyed welcome.

As ever these days, we speak about the coal industry against the background of a further decline in numbers to about 14 pits and 10,000 men working in them. There are also prospects of further reductions, although we do not know how many or what form they will take. If there have to be further redundancies between now and any privatisation date, we would hope that those redundancies would be treated in a similar manner to those that have already occurred. However, we know that the redundancy proposals have been withdrawn in their present form.

One of the main concerns—to which the Minister referred—is the package currently being offered to miners. One of the hallmarks of industrial relations since the miners' strike has been the understandable reluctance of the National Union of Mineworkers to participate in talks with British Coal. For miners who are members of the Union of Democratic Mineworkers, discussions have continued and a number of settlements have been reached, although in many instances those who did not participate felt that they could have done far better had they been given a proper opportunity.

The package to which the Minister alluded does not even satisfy the Union of Democratic Mineworkers: in a ballot of its members, the agreement was rejected by some 93 per cent. of those who participated in the negotiations. That ballot was significant because it showed that not even members of the UDM were prepared to accept that package which was designed, if I may use the euphemism, "to promote flexible working". What is on offer is a sum of £6,000, subject to taxation, if the men are prepared to sign undertakings that they will change the nature of the working arrangements, which will mean abandonment of agreed working hours and the possibility of having to work up to 13 hours a day as a consequence of accepting the agreement.

There are grave misgivings on the part of a number of those involved in the mining industry. I need go no further than the opinion of the general secretary of the National Association of Colliery Overmen, Deputies and Shotfirers, Peter McNestry, who has repeatedly made the point about the inherent dangers of additional working hours, not just in terms of the possibility of exhaustion causing mistakes and lack of care, but because of the very fast cutting equipment at the coal face and the greater exposure to industrial dust and other pollutants down there. Exposure is increased and the danger to men increases as a consequence. However, we are led to believe that if the £6,000 is accepted all those other considerations will be set aside.

Opposition Members feel that such a move is designed more to make the coal industry attractive to potential purchasers than to make it safe and healthy for the men currently employed in it. We therefore have grave misgivings about the proposal and we understand only too well why the men who have had the opportunity to vote on it have rejected it and why others are in no way sympathetic to it.

It is perhaps a sign of the despair of British Coal in such matters that a recent edition of *Coal News*, the official organ of British Coal, said that the colliery managers union had come out in favour of the proposal. The significant factor is that the colliery managers are not subject to any constraints on the number of hours that they work anyway, so it is almost academic to ask them. Anybody who is offered £6,000, even if he has to pay tax on it, will not turn it down if it involves no sacrifice on his part. However, the numbers concerned and the people concerned are not really relevant to discussion of the proposal today.

We are led to believe that there are some assurances in the package in relation to redundancy payments. However, as I understand it from legal advice received by some of the unions, there are grave misgivings about whether the Transfer of Undertakings (Protection of Employment) Regulations 1981 provisions extend beyond 12 weeks after a change of ownership of an undertaking. We are conscious that within the financial provisions of the order there is money available to finance part of the package, but we find the package to be wanting in a number of respects and I am sure that some of my hon. Friends will return to the matter in due course.

It is worth putting on record that an agreement on pensions has been reached between the trustees and the Government, and that many of the problems that we debated during the passage of the Coal Industry Bill appear to have been resolved. What is at stake here is the funding of the interim arrangements for men who have had to leave the industry and whose pension payments are not yet covered by the pension fund proper. We express our relief that an agreement has been reached which is to the satisfaction of the pensioners, the prospective pensioners and the trustees of the pension scheme.

Perhaps the Minister, who was helpful in his introduction, will spell out exactly how much of the sums involved will be accounted for this year. Perhaps he will tell us a little more about how much money will be made available to British Coal Enterprise. Although many of us have been somewhat less than fulsome in our praise for British Coal Enterprise, we recognise that when the coalfield communities are in a state of economic depression, any assistance available to communities and to individuals for retraining or for help in starting their own businesses will be welcomed.

We want to know two things: how much will the sums be, and will there be any new money? We know that a fair amount of the funding of British Coal Enterprise is now accounted for by the repayment of loans and the recycling of moneys. How much will the retraining budget be? If any area of British Coal Enterprise activities needs to be looked at, it is retraining. We are very conscious that some of the areas in which colliery closures have taken place are now denuded of virtually any economic activity. The important and valuable skills that were won at the coal face and underground are, sadly, not marketable in the changed environment. We hope that there will be sufficient funds to support retraining in those areas and we should like to know the sums involved.

We are concerned that there is great uncertainty about the future of British Coal Enterprise. The Minister was unable to give us assurances about that when we debated the Coal Industry Bill in Committee. I repeatedly have to tell councillors in my area, where there are a number of unemployed mineworkers, that British Coal Enterprise is still in business. During the passage of the Coal Industry Bill, there was a feeling that British Coal Enterprise would be finished shortly afterwards. We recognise that it may

not have a life in perpetuity, but we are very conscious of the need for information about how long it will continue, what its future funding is likely to be and the possibility of new money. There is considerable anxiety about those matters and a great need for more resources to be made available.

This is one of the last—perhaps the last—coal restructuring orders if privatisation goes through. In some respects, it is a reflection on the sad state of the industry that we have to talk in terms of the significance of measures to try to mop up unemployment and of softening up the labour force before privatisation with the removal of the struts that have supported the coal industry and industrial relations within it for so long.

It is a matter of considerable regret that British Coal is trying, apparently with Government support, to buy back from the men many of the important concessions that have been won over the years. Those concessions cannot be measured against the price that the board and the Government seem to place on them. It is not wise to encourage men to work longer hours underground; that is a profoundly dangerous road to take. In other countries, it has resulted in a dramatic increase in industrial injuries. When those longer hours are combined with the change in the health and safety arrangements, and the change that is likely as a consequence of the ending of deputies and the ending of regular independent assessment of the safety provisions within colleries, one becomes extremely suspicious and worried about the future of the industry. Although it employs only 10,000 people, for many communities it is still one of the few sources of employment of a standard that we want to defend, not necessarily to the death, but certainly to the hilt.

We do not intend to vote against the order, although we have a number of misgivings about its contents, and we regret that it will be one of the last of its kind. We hope that the points that my hon. Friends will make, along with mine, will go some way towards persuading British Coal and the Government to think again about a package that we consider to be dangerous and unhelpful to the industry and more likely to poison the well in advance of privatisation. We have a number of misgivings about privatisation. We do not believe that it is necessary and we do not wish it well, but we do not want the hands of the workers to be tied in any way before privatisation. The order and the package to which the Minister has alluded are likely to result in a deterioration in conditions and in the protection that the workers currently enjoy. That deterioration is regrettable and objectionable; as other financial provisions are contained in the order, however, we shall not oppose it. Nevertheless, I make it clear to the Minister that we do not offer our approval for what he is offering today.

5.18 pm

Mr. Paddy Tipping (Sherwood): The order is called the Coal Industry (Restructuring Grants) Order, but many of us from coalfield communities in Nottinghamshire and across the country feel that the coal industry has had enough restructuring recently. I remind the Minister that in Nottinghamshire there were 40,000 miners in 1980; there are fewer than 4,000 now.

The morale in the coal industry and in the coalfield communities has never been lower, and the order reaffirms the problems. The Minister told the House that the package on the table for discussion with the unions came specifically from British Coal. I wish to challenge him on two points.

First, the package is no longer on the table with the unions. British Coal is blackmailing individual miners to sign by this time tomorrow or lose any financial rights. Those are the tactics which are going on, and there are letters in Nottinghamshire pits today telling miners in clear terms that if they do not sign on the dotted line they will lose tremendous amounts of money. Miners have been told that this is a once and final offer, and that British Coal is not in a position to make a better offer because the real offer is coming from the Government.

Perhaps the Minister will tell us today whether he has had discussions about the redundancy package, and whether he received advice from British Coal. Perhaps he will tell us what specific advice he had from British Coal, because there is a strong view within the coal industry that the managers of British Coal want to do better for the work force than the offer that is on the table, but they have been denied the resources by the Government. Yet the order provides money to the Government to give to British Coal. Clearly, if there was a will, there would be a way to make more money available for miners.

The package on offer to miners is bad in many, many ways. First, as my hon. Friend the Member for Clackmannan (Mr. O'Neill) said, it demands longer hours. The package demands 12 to 13-hour shifts, which cannot be right in a modern society with high unemployment and, in particular, immense unemployment among ex-miners. We ought to be reducing the hours worked underground. It is also unfair in the sense that miners have to give up their two years' pay claim. The £6,000 lump sum will be taxed and they will take home about £3,400. That is perhaps the equivalent of the two years' pay claim, but it is not the generous settlement to which the Minister referred today.

We are told that the package will last beyond privatisation. Perhaps the Minister will be specific tonight and say what the situation will be for miners if a private company goes bankrupt. Will that offer still stand? Will miners still get the money? The answer seems to be no, but perhaps the Minister will tell us, because we need to know, and the men and their families need to know. What about the Transfer of Undertakings (Protection of Employment) Regulations? If the package is agreed, how long will the TUPE regulations and the force of law last beyond the privatisation of British Coal? Will not the new mine owners in fact be able to renegotiate the package quickly, perhaps within a year of the privatisation of the pits?

Those are the difficulties involved in the package. The real difficulty is that it has taken the guts out of the mining industry, and it has taken the morale of the men away. Perhaps the Minister will reflect on that. In Nottinghamshire up to now, productivity in the pits has constantly gone up. However, the men feel that they are not getting a fair deal and are being treated like dogs and, because of that, productivity is now going down. Clearly, that will cast a blight on privatisation.

The package has been resoundingly thrown out by ordinary miners in Nottinghamshire. They say very strongly that they are not getting a fair deal. I will give the House the example of Stephen Tuck, who works at Bilsthorpe colliery. His father Bert worked there before him, and set up the National Union of Mineworkers at Bilsthorpe colliery. His sons have followed in the family tradition. Stephen Tuck does roof bolting at Bilsthorpe

[Mr. Paddy Tipping]

colliery—something the Minister knows about. He works in a team with contractors and, in fact, is the supervisor of three contractors. He is a British Coal man, but the men he works with are contractors. They used to work for British Coal and received redundancy payments of £40,000, yet they are still working in the industry alongside Stephen Tuck. He says, quite rightly, that he wants to leave British Coal, and he has been asking for his redundancy for some time, but the corporation will not let him go. Yet the lads whom he is supervising have received £40,000.

There are all kinds of stories like that from people who want to set up their own businesses. Adrian Button wants to come out of the industry. He has set up on a part-time basis a small business which is becoming successful drilling and looking after the roadway in Bilsthorpe colliery. He wants to come out, but the pit manager at British Coal will not let him. It is not surprising that people are saying that they have been locked into a new kind of slavery.

The package currently on the table is a new, modern slavery, and it is keeping men in the industry who want to come out. It is unfair and inequitable because the miners' colleagues and comrades, who had a better chance just a few weeks ago, have had far better offers. The Minister really ought to think again, because the money contained in the order would allow other ways of dealing with the men. There has been a strong voice from Nottinghamshire, which I know that the Minister has heard, in the run-up to privatisation. In all decency, the Minister ought to treat all the men the same. The day before the industry becomes privatised, he ought to pay the men off under the old terms. There are currently 10,000 men in the industry.I do not know whether there will be 10,000 men in the industry at the point of privatisation, but I know that the average redundancy pay-out under the old scheme was £25,000. That would mean £25 million in total, so there is enough money in the order to meet the aspirations of people in the coalfields in Nottinghamshire and elsewhere.

The men and their families have had a tough time. Many of them have given their lives to British Coal, to their coalfield and to their community, and they are not getting a fair deal. I remind the Minister that promises were made, particularly to the miners in Nottinghamshire. There is a strong feeling that they have been betrayed, and that the Minister has turned his back on them and walked away. They want a new and fairer future. The Minister must think again about the redundancy package, give the men a fair chance and move towards bringing new industry, new employment and a new future to the coalfield communities.

That is why the questions that the Minister is being asked about the future of British Coal Enterprise are so important.Will the Minister tell the House today whether British Coal Enterprise will last, not just for a little time beyond the privatisation but into the future? The devastation in the coalfield communities means that we need measures to tackle problems which could last for five, 10 or 15 years. The industry has been there for a long time, and men have given their lives to it for a long time: now is the time for the Minister to play fair with them.

5.28 pm

Mr. A. J. Beith (Berwick-upon-Tweed): It gives me very little satisfaction that so many of my constituents should have to be the beneficiaries of the enhanced redundancy payments for which the order provides, but they are in that position because of the tragic closure of Ellington colliery. The closure came after those involved had been led to expect that, with a Government subsidy, they had a 15-month breathing space in which to prepare for privatisation.

The hope is still kept alive that the colliery will reopen following privatisation, and I expect the Minister to continue to mount every possible effort to see that that can be successfully carried through. I believe that the pit has a future, but tonight we must consider the position of those who are involved in the redundancy package. I must underline to the Minister that a number of people did not benefit from the enhanced redundancy package. When so much public money is involved, as there is in the order, it is incumbent on the Minister not to stand completely back from the way in which British Coal handles that public money.

I have had occasion to put to the Minister the position of some of those people who were put on to contract, in my view under a degree of duress, and who therefore became employees of contractors shortly before the closure of Ellington colliery. As a result, they did not get the enhanced redundancy package available to those employed at the colliery on the day of closure. The Minister wrote to me saying that the detailed arrangements were a matter for British Coal. However, when what appears to be a significant injustice involving public money has occurred, the Minister should take a closer interest than that shown in his letter.

Stories abound of people put under pressure to cease to be British Coal employees and to become contract employees. I want to quote a letter from someone who was affected in that way, but first I want to quote a letter from Mr. Neil Clarke, the chairman of British Coal. On 4 March he wrote to me saying:

"I cannot accept that any employee at Ellington was pressured or coerced to accept redundancy where their jobs were identified as surplus to requirements. All such employees were counselled in the usual way and, in every case, were offered either alternative employment at the mine or the opportunity to accept redundancy on the terms available at the time."

That is not what happened. Mr. Clarke persists in describing something very different from what is happening in the real world. He went on to say:

"Those accepting redundancy were certainly not 'transferred' to mining contracting companies by British Coal. I understand that a number applied to the companies concerned and were offered jobs following interviews."

That is not a fair description of the position when people who work for British Coal one day find themselves the next day doing the same job in the same location in the same pit as an employee of a contractor, in a number of cases very much against their will.

One factor in the position of those workers was their belief that their pit had the future to which I referred earlier as a result of the Alcan contract and the subsidy for that contract. Once the men knew that the contract had 12 months to run and would be supplied with Ellington coal, there was a reasonable expectation that there would not be an immediate closure of the colliery. Everyone knows that

when a closure happens extra redundancy payments are made. No one with the knowledge that a pit would close within a few weeks would voluntarily transfer to contract.

Many people thought that the pit had at least another 12 months' future. They feel that the Minister's statement at the time was not only misleading but damaging because it led them to take a decision different from that which they would have otherwise have taken. Of course, they would have had considerable difficulty taking any other decision because of the pressure that they were put under.

I want to quote from a letter sent to me on behalf of two men. It states:

"After initially saying we would be able to remain in our own jobs with British Coal, management then changed their minds and said we were required to sign over to the new contractor. The next 9 weeks were a catalogue of threats, pressure and coercion by British Coal, from our supervisor through to senior management. We were told to accept the conditions or be sent down the pit with a shovel . . . Men from a nearby, recently closed colliery were to be offered our jobs if we didn't quickly accept terms (or so we were told!) An ex-shaftman who left the industry over five years ago was approached by management to come back to work for the contractor (as our replacements). Two underground joiners who are good friends of ours refused an offer to take over our positions"—

these were positions in a different trade.

"We were told by our supervisor that the contractor had been told to fulfil his obligation immediately. This was later found to be untrue".

The letter mentions a number of other points, but then goes on to say:

"We approached the personnel manager to let us know where we would be sent if we stayed with British Coal. 'This had not been fully explored', was his reply. We asked him to look into alternative jobs with British Coal for us and he agreed to do so. Two weeks later when we saw him again, he could not give us an alternative offer of work. However, he told us that if we didn't sign over, the contractors would be told to fulfil their contractual obligations immediately. We had no alternative at this stage, so very reluctantly, we signed over to contract . . To rub salt into our wounds, the announcement to close Ellington Colliery was made 2 weeks after we were forced out."

A significant number of men were forced on to contracts by threats and duress. They were told that there would not be a job for them or that no job could be specified. I sent some details of that to the Minister and I must ask him to consider whether that was a reasonable way for British Coal to behave. It was not. It is not a reasonable way to dispose of public money to operate a scheme in so partial a way. The partiality arises because, far from men having voluntarily accepted transfer, they were coerced into that shortly before a closure was announced. Had they not transferred, they would have been significantly better provided for by the redundancy package.

To add further insult to injury, many of those men have subsequently been made redundant by the contractors to whom they signed over. They now find that they are not eligible for unemployment insurance on their mortgage. People who took out mortgage insurance policies are now told that they are not eligible for payment because they changed their jobs. I know that that has been said to someone who worked in the same job in the same pit but was simply transferred by British Coal to contract employment. It is a further injustice that I ask the Minister to consider.

As has already been mentioned, there were those at Ellington, as there were at other pits, who wanted to take redundancy but could not do so because their position was in demand. They may have wanted to set up their own businesses, but could not get a date for redundancy. There are many injustices. The redundancy payments are about the only thing that stand between the local economic conditions of having the pit open and the disaster of it being closed. For a short time there is still a good deal of money around in the community, going into the shops and so on, but once the redundancy money has gone the real deprivation starts.

That is why the reference to British Coal Enterprise is significant, although it plays only a small part in what needs to be done for those areas. Nevertheless, we want its role to be adequately fulfilled. The only recipe to deal with the concerns that I have expressed tonight is that particular injustices should be corrected—as, I understand, they have been at the Wearmouth colliery, for example. British Coal Enterprise should be given every encouragement to work in areas where there are closures.

Every effort should be made to secure the future of Ellington pit, even though it would have a reduced work force. Further steps should be taken by all the relevant Government agencies to bring work to the area. A very serious position now faces south-east Northumberland, as with other former coalfield areas. Once again, I draw that to the Minister's attention.

5.37 pm

Mr. Peter Hardy (Wentworth): Reference has already been made to the fact that this may be the last coal restructuring debate. That may be so, but the Minister must accept that it certainly will not be the last coal debate because the problems that will remain after the privatisation measure goes through, if it does, will be so enormous that the House will have to return to the subject with the same frequency with which it has turned to the subject of coal over the past 15 years.

I see in the Chamber my hon. Friend the Member for Bolsover (Mr. Skinner), the right hon. Member for Berwick-upon-Tweed (Mr. Beith) and my hon. Friend the Member for Clackmannan (Mr. O'Neill), all of whom have taken part in or diligently attended coal debates throughout the years. We have heard and seen the Government change their position quite dramatically. For example, in the mid-1970s it was customary for some Conservative Back Benchers to take part in coal debates. They used to castigate the Labour Government if a colliery closed. In those days, they drew attention to colliery closures, yet we lost only about 1.5 per cent. of the pits.

In general, collieries were closed with the agreement and acceptance of the men who worked there. They were prepared to accept that a colliery should close when it was exhausted or if the men were working up to their waists or worse in water. If the circumstances in an individual pit were barbaric, the colliery closed. Now, we are not talking about men having to work up to their waists in water or about barbaric conditions. We are concerned about a system, which will govern our coal industry, which is in itself barbaric.

The Minister will probably say that the changes are an example of flexibility. Yet men have been compelled to accept a bribe to be enchained and to lose whatever capacity they had to decide for themselves the nature of their employment, whether they wished to work excessive hours, and whether they wished to question the erosion of the pattern and culture of safety which would be an inevitable consequence of the changes made by the Government.

[Mr. Peter Hardy]

The Minister has heard me make the point about safety before. He has refused to accept it throughout. The fact remains that the men responsible for safety underground believe that the changes that the Minister introduced are bound to erode the culture of safety, cause accidents and increase the proportion of men in the industry who are maimed or killed. The Minister has heard me say—I said it in his office as well as in the Chamber—that when, under the changes and the erosion of the safety culture, men are maimed and killed, he will have firmly on his conscience a substantial responsibility for those tragedies.

It is tragic that in the 1970s Conservative Members clamoured for the Labour Government to maintain the commitment to the Plan for Coal and investment in the industry. When we hear in coal debates about the astronomical sums that have been spent on the coal industry over the years, we have to understand that a substantial part of that expenditure was investment of historic importance. It meant that by the time we reached 1990, or the latter part of the 1980s, we had such a successful coal industry in Britain that it made other European coal industries look like incompetent failures. We had the highest rate of industrial success and increased productivity not merely in Britain or in the coal industry but in any industry in Britain or Europe in the past decade.

The consequence of that success has been record achievement, huge improvements in productivity and the provision for British industry of a significant base for industrial production and exports. The consequence has been the creation of a home market for engineering and all the other technological activities associated with successful deep mining. All that opportunity is being thrown away.

The taxpayers, or the politicians representing the taxpayers, were persuaded to approve the investment which secured the astonishing rates of improved productivity in the British mining industry. The Minister cannot deny that those rates of productivity were regarded as impossible at one time. The Minister nods his head, suggesting that he agrees with the point that I make. It is a pity that his superior, the President of the Board of Trade, still has not fully comprehended the scale of that achievement.

The fact remains that the thin-seam pits in the older part of our coalfields closed. There was investment in heavy duty equipment, which was put on to the coal face so that the coal could pour out on a scale and at a pace that could not have been imagined 20 years ago. Having achieved all that, we have now seen the industry virtually scrapped. Why? It has been scrapped because of the strange and foolish perversion of the electricity privatisation. The structure that was established made it inevitable that the coal industry would be disfigured. The outrageous nuclear payment to the French electricity generating industry has been maintained. British money pours across the channel to sustain highly subsidised French nuclear generation. That money could well have been used here in Britain.

The British industry has been cast aside while the German and Spanish industries have costs per tonne which are three times ours, but have Governments who are not so daft as to make the very short-sighted calculation that dominates the Minister's approach.

What is worse, as we have seen liberty in the mines eroded and the safety culture cast aside in the name of support for privatisation, we have seen damage to the employment prospects of many parts of our country. I have told the House before—it is a serious matter—that just a few weeks ago I met a group of 15-year-old boys from my area. They were decent, normal boys. We are talking not about boys with academic potential or boys who would be high-flyers, but about boys who would be ordinary, decent citizens. They see no prospect for them; they see no challenge; they see no hope.

What are we doing as a society to make 15-year-old young people see no prospect of economic viability or social success? It is inevitable that at least some of those boys will become crime statistics. The very nature and character of societies in the British coalfields have been disfigured and corroded in recent times. Bills to provide temporary dollops of money to assist the restructuring that should never have been necessary will not provide the Government with any political satisfaction.

I accept that if men are to change jobs, as my hon. Friend the Member for Sherwood (Mr. Tipping) said, we ought to have a fair and equitable system. We do not have such a system. The Minister should understand that, while it is fair to pay men who have been forced into redundancy, it is also essential to sustain the communities. Even with the provision of city grant, which is of some assistance, the spending capacity of the Dearne valley area has been reduced. Therefore, it is vital that the Government not only accept that European aid must go into the coalfields but recognise that coalfield areas have substantial needs when they distribute grants to local authorities to reward councils such as Westminster and Wandsworth, which enjoy a far greater affluence than the areas in which pits are being closed.

The Government must also recognise that we shall have to have another coal debate soon, not necessarily about the financial restructuring, but to resolve the serious problems that, at least so far, have been ignored in the privatisation arrangements. Those problems are as yet unresolved. Perhaps the Minister would comment on the recent case in south Wales and the effect of the cessation of pumping at abandoned mines. The environmental consequences could be catastrophic.

Perhaps the Minister would also consider that the environmental consideration to which I have referred can be matched by our deep anxiety about the future of greenfield sites which are subject to the risk of opencast mining by private business, given the power of compulsory purchase by a Government who are supposed to be fundamentally opposed to such disfigurements and who seem predisposed to give planning permission where the local community would not wish it to be granted. The House will have to return to those issues and others.

Although I accept that my hon. Friend the Member for Clackmannan was right to advise us not to vote against the measure, I hope that when the debate is over the Minister will be under no illusion that he enjoys massive support for his policies. He has no support among Opposition Members for a policy which has destroyed jobs, made Britain likely to enter energy dependence at a very early stage and has brought a great deal of ruin, hopelessness and blight to areas which deserved a great deal better, not least in view of the massive and magnificent improvements in productivity, which are unmatched in other areas of British or European industry.

5.49 pm

Mr. Michael Clapham (Barnsley, West and Penistone): The order covers the British Coal financial year from 1 April 1994 to 31 March 1995. I note that, in paragraph 6, there is an increase from £2.5 billion to £3 billion. The items listed under headings 1, 2 and 5 in the schedule to the order are included in paragraph 5(2)(b), but I note that the item listed under heading 6 is not. Perhaps the Minister could tell us whether that is significant.

I raise that matter because, although British Coal Enterprise has not created many lasting jobs in my constituency, its endeavours have overall been helpful. The organisation has the potential to create jobs—and every little helps. The Coal Industry Bill, which is now in another place, does not have a great deal to say on the matter, and I hope that the omissions from paragraph 5(2)(b) are not an indication that the Government intend to wind up British Coal Enterprise or to cut it adrift from funding.

There is still a great deal to be done to assist miners who are made redundant, and their communities. The last colliery to close in Barnsley was Grimethorpe. It is in the constituency of my hon. Friend the Member for Barnsley, East (Mr. Patchett). Recently, research was carried out in the village of Grimethorpe by *The Guardian*. It was found that only 44 per cent. of men who had been made redundant had found other employment, and those miners who had managed to find employment were in low-paid jobs. Of course, that has dramatically affected the standard of living of miners and their families.

Through the provision of grants, the Government also make resources available under the new pneumoconiosis compensation scheme. That no-faults liability scheme was introduced into the coal industry in 1974. Since its introduction, it has been widened to cover asbestosis, and in some cases it includes payments for men suffering from chronic bronchitis and emphysema. I should add that payments for the latter disease are made only in special circumstances, and I shall refer to them in a moment.

My concern is that the order does not provide more resources for the scheme so that the Minister can include in it the general disease of chronic bronchitis and emphysema. The pneumoconiosis scheme provides for the payment of a lump sum based on the assessed degree of disability and the age of the miner at the determined date of development. If the miner has attendant chronic bronchitis and emphysema and the medical authority contends that it has worsened as a result of pneumoconiosis, an additional award is made. That additional award will trigger off a further payment under the pneumoconiosis compensation scheme—and that is only right and proper.

The House will be aware that in September 1993 the Secretary of State for Social Security prescribed chronic bronchitis and emphysema as an industrial disease for coal miners. His decision to prescribe the disease was based on a report that he received in August 1992 from the Industrial Injuries Advisory Council, which clearly accepted that there was a connection between the disease and the inhalation of coal dust. The indication is that coal miners are subjected to precisely the same risk of contracting chronic bronchitis and emphysema as they are of contracting pneumoconiosis. I hope that the Minister will be able to tell the House that he is prepared, under the order, to make money available to the pneumoconiosis scheme to cover chronic bronchitis and emphysema. It is essential that that is done while the industry is still in the public sector, and before privatisation.

Another omission from the order is grants to clean up pollution from abandoned mine workings. I raise that issue in the light of the assurance given in the House of Lords by Lord Strathclyde as reported in the *Official Report* of 26 April at column 539. He said that the prevention of pollution from abandoned mine workings must be a top priority. That assurance is relevant to the order because Lord Morris suggested, at column 1064 of the *Official Report* of 3 May, that pumping operations that had ceased since October 1992 should, where there were signs of pollution, be resumed. Can the Minister tell the House whether the order makes provision to cover such circumstances?

Furthermore, can the hon. Gentleman tell us what action he intends to take to avert an environmental disaster building up at Worsborough reservoir in my constituency? That has been brought about by a decision taken by British Coal in October 1993 to cease water pumping at nearby abandoned mine workings, thereby substantially reducing the flow of water to the reservoir. That is creating a threat to the wildlife—the flora and fauna—around the river that runs towards the reservoir, as well as to the fish life in the reservoir.

As the Minister said, British Coal is seeking to buy out the terms and conditions of the remaining mineworkers for £6,000. That is a cynical ploy—and the Minister must be aware of it—to strip mineworkers of the protection that they have under current legislation, and to render them vulnerable to any terms and conditions that successor private owners may wish to impose. A much more honourable way of tackling the situation would have been to offer the remaining mineworkers a redundancy payment before the industry is privatised. Perhaps even at this late stage the Minister will consider doing that, as my hon. Friend the Member for Sherwood (Mr. Tipping) suggested. The miners have been given until tomorrow to make up their minds on the issue. I can see nothing whatever in the order to cover such payments.

It would be an enormous boost if the Minister could tell the House that he is prepared to make redundancy payments available to the remaining mineworkers before privatisation. The number of mineworkers in the industry who have not received redundancy payments cannot be more than between 7,000 and 8,000. If the Minister were prepared to make that announcement today, it would give an enormous boost to mineworkers and their families.

5.58 pm

Mr. Dennis Skinner (Bolsover): I am pleased that my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) spoke of miners claiming for chronic bronchitis and emphysema. I asked various hon. Members who represent coalfield constituencies, but cannot find anyone who has won his case. I can see one or two of my hon. Friends nodding. There seems to have been a bit of Government trickery to prevent those miners from getting any payments.

One thing will emerge from this short debate. If it is not in the Minister's domain, I hope that he will impress on the various Government Departments and the Minister responsible—I do not know whether the matter cuts across

[Mr. Dennis Skinner]

social security—that the examinations are not being carried out properly and that miners cannot get through the net.

British Coal Enterprise is another aspect of this package of recommendations that I must mention. We debated the matter during the Report stage of the Coal Industry Bill. We all know that British Coal Enterprise is one of the organisations with administrators roaming the coalfields purporting to provide jobs. They actually say "job opportunities" and that is how they get away with it—they are not real jobs.

It is high time that the Government understood what we are dealing with. People in pit villages in some coalfields did not fully appreciate what mass unemployment was all about. My hon. Friend the Member for Sherwood (Mr. Tipping) referred to that. He comes from a coalfield where people did not appreciate the scale of unemployment in the Scottish and Welsh coalfields and in parts of the Yorkshire coalfields for many years. In Nottinghamshire and the bordering parts of Derbyshire, the pits were closed suddenly, all at once. In a string of villages along that coalfield, including some in Bolsover, unemployment is more than 50 per cent.

Instead of giving the money to British Coal Enterprise, allowing whiz kids to roam about in flash cars, posh suits and Italian shoes and spend God knows how much on carpeting their floors, it is time that the money was used to get jobs back to those coalfield areas. I can think of no better way to do so than by telling local authorities to use that money to repair roads and schools and start building houses. They could get some of those miners back to work, instead of paying them on average £9,000 a year to keep idle. We are spending £30 billion a year so that mass unemployment can continue under this Government.

Some of the pit villages are like bombs waiting to explode. That is the truth. People talk about the social fabric breaking down in Britain and we have only to look at some of those pit villages where thousands of people have suddenly been chucked out of work to understand that.

That brings me to the question of the contract and the £6,000. It is true that the Union of Democratic Mineworkers has thrown the proposal out by a 93 per cent vote. Frankly, I was amazed that its members voted in those numbers. Why do the Government and British Coal not understand? If 93 per cent. vote in a ballot against something, one would think that those in power would wake up to the idea that they do not want it, but they have blindly ignored the ballot and gone ahead.

What should be done about contracts and about unemployment in the coalfields and everywhere else? We should be talking about a four-day week—not for Parliament, but for the people in general. There will be no better opportunity; we should start it now, while we have mass unemployment.

I was looking at the contract the other week. Based on the number of hours that miners work now—the few that are left—they would have to work 51.5 weeks in the year under that contract, which means that they would have two or three days holiday instead of the normal holiday weeks and bank holidays. For surface workers, it would be 55 weeks, based on the hours that they work now. Imagine telling that to Members of Parliament. They have already gone. Members of Parliament and Ministers will finish next Wednesday or Thursday for another fortnight. They have met for about seven months in the past year, yet they are telling miners that under the contract they will have to work the equivalent of 51.5 weeks underground. What a scandal.

Frankly, a lot of the things in this order want chucking out. We all know that a sum of money has to be paid to miners through various schemes and pensions and we know that that is necessary, otherwise we would vote against the order because of the parts about British Coal Enterprise, the contract and the £6,000.

Another thing that is not included, but ought to have been because we said it long and often enough during the Report stage of the Coal Industry Bill, and doubtless in the Standing Committee as well, is the Coal Industry Social Welfare Organisation—CISWO. Instead of giving the money to British Coal Enterprise, why was CISWO not given a sum equivalent to the amount that it fell short of when earlier measures were introduced?

For all those reasons we are faced with a list of measures that none of us can stomach, yet the order also provides for the sum of money to fund pensions and other necessary entitlements. Just before the privatisation of the coal industry we are engaged in a mopping up operation that will make the lives of people in pit communities even worse than they were before.

The real problem that the Government will have to face —a Labour Government—is how we can best get people back to work in those communities. The order will not provide that work.

6.5 pm

Mr. Eggar: We have had a good and useful debate and I am sure that Opposition Members will not blame me for saying that at least some of the themes were familiar—some of the speeches were quite familiar too.

Mr. Skinner: The hon Gentleman's is familiar—he is always kicking people in the teeth.

Mr. Eggar: I am listening with my normal courtesy to the hon. Gentleman's sedentary contribution—if that is what it is. I much admire the anticipatory nature of his interventions.

The hon. Member for Clackmannan (Mr. O'Neill) was kind enough to draw our attention to the very satisfactory conclusion that has been reached with regard to the agreement with trustees on the pensions issue. I appreciated the constructive way in which hon. Members on both sides of the House handled the issue. Perhaps all of us could learn a lesson from the way in which the House can assist a genuine discussion and negotiation, rather than hinder it, and the debate is a good example.

Some hon. Members referred to the transfer package. As I made clear at the beginning of the debate, the order does not relate directly to the package because it and the lump sum—£6,000 was mentioned—are a matter for British Coal, subject to the overall authorisation of its external financing requirements.

British Coal's offer is generous and amounts to a cost of £100 million for the lump sum payments. I must inform the hon. Member for Sherwood (Mr. Tipping) that 10,000 times 25,000 is not 25 million, but 250 million. I understand that he enjoys the freedom of the Back Benches, but an error amounting to a multiple of 10 seems

slightly cavalier, even from an Opposition Back-Bencher. I am delighted to see a glint in the eye of the hon. Member for Bolsover (Mr. Skinner), but I shall resist the temptation to retaliate in kind.

I listened with care to the points made by the right hon. Member for Berwick-upon-Tweed (Mr. Beith), who is enjoying his conversation with the hon. Member for Bolsover. It is a matter for British Coal, but I shall make sure that the *Hansard* extract of his speech is brought to the attention of the chairman of British Coal because I am sure that the chairman would not want there to be any misunderstanding and will doubtless want to consider carefully what the right hon. Gentleman said.

Mr. O'Neill: The Minister spoke about the generosity of the package. Is it really as generous as he claims? It is £6,000, less tax which takes it down to a maximum of about £4,000. It involves two years without any pay rises and changes in working hours which will result in a reduction in the amount of money available from working overtime. Over four years the miners will be getting about £1,000 a year. Even making a generous estimate, £4,000 over two years is £48 a week. That is very little for changing their working hours, giving up the prospect of pay rises and losing overtime. It is not a generous offer by any stretch of the imagination.

Mr. Eggar: I assume that the hon. Member for Clackmannan has checked out his remarks with the hon. Member for Dunfermline, East (Mr. Brown), who presumably will agree that £100 million of additional public expenditure is not adequate, thereby committing the Labour party in opposition to going way beyond that.

It is easy for Opposition Members to spend money like confetti and to make all kinds of commitments, but it is highly irresponsible. I am sure that the hon. Gentleman would not make those observations if he were sitting on this side of the House.

Mr. Skinner: The Minister ought to understand that my hon. Friend is not asking for any more money. He is trying to tell the Minister that under a Labour Government there would not be such a package. We would not call upon miners to be blackmailed to the tune of less than £6,000 less tax and the rest of it in return for having to work longer hours and getting killed in the process. My hon. Friend the Member for Clackmannan (Mr. O'Neill) would say to my hon. Friend the Member for Dunfermline, East (Mr. Brown), "I have just taken part in a debate in which I have saved you £100 million.". We would use the money to build some council houses or to provide work in another fashion. That is what he is saying.

Mr. Eggar: I am sure that the hon. Member for Clackmannan is as grateful as the rest of the House for that contribution from the hon. Member for Bolsover. I always enjoy his efforts at riding to the rescue of Opposition Front-Bench spokesmen, but that one does not wash.

At the end of the day, what would those men be doing? They would be producing coal which would be stockpiled because there is no market for it. What would the hon. Gentleman do with the stockpiles? How would he finance them?

Mr. Skinner: Stop imports.

Mr. Eggar: The hon. Gentleman really is tempting me to go way beyond the terms of the order, but he has not done his research. He should know perfectly well that steam coal imports that are suitable for electric generation have fallen by 25 per cent. this year on last year and that the bulk of imports into Britain comprise coking coal and other specialist coals, the bulk of which are not and, sadly, cannot be produced in this country.

The hon. Gentleman should also know that one of the major aims of the private sector mining companies is to increase as far as possible anthracite production and other specialist coal production for niche markets. Sadly, he has not welcomed that, but he should do so.

The hon. Member for Barnsley, West and Penistone (Mr. Clapham) caused me a certain amount of consternation. Normally, such matters are dealt with by the hon. Member for Sunderland, North (Mr. Etherington), but the hon. Gentleman seems to have taken over that mantle. He did some analysis of the order and compared paragraph 5(2)(b) with paragraph 6. The order is drafted in that way because if BCE were to make redundancies among its own employees, unless that drafting were followed it could benefit from the grant twice over, once under head 1 and once under head 6.

The hon. Gentleman also referred to the funding for BCE. With the possible exception of the hon. Member for Bolsover, there is a general welcome for the work that BCE has done. The Government greatly value that work. We shall need to consider its longer-term future in the light of the overall employment position in the coalfields, and in the meantime the order would enable the funding of BCE to continue for a further year. In fact, we have received some suggestions from British Coal as to the future structure of BCE, which we are considering.

Mr. Clapham: I raised the possibility of chronic bronchitis and emphysema being included in the pneumoconiosis compensation scheme. The Minister will be aware that chronic bronchitis and emphysema is now prescribed and clearly accepted to be dust-related. There is, therefore, no difference in the risk of pneumoconiosis and chronic bronchitis and emphysema and it is only right and proper that it should be included in the scheme so that a man suffering from the disease can be compensated. Is there provision under the grant to include chronic bronchitis and emphysema sufferers within the scheme?

Mr. Eggar: There is no such provision. I congratulate the hon. Gentleman on his determination to raise the issue on every possible occasion, as he is fully entitled to do, but we cannot cover that particular area, which is why I did not pick up the points made by the hon. Member for Bolsover.

Mr. Hardy: It is a simple but serious question. The Minister appeared to be suggesting before he gave way to my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) that there was a reasonable amount of time and that the measure took us into 1995 —the next financial year. There are only 10 months of this year left and the wheels of Government sometimes grind extremely slowly. There is currently a lot of anxiety about BCE. Without wishing to twist his arm excessively, will he consider that that anxiety deserves to be recognised and if he can reach a conclusion before March 1995, he should do so? The House would be grateful for an early decision on the matter, which is of considerable significance to many people in the coalfield.

Mr. Skinner: Snap his arm off.

Mr. Eggar: I am grateful to the hon. Member for his intervention and the way that he put it. He did not hear the sedentary intervention from the hon. Member for Bolsover suggesting that the hon. Gentleman should have snapped my arm off. Sometimes gentle persuasion is more effective. I listened carefully to what he said.

I understand both the valuable work that BCE does and the inevitable uncertainty that exists at the moment and I shall certainly be considering the advice that we have received from British Coal as soon as I reasonably can, but I would not want to be constrained to any timetable.

Question put and agreed to.

Resolved,

That the draft Coal Industry (Restructuring Grants) Order 1994, which was laid before this House on 21st April, be approved.

Value Added Tax (Education)

6.19 pm

The Paymaster General (Sir John Cope): I beg to move,

That the Value Added Tax (Education) Order 1994 (S.I., 1994, No. 1188), a copy of which was laid before this House on 28th April, be approved.

The order will replace the existing VAT exemption for supplies of education, training and research. It will leave existing VAT liabilities largely unchanged but I hope that, in line with the Government's commitment to deregulation, it will greatly improve the clarity and consistency of VAT treatment in that sector.

The key change is that profitability and the subject matter of individual courses will no longer be factors in determining eligibility to VAT exemption in most cases. Applying such criteria has been at the root of many of the disputes and inconsistencies in that area in cases that have gone before VAT tribunals.

The proposal is that exemptions will depend predominantly on the type of provider. If the supplier is an eligible body as defined in the order, its educational and training courses will be exempt from VAT. Schools, universities and further education colleges will continue to enjoy VAT exemption but the exemption has been extended in some respects.

First, sporting and recreational courses are no longer excluded. There was a contentious area of overlap between taxable recreational courses and exempt vocational training. One man or woman's recreational course is another's vocational course. A favourite example was that of flower arranging, which could be learnt for recreational purposes but also to become a florist.

Secondly, a specific VAT exemption has been introduced for examinations, assessments and similar activities. The new exemption covers a broad range of suppliers of such services and should facilitate the developing of national vocational qualifications.

Mr. Andrew Smith (Oxford, East): I welcome what the Paymaster General says about the exemption of courses that fell on the borderline between education and recreation, such as Women's Institute courses. But exactly where does the order make it clear that courses of that nature will be exempt from liability to VAT?

Sir John Cope: The whole order makes that clear. The new group 6 category says that the provision by an eligible body of education or vocational training will be brought into the exemption. It goes on to define "eligible body", and I assure the hon. Gentleman that the education branch of the Women's Institute to which he refers—he has written to me about that—is such an eligible body and therefore falls within the terms of the exemption provided in the order.

Thirdly, the exemption for private tuition has been broadened and will ensure that very few private tutors will be caught in the VAT net. It was previously limited to one-to-one tuition. I doubt whether many individuals will be affected because there is a £45,000 turnover limit to VAT, which excluded most such people from the VAT net and will continue to do so. Lastly, local authority adult education classes that are currently taxable will be brought within the exemption.

Although the order is technical in nature, it is the result of a considerable consultation process. The House will know that the issues were discussed last year, with private notice questions in the House and correspondence, in the course of an internal review by Customs and Excise. That resulted in a consultation document being published last December, with press releases and so on. Although the issue was not front page material, its existence appeared in public print. In all, some 500 copies of the document were sent out, some to people whom we knew were interested and others to people who had seen the press release and were concerned about its ramifications, so had requested copies. Comments were invited by 28 February and those were carefully considered, as can be seen by the changes to the order between the December draft and the order before the House today.

When the order was tabled, it received a certain amount of support from those who had made representations during the consultation period. However, in the past week there has been a flurry of representations from people who teach English as a foreign language and had not seen the order before. Some of them are concerned about the proposals because the order extends exemption to organisations that are accredited under the British Council recognition scheme for English language schools. But that does not cover everybody who teaches English as a second language in a commercial environment. Those who are not covered by the British Council scheme will, under the order, continue to pay VAT and they have complained that it discriminates against them by exempting some of those whom they regard as competitors.

I have given no undertaking in response to those recent representations but have said that we shall consider them carefully and decide whether we should modify the arrangements in the order. It concerns a small part of the scheme of the order and I did not think that it would be right to hold up the whole order for that reason. It would, however, be right to give those who missed the earlier consultation process an opportunity to make proper representations. We may be able to achieve equitable operation leaving the order as it stands, with co-operation between the British Council and other representative organisations. The British Council has assured me that it will consider that. Alternatively, a brief amending order might be required. I am willing to consider representations from Members of the House in the course of this debate, which is part of the consultation process, and from others.

I believe that we should be justifiably proud of the English language. It is no longer ours alone but has become a world language, which is a great advantage to this nation and our daughter nations that also have English as their first language. I admit that I am not particularly good at foreign languages and take the view that, if foreigners could agree among themselves on one language, I would be prepared to make a greater effort to learn it. I have observed that when many foreigners from different countries wish to communicate with one another, they often use English. That is a great advantage to this country as well as to others who speak English as their first language. In those circumstances, I shall look favourably on the teaching of English as a foreign language. I am glad to be able to propose that favourable treatment be given to it in the order and will consider the further representations that may be made. At the same time, I recognise that, wherever we fix the boundaries, difficulties will arise.

The order makes the application of VAT much clearer in the whole field of education and training, and I am happy to commend it to the House.

6.28 pm

Mr. Andrew Smith: As the Paymaster General says, the order seeks to resolve the long-standing confusion, ambiguity and contradiction that have bedevilled the operation of the imposition of VAT on the education-recreation divide, which had become increasingly difficult to police.

The Labour party has campaigned long and hard for that to be sorted out. I welcome the fact that consultation took place. I shall point out later in my remarks where I feel that consultation was not wide enough. I also welcome the fact that the Government now appear to accept our argument that the benefits in terms of education and personal development, for example, of evening classes as a bridge to further education and training opportunities, are such that VAT should not be imposed on those courses. As the Paymaster General said, the progress of the campaign—with many millions of people throughout the country affected, directly or indirectly, and many making representations—has resulted in the welcome fact that VAT will not now be imposed. The National Institute of Adult Continuing Education has praised the campaign in that regard.

Lest the Paymaster General be tempted to relax under the weight of plaudits, I have some questions to ask and some important reservations to express. First, I should like the right hon. Gentleman to confirm once again that the order does what we think it does. He referred to flower arranging. Other courses that often come up are those in cake decoration that do not lead to a qualification, as well as those in assertiveness, self-defence and other areas of adult education previously categorised as recreational. I should like the right hon. Gentleman to confirm that these will not be liable to VAT.

Secondly, I want to press the Paymaster General on whether the Government are convinced that it is consistent with good taxation principles to mix—as the order does—liability to tax, as defined by the nature of the supplying institution, with the nature of the supply. Is it not more generally the case that, with the exception of public bodies, the nature of the supply defines liability for VAT, for reasons of consistency but also in the interests of fair competition? As the Paymaster General has explained, the problem arises most acutely, in relation to the order, in the case of schools teaching English as a foreign language. In choosing to extend exemption to British Council-recognised schools, to which the right hon. Gentleman has referred, the Government are making provision for 250 accredited institutions. But these are a minority of the estimated 1,200 schools—a fact that understandably gives rise to enormous concern among those to whom the exemption is not extended.

It seems to me that there is something of an inconsistency between the Government's treatment of language schools for taxation purposes and their categorisation of those schools for educational purposes. Liability to VAT is being tied to a particular voluntary accreditation scheme in a sector where the Government have refused to acknowledge, for educational purposes, the need for any official distinction, in a regulatory framework, between schools. I have advocated a common registration

[Mr. Andrew Smith]

system. The British Council system, good though it is—as many in the industry will have pointed out to the Paymaster General—does not provide such comprehensive oversight of the industry.

I should like to know what the Government say to the Association of British Language Schools when it points out that the order confronts its members with unfair discrimination. The discrimination is referred to in the association's briefing:

"We are the only accrediting body for all types of EFL service, whereas the British Council is more restrictive in the types of school or college it will inspect. Our inspections are yearly, not three yearly, employ a highly qualified inspectorate, and are part of a Trade Association which is rapidly gaining respect for realism as well as reasonable costs. British Council charges are far beyond the means of many schools. . . .

If the order does go through as it is, the legislation will be seen as flawed from the outset and will have a divisive and distorting effect upon the market."

As I have said, there is a good argument for regulation. It can be argued that the contents of the order provide a form of regulation, the need for which many non-British Council schools acknowledge. But this is regulation on the hoof. It is discriminatory and has been brought in without adequate consultation with those whom it affects.

I understand that the English language division of the British Council did not know anything about the order until April, when the customs authorities asked it about the finer points of drafting. The Oxford Language Forum was not consulted, nor was the Cambridge Language Forum, the Association of British Language Schools or the language schools information service. The Paymaster General says that he is willing to listen to further representations and, if necessary, produce an amending order. Fairness and natural justice demand that this process be taken very seriously in the interests of providers.

The order will raise serious issues for the British Council itself. The council has said that it supports the principle and will try to help in its implementation—for example, by accommodating providers of distance learning and of one-to-one home tuition who are not currently eligible for accreditation. However, this will cost money and will take time, yet the order is due to come into effect within a couple of months.

I understand that the British Council currently inspects about one in four centres run by an organisation. That is the sample that it believes is necessary for the assessment of quality. Clearly, this will present problems in the case of distance learning or lots of individual tutors, where there will have to be individual rather than sample inspections. Thus, there will be resource implications for the British Council if the order is to be workable.

At the moment the financial year accreditation fees are £620 for members of the Association of Recognised English Language Services and £704 for non-ARELS schools. Reinspection costs another £800 to £900 every three years. These fees are supposed to cover the costs of assessment, monitoring and inspection, but in the past the British Council has ended up subsidising the process. It has been trying to phase out the subsidy, and future schemes will be expected to pay for themselves. This may well have implications for membership and accreditation fees. In the light of the extra responsibility being imposed by the Government, the British Council will have to review its own operations, and this will possibly have resource implications. Clearly, it is very important that accreditation criteria be made as objective and defensible as possible. Bearing in mind the significant amounts of business that are at stake and the substantial sums of money that are involved, it is not fanciful to imagine that litigation will arise if a school which believes that it is entitled to accreditation and, therefore, to exemption from VAT is not accredited and has to damage its prospects by passing on the cost of the taxation.

In a number of respects the order indicates insufficient understanding and insufficient consultation with the industry. Currently, a school that operates throughout the year must have been established for two years before it can apply for British Council accreditation, and a seasonal school must have been established for three years. Am I right in thinking that, by implication, a newly established school will have to operate for two or three years, charging VAT, before receiving the accreditation that is the passport to exemption? That is an extraordinary proposal, given that it would hit new schools at precisely the time when they are trying to build up their custom. Surely it ought to be regarded as a massive and unfair barrier to entry to this sector of education services.

What is more, the differential liability to VAT may well be very damaging to many reputable schools, which will suddenly find themselves having to explain why they have to levy VAT when their competitors do not. We can all imagine the problems that will arise.

As I said earlier, I think that the timing of the order's implementation also betrays some ignorance of the education sector involved. I understand that the Customs explanatory leaflet is due to go out in June, and that the order is due to take effect in August—bang in the middle of the peak EFL season. Could not a more satisfactory arrangement be considered even at this late stage?

I think it likely that the cost to the Exchequer will exceed the Customs estimate of £10 million. Obviously that will become clear in due course, but we should take into account the hundreds, sometimes thousands, of pounds that are charged in fees for many courses.

The differing treatment of different sorts of institution that are similar in other respects gives rise to issues of hybridity in the order. It is an affirmative instrument; if it went to the House of Lords, whether it was in fact hybrid would have to be considered. If it were found to be so, it would be subject to the petitioning procedure. I mention that in the light of a Customs and Excise news release issued on 28 April, which stated in its notes to editors:

"The Treasury Order is subject to the Affirmative Resolution procedure and will be debated in both Houses of Parliament."

I understand that the Government now say that that was a mistake. I should be grateful if the Paymaster General would explain the position: if it was a mistake, how did that mistake come about?

I have a further question to ask in connection with language schools. It relates to the position of universities. The exemption that Customs intends to extend to EFL seems—certainly in the case of universities—to be dictated by the need to realign United Kingdom interpretations of VAT law with the European Commission's interpretation of the sixth directive, which exempts education provided by a body governed by public law.

The Customs consultation paper to which the Paymaster General referred concedes as much in paragraph 3.2, which states:

"However, if EFL is accepted as 'education' (and the European Commission has argued strongly that it is), then it *must* be exempt when provided by bodies entitled to mandatory relief under Article 13 A 1 (i), eg we should not exclude EFL from the exemption when provided by a UK university."

That raises the question of the previous supply of EFL tuition by universities. If such courses should not have been taxed and, in effect, were taxed incorrectly, are universities now entitled to ask for a refund of the VAT that was levied on them?

At the bottom of the first page, the brief on the order states:

"There will be some changes at the margins from exemption to taxation and vice versa. Whether or not these changes are welcome will depend on the trading circumstances of individual providers."

Can the Paymaster General clarify the reference to "some changes at the margins"?

How many providers does he expect to be caught in that way, and what kind of providers will they be?

My next question bears some relation to that last point. It relates to the word "any" in note (1)(f)(ii) of the order, which provides that a body that does not fall within the other categories for exemption—as the Paymaster General said, schools, colleges and universities fall into those categories—will be exempt if it is non-profit-making and "applies any profits made from the supplies of a description within this Group to the continuance or improvement of such supplies."

Where that provision applies, does "any" mean any part of the profit, or all of it?

Let me give an example. What will be the position of a charity that sells some expertise—perhaps a course in public speaking—to the business sector, and then ploughs the profits back into a different area of its charitable work? Will all that supply still be exempt? Many charities will consider the question important.

I can give a converse example. What will be the position of a management college that provides tuition for corporate clients who can simply recover any VAT that they pay? Such a college might well prefer to charge VAT on its supply to reclaim the VAT on the input costs of such courses. Could it opt to do so under the order?

We welcome the clarification of the position of evening classes, adult education and so forth, because we campaigned hard for their exemption from VAT. Nevertheless—as I hope I have made clear—I think that the operation of the order will pose serious problems, especially in relation to English language schools. We all want the position of adult education classes to be sorted out as a matter of urgency, and there is no reason why that cannot be done on the basis of the order, which in that respect has our full support; but would it not have been better for the Paymaster General to withdraw the order this evening, and return it later minus the reference to EFL? He could have consulted before bringing back a revised order that reflected proper consultation and thorough consideration—which clearly has not gone into the part of the policy that we are now discussing.

We do not oppose the motion, but we shall pay close attention to the consultation with EFL providers and the conclusions—and, I hope, amendments—to which it gives rise.

6.46 pm

Mr. Harry Greenway (Ealing, North): I am pleased to be able to speak in what I consider a very important debate.

I hope that the hon. Member for Oxford, East (Mr. Smith) will not think me churlish when I say that many people feel that their campaigning was what led to the remission of VAT on adult education. Admittedly, the hon. Gentleman did not say that the campaigning of the Labour party alone had produced that result. The all-party Committee dealing with adult education, which I chair, has campaigned hard and I also pay tribute to the good work of the National Institute of Adult Continuing Education, its director Alan Tucket and others associated with it.

Mr. Andrew Smith: I did praise the campaign mounted by people up and down the country. I meant that to include the all-party group, whose contribution I acknowledge; I also mentioned NIACE.

Mr. Greenway: In that case, there is no difference between us. I am grateful to the hon. Gentleman.

Although I taught in schools for 23 years, for 12 of those years I also lectured in adult education, in which I have a great interest. I believe that I am almost the longest-serving member of the council of the Open university; I constantly examine distance learning on a university basis, and that includes adult education. The organisation is very interested in this important order and we are glad that it is to be introduced as early as 1 August.

The hon. Member for Oxford, East concentrated on the teaching of English as a foreign language, which is indeed an important subject. Every night, 1 billion people throughout the world sit down and study English as a foreign language. If there were more resources, that figure could rise to 5 billion. The demand is almost insatiable. Arising from that demand and flowing from that work is the enormous flow to this country of people who wish to learn English. They come to language schools, as the hon. Gentleman mentioned, and that brings money into the country. It brings employment. It is most valuable.

There is no doubt in my mind, however, that some of those institutions are an unashamed and disgraceful rip off to those who come to this country honestly and pay their money for a course in English language and English literature and do not get a fair deal. I feel sure that the exemption in the order will—perhaps fortuitously, but it will—lead to regulation of that situation, which is greatly needed.

There is no reason why language schools should not pay for the accreditation and inspections which have been referred to and which are urgently required. Some, of course, are quite marvellous, but some do not do an honourable and honest job.

There needs to be a thorough inspection system across the country. I have no doubt that it could be self financing; language schools charge enough in their fees. The hon. Gentleman might well agree, because he said that they might well have to resort to law if they thought that they were not getting a fair deal. If they thought about doing that, and some of them certainly would, it would not be just a few hundred pounds; legal action might mean hundreds of thousands of pounds. Some would be prepared to contemplate that, because their interest in holding their position is so strong. I ask my right hon. Friend to address himself to that important point.

[Mr. Greenway]

I hope that we shall hear from my right hon. Friend tonight, or in the near future, that there will be a system to ensure that the schools that teach English as a foreign language do an honourable and thorough job, in which the progress of those who come to learn English as a foreign language can be properly measured, as all learning and teaching can and must be. That is what testing is for. Part of the national debate on education at present is about just that. If that means that, to measure progress, those schools have to make some initial assessment of those who come into them—I am not saying that they might refuse people on substandard qualifications—so be it. At least they would be seen to be doing an honest job.

Young people and people of mature age come here and are keen and set to learn English as a foreign language, and our culture. They do not get a fair deal, and go back to their country feeling that they have been ripped off. That area of our public and academic life discredits our country more than it should. It is shameful and must cease. That can be achieved through the order, and I hope and believe that it will be.

Vocational courses in adult education to enhance careers were mentioned by my right hon. Friend. He spoke of non-vocational qualifications. I warmly welcome the emphasis on the vocational and adult education that we currently have, but do not want to see adult education revert exclusively to the vocational. It is because it has had such high value over many years in non-vocational terms that we must encourage it. I believe that the relaxation of VAT will help that.

My right hon. Friend spoke of the value of flower arranging and pointed out that such courses can lead to people becoming florists, or working in that area. And so it can, and does. But many people want to learn to arrange flowers nicely for its own sake and for the sheer beauty of seeing beautifully arranged flowers. That is so valid.

Not so many years ago, in an educational establishment with which I was associated, a Lord Chief Justice of this land was following a course in basket making. He was never absent or late. I presume that he rushed from his court to be there. He loved it and needed it. A man or woman with a highly concentrated job gets so much out of such non-vocational courses, which are highly creative and highly valuable. If anything, there is a slight slippage in that area at present with all the pressure for vocational adult education.

I see that my hon. Friend the Under-Secretary of State for Further and Higher Education, who is doing such an excellent job, is here. He addressed the launch of the adult learners' week a few days ago, with great aplomb and to the thrill of all present, with his interest and knowledge of the area. I want to encourage him and pay tribute to him for what he is doing.

Similarly, physical education, including dance, is valuable to all. Is it covered by the measure? Let us be sure. Swimming is valuable to people of all ages. Perhaps they are people who just qualify in terms of age for adult education. Perhaps they are people of 90 who are going off to learn to swim. That is happening, as it should and must. Are they covered by the order? Does my right hon. Friend accept the enormous value in such courses being covered?

I speak for all those involved in adult education. I do not like to lose the term "night school", which is part of it. People continue to talk of night school. Let us import that into the term "adult education". All those people will welcome the Government's proposals to clarify exemption from VAT on adult education, including voluntary bodies such as the Women's Institute, and the simplification of the situation in local education authorities where, as we have heard, the Treasury is said to be forgoing £10 million in revenue. It is money well spent. It will all come back, as I will show. It is particularly welcome at a time when many local authority adult services are under financial pressure.

There are strong feelings that the imposition of VAT would represent a tax on learning. It is especially welcome that the Government propose not only to restate the principle that where LEAs subsidise courses they are non-business activities and, therefore, outside the scope of VAT, but to extend the exemption to LEA classes that do not attract subsidy. It is important that this be said. It will be particularly helpful for LEA adult services contracting with the Further Education Funding Council to provide schedule 2 courses—this might be part of the answer to the hon. Gentleman—which lead to qualifications and contribute to the national targets.

It is important to note the value of all forms of adult education. There is widespread agreement that adults as well as young people need to be encouraged to gain skills and qualifications. The lifetime learning targets are recognised to be necessary for our economic well-being, though they do not look like being achieved unless they receive added impetus in some areas.

However, many adults use adult education for a variety of purposes. For example, they may wish to pursue an interest or to re-establish contact with the outside world after an illness or a bereavement. In such cases, adult education is important and precious. They may wish to keep up with a child's enthusiasm or to keep fit in retirement. If these inexpensive services are cut, there is a danger that additional costs may fall on doctors' surgeries —I say that advisedly—or on local social services. Such cuts could also lead to the loss of the crucial sense of dignity without which people cannot live happy and integrated lives.

The Government recognised all these factors when they preserved the local education authorities' duty to secure the adequate provision of general adult education under the Education (Schools) Act 1992. That was very welcome, but there is no doubt that a number of authorities, in London and elsewhere, have been struggling to maintain their budgets. It is not easy for them—we all know that.

The National Institute for Adult and Continuing Education believes that there is a need for "adequacy" to be defined to make clear LEAs' statutory duties. In that context, the first Government consultative paper on VAT and adult education, which omitted any mention of LEAs, aroused anxiety among professionals and students. A number of members of the all-party parliamentary group on adult education wrote to my right hon. Friend the Paymaster General to express their concern. They did not want the Government to be seen to be taxing learning when we are all trying to stimulate learning among adults. In my role as chairman of that all-party parliamentary group, I especially welcome the proposed measure and congratulate the Government on it.

7.1 pm

Mr. David Jamieson (Plymouth, Devonport): I, too, welcome the measures that we are discussing. I shall not detain the House by rehearsing the arguments again, because they have been excellently dealt with by my hon. Friend the Member for Oxford, East (Mr. Smith). I certainly could not speak with the eloquence of the hon. Member for Ealing, North (Mr. Greenway) about basket making and flower arranging, my knowledge of which could not possibly compete with his.

I wish to draw the Paymaster General's attention to another way in which value added tax is being paid out of the education budget. The relevant proposal does not go far enough. Had the Paymaster General considered it more fully, he would have realised that he should have brought other matters before the House tonight. I want him to share with us his thoughts on some of the issues to which I refer briefly.

The Paymaster General will be aware of the fact that, despite the proposals, grant-maintained schools are still liable for VAT on the services that they buy in, unlike local education authority schools, which are exempt and can claim back the VAT that they may be charged. Grant-maintained schools have to pay VAT on building and maintenance, perhaps on computers and even on legal services. The Department for Education recognises that there is an additional burden on grant-maintained schools. It does so through the special purposes grant VAT which is set at 2.5 per cent. of the annual maintenance grant that is paid to those schools. It is a considerable sum.

On 29 October last year, a reply to my written question revealed that the grant-maintained school in my constituency—one of the very few in the south-west—received £40,700 in 1993-94 towards its liability for VAT. At the moment, there are about 960 grant-maintained schools. Let us do some simple arithmetic. If there were 1,000 grant-maintained schools each receiving £1 million in grant—that is a low figure because most secondary schools receive considerably more than that but let us take it as a notional sum—it would cost £1,000 million, so the special purposes grant for VAT would be in the region of £25 million. Of course, that figure does not include their liability for VAT on fuel which, I estimate, comes to at least another £7 million a year at the rate of 8 per cent. and would be about £15 million to £16 million a year when the rate increased to 17.5 per cent.

The Paymaster General might be interested to know that I have worked out a little prognosis for him of what is perhaps an unlikely scenario, but it is one that has been wished on us by the team at the Department for Education. In that scenario, more and more schools opt for grant-maintained status instead of being run by local education authorities. If all 24,000 schools across the country became grant maintained—I recall Conservative Members saying that that was their ultimate desire—the total VAT bill, for all services, including VAT on fuel at the higher rate, would be in the region of £585 million a year. Where is that money going to come from?

It is disturbing that there is no accurate information available. Also in October last year, I asked how much fuel grant-maintained schools were using, so that I could calculate how much VAT they were paying. I was told:

"This information is available only at disproportionate cost."

More learned heads tell me that that is a polite way of saying that the Department does not know. I also asked about the total VAT bill paid by grant-maintained schools. I wonder whether that information is held by the Treasury. However, I asked the Department for Education and was told:

"This information is not collected centrally."—[*Official Report*, 25 October 1993; Vol. 230, c.*448*.]

That is another way of saying that the Department does not know. If we do not know how much fuel grant-maintained schools are using, and therefore how much VAT they are liable to pay, how can we accurately assess how much grant will be required in future? Is an open cheque to be made available to those schools?

My chief concern is that the imposition of VAT on grant-maintained schools must be a considerable burden on the education budget. I should like the Paymaster General to tell us whether the Government are giving the Department for Education sufficient funds to pass on directly to grant-maintained schools. I have scrutinised the budgets carefully and I have asked questions, but I cannot get an answer. If we are ultimately expecting all £585 million to be spent on VAT, the Paymaster General should provide an answer. The £25 million which is being spent at the moment would buy an enormous number of books. It would buy more than 2 million books at £10 each, and £585 million would buy nearly 58 million books at £10 each. I suggest that he consider that proposition for a moment.

Other budgets are having to take account of VAT on educational services. The Department for Education is spending in the region of £93 million a year on the assisted places scheme. In other words, it is buying in education at private and independent schools on behalf of the taxpayer. I will not exercise the arguments for and against that practice because it is inappropriate to do so in this debate. But I point out to the Paymaster General that, in most cases, private and independent schools will be liable to pay value added tax on many of their services.

If we work on the notional 2.5 per cent. figure that the Department for Education has come up with for grant-maintained schools, we must assume that 2.5 per cent. of the £93 million is being used to pay VAT. Can we, therefore, assume that, in this case, more than £2 million from the budget for the assisted places scheme is being ploughed back directly into the Treasury and is not buying any extra education, not helping a single child, buying a single book or adding to children's knowledge in any way?

I also direct the Paymaster General's attention to the Ministry of Defence. In the last financial year, it paid out more than £130 million through the services boarding scheme. That involved buying education from private independent schools, most of whom are liable to pay VAT. Therefore, we assume that about £3 million to £4 million is being spent from the Ministry of Defence budget which goes through the education system and back to the Treasury as VAT. That is not an inconsiderable sum.

I ask the Paymaster General to address the other side of the equation. We have heard tonight about the very sensible measures to exempt from VAT those services sold by educational establishments. But what will the Paymaster General do about the VAT that education establishments are having to pay from their finite budgets? If he does not give us a satisfactory answer tonight, we can only assume that the Government have found a very clever way of cutting the defence or education budgets by charging VAT, in a circular route, on the education services that the departments buy.

7.11 pm

Mrs. Jacqui Lait (Hastings and Rye): I am interested to follow the hon. Member for Plymouth, Devonport (Mr. Jamieson) in the debate. Last year, when I served with him on the Standing Committee considering the education legislation, his concern for grant-maintained schools was not precisely the one he expressed tonight.

I want to return to the terms of the order and, particularly, to welcome the exemption that has been extended to English language schools. I do so for two reasons. First, I have a constituency interest. Like many south coast towns, Hastings has a very large English as a foreign language schools sector. In fact, many people maintain that if it were not for these schools, our economy would be in an even worse state than it is at the moment. My second, broader reason is a concern about high standards in that sector.

English as a foreign language was originally a great British idea. It has since been exported throughout the world and now every country whose people speak English in one form or another—we have to recognise the barrier of the common language—is competing very hard in the marketplace. We need to ensure that, as far as possible, British schools remain competitive with others throughout the world. That means that they must be able to offer rates that are competitive with schools in Australia, New Zealand, Canada, America and, probably very soon, South Africa.

Therefore, we gratefully recognise that we are not disadvantaging the private sector in competition with colleges and charities in allowing recognised schools exemption from value added tax. I feel a certain disquiet about the impact of the order because, in essence, it uses the taxation system to improve standards. There are perhaps better ways of achieving that than using the taxation system.

However, I agree with my hon. Friend the Member for Ealing, North (Mr. Greenway) that there is a need to ensure that in this competitive world we offer only the highest possible standards of teaching and pastoral care. In the past, schools have been used as visa factories. There is the well-known example, which has gone into mythology, of the school in London which had 5,000 names on its books but only one classroom.

The Oxford Language Forum recently discovered students living five to a room. As I travel through my constituency and to towns along the south coast, my constituents and other members of the public draw to my attention the abuses perpetrated by such schools over the years. They must be rooted out. We have to ensure that we offer high standards to students who come to study in this country.

The accusation is often made that British Council recognition is just for posh, expensive schools. Those who are involved in the sector and have British Council recognition will confirm that some schools that are members of the Association of Recognised English Language Schools charge students £50 per week for 15 hours tuition in large classes. Those schools can also charge up to £1,000 per week for a one-to-one, total immersion course designed more for business men and those who need to learn the English language very quickly. This shows the range of courses offered by the recognised schools and colleges with ARELS membership.

In my constituency, a typical school charges £171.63 for 15 hours instruction per week, including accommodation. It charges £945 per month for full-time tuition—25 hours a week—including accommodation. That gives us some idea of the range of fees charged by schools which are already recognised by the British Council. It is not an exclusive regime. If schools wish to compete internationally and know that they have high educational standards, recognition by the British Council is probably the best way to go. That is one of the reasons why the taxation system will improve standards and, I hope, root out some of the schools with poor standards that are a disgrace to the industry.

I am grateful that the order will reassure not only constituents who have expressed concerns to me about the non-recognised sector, but people from other countries who wish to study here or to send their children to this country to receive English language tuition of a high standard. The English language is our major export and we must ensure that it is taught to the best possible standard. I have great pleasure in supporting the order.

7.17 pm

Sir John Cope: I am grateful for the welcome that all hon. Members who have spoken in the debate have given to the main part of the order—although obviously they raised individual points. The hon. Member for Oxford, East (Mr. Smith) and my hon. Friend the Member for Ealing, North (Mr. Greenway) asked about the coverage of non-vocational courses. The hon. Member for Oxford, East talked about cake decorating and other such courses. Those courses will be exempt from value added tax so long as they are provided by an eligible body. I believe that the courses that he had in mind are provided by such bodies.

The hon. Gentleman also criticised the order for dealing with both the nature of the institution and the nature of the supply. He is quite right: usually VAT depends on the nature of the supply. But sometimes it depends on the type of institution—or, for that matter, the type of goods—involved in the transaction. There are all sorts of special arrangements in the calculation of VAT. I have only to mention cars, for example, and the hon. Gentleman—who knows a good deal about the subject—will know what I mean. VAT takes into account the type of supply as well as the type of body providing a service or buying and selling goods.

In defence of the order, I must say that we are sorting out to a considerable extent the mixture between the nature of the institution and the nature of the supply being made. It was all much more mixed up before, under the old order; clarifying it is a large part of what we have done in the new order.

The hon. Member for Oxford, East asked about the timing of the order. As the House knows, it does not apply solely to institutions teaching English as a foreign language, but I realise that for some of those, the date of 1 August may be considered inappropriate, although it has been welcomed by others. However, the beginning of the academic year, to which the vast bulk of the order applies —or even before the beginning of it—is an appropriate time for its provisions to take effect.

The hon. Gentleman also spoke about the relationship between the order—and its predecessor—and the European Community agreements that govern some of our activities in connection with VAT. He asked whether

universities might be able to recover some of the VAT that they had paid in the past. Although the hon. Gentleman represents such a distinguished university city, I have to disappoint him. Apart from anything else, the apparent contradiction concerning the EC agreements has not been firmly established. In any case, if any refund were due, the university would not benefit. It would have to be refunded under the unjust enrichment rules, and would go to the students who had paid it. Such retrospection would be extremely difficult for the university to achieve.

The hon. Gentleman asked several other questions, one of which concerned note (1)(f)(ii), which refers to charities or youth clubs ploughing back any profits made into their activities. Yes, that means that any surplus should be ploughed back, not necessarily into the specific courses that gave rise to the surplus, but into such activities as would otherwise qualify as an exempt supply within this group.

The main interest in the debate has centred on the teaching of English as a foreign language. I do not agree that it would have been right to put the order on hold. As I said in my opening remarks, it is right to go ahead with it, but I am prepared to consider carefully the representations that have been made in the past few days.

I am not complaining about the fact that the Association of British Language Schools did not respond to the consultation before Christmas or in the first couple of months of this year. It is a new body, which has not existed much longer than the consultation document. It is a self-inspecting body, which was set up last autumn. I am certainly prepared to consider the representations made by that body, as well as by hon. Members and others.

My hon. Friends the Members for Ealing, North and for Hastings and Rye (Mrs. Lait) drew attention to some of the difficulties. My hon. Friend the Member for Ealing, North said that some of the institutions were a rip-off, and spoke eloquently about the problems that they have caused. My hon. Friend the Member for Hastings and Rye described some institutions as "visa factories". Those are all reasons for exercising caution in extending the tax relief. That is why we acted as we did, and why we drafted the order in its present form. We shall consider the arguments advanced both in the debate and by the various bodies that have been mentioned.

Mr. Andrew Smith: I am sure that the right hon. Gentleman would not want either what he has said or the way in which the order is couched to give the impression that simply because a language school does not enjoy British Council accreditation—under the existing scheme some are not eligible—it is more likely to be a cowboy operator. I agree that cowboy operators would not fall within the present British Council accreditation scheme, but the right hon. Gentleman must recognise that for many reputable schools that do a good job, the requirement for British Council accreditation gives rise to problems. Consultation needs to take place on that matter.

Sir John Cope: Absolutely. I am undertaking to consult on that. I do not wish, and I am sure that my hon. Friends do not wish, to tar with the same brush any institution that does not happen to have British Council recognition at present. In any case, British Council recognition, including the way in which it is awarded, is and will remain one of the matters that we discuss with the British Council.

If I may say so, the hon. Member for Plymouth, Devonport (Mr. Jamieson) opened the debate beyond the order when he referred to grant-maintained schools, and so on. In a way, he was drawing attention to the difference between exemptions from VAT and a zero-rate for VAT. If an institution is registered for VAT, but the supplies that it makes are zero rated, it can collect back the input tax —the VAT that it has had to pay. But if the supplies that an institution makes are exempt, it cannot reclaim the input tax. Here we are talking about exemptions, not about zero-rating.

The position of local authorities is governed by section 20 of the Value Added Tax Act 1983. The VAT that they pay is refunded. The equivalent of that is the grant to which the hon. Member for Devonport referred in connection with grant-maintained schools. He was looking forward, if that is the appropriate word, to the possibility that all schools may one day be grant-maintained.

Mr. Jamieson *indicated dissent.*

Sir John Cope: I did not mean that the hon. Gentleman was looking forward to that day in the sense of welcoming it, but he did say that all schools might be grant-maintained. That, of course, would free up the money now used for section 20 grants, which would balance to a considerable degree, if not perfectly, the grant that the hon. Gentleman mentioned. I cannot answer off the cuff the detailed questions about the various figures, but I shall read in *Hansard* what the hon. Gentleman said, and write to him. The question does not arise out of the order.

Mr. Jamieson: Will the Paymaster General put my mind, and the minds of other hon. Members, at rest? The Department for Education currently makes substantial sums available through the special purposes grant to grant-maintained schools for VAT purposes. My worry is that that money is coming from the Department's budget, and that it should and could be spent on education in other ways. Will the right hon. Gentleman tell us whether that money is being provided over and above any other funding that the Department would receive, so that it can pay the grant-maintained schools?

Sir John Cope: I think that the hon. Gentleman would prefer an accurate answer to an answer off the cuff. Although the question does not arise out of the order, I shall include an answer to it in the letter that I promised to write to him about the other matters that he raised.

I am grateful to all hon. Members who have welcomed the order.

Question put and agreed to.

Resolved,

That the Value Added Tax (Education) Order 1994 (S.I., 1994, No. 1188), a copy of which was laid before this House on 28th April, be approved.

Business of the House

Motion made, and Question proposed,

That the Speaker shall—

(1) at the sitting on Monday 23rd May, notwithstanding the Order [13th May] and the provisions of Standing Order No. 14 (Exempted business), put the Questions on the Motions in the name of Mr. Secretary MacGregor relating to the draft Railways Pension Scheme Order 1994 and the draft Railway Pensions (Protection and Designation of Schemes) Order 1994 not later than one and a half hours after the first of them has been made;

(2) at the sitting on Tuesday 24th May—

(a) put the Questions necessary to dispose of proceedings on the Third Reading of the Local Government etc. (Scotland) Bill not later than three hours after their commencement; and

(b) notwithstanding the provisions of Standing Order No. 14 (Exempted business), put the Question on the Motion in the name of Secretary Sir Patrick Mayhew relating to the draft Northern Ireland (Emergency and Prevention of Terrorism Provisions) (Continuance) Order 1994 not later than three hours after it has been made; and

(3) at the sitting on Wednesday 25th May, notwithstanding the provisions of Standing Order No. 14 (Exempted business), put the Question on the Motion in the name of Mr. Secretary Gummer relating to the draft Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994 not later than one and a half hours after it has been made:

and the above business may be proceeded with, though opposed, until any hour.—[*Mr. MacKay.*]

7.39 pm

Mr. Harry Barnes (Derbyshire, North-East): I have some questions about the motion and some brief comments on it. Next Monday, we shall be discussing the Deregulation and Contracting Out Bill, which is liable to take considerable time as there is great concern among Opposition Members about its implications. We also have to consider two orders. Under the motion, we shall have an hour and a half on the draft Railways Pension Scheme Order 1994. That order is a matter of great concern, but it is liable to be dealt with in the early hours.

I am a former railway clerk and my pension may be one of those being discussed, although it has long since disappeared into other provisions. I know that there is a great deal of interest and concern in the House about what is happening to railway pensions. There is great concern among of a number of my constituents, many of whom worked in railway workshops and other places.

Much more serious than that is the business. for Tuesday, which includes provision for a three-hour Third Reading on the Local Government etc. (Scotland) Bill. If that is a three-hour debate, it is an advance, to some extent, on time given recently for such debates in the House. The Coal Industry Bill had a very short Third Reading debate. Indeed, on some other quite important matters, we have not bothered about Third Readings at all and have moved straight from Report to a final decision. We should have separate and proper debates in the House on Third Reading, so that, after Report, there could be a reprinting of the Bill at that stage, especially if there have been serious alterations on Report. We would then be in a position to have a fully fledged debate on Third Reading.

What is the position on local government for England and Wales? At least for Scotland, we are able to discuss such matters, but in England and Wales we are faced with a series of orders, which, like other orders, are unamendable and are on a take-it-or-leave-it basis. Indeed, we do not know when the tabling of such orders will end.

Even more seriously, Tuesday's business allows three hours for the draft Northern Ireland (Emergency and Prevention of Terrorism Provisions) (Continuance) Order 1994. I know that that is an annual provision and that those three hours will allow the comments that have always been made to be made again, but it covers a developing situation. I do not know what has developed today, but an answer to the points put forward by Sinn Fein and the IRA through Sinn Fein that required clarification of the Downing street declaration has been mentioned today. Such answers seem to be relevant to the approach that hon. Members will have to the order.

We may have an opportunity, subject to the decisions of the Chair, to discuss subjects slightly wider than those contained in the order, although the order itself is wide enough to facilitate quite full discussion about such matters. I am not quite sure what has occurred over the Government's intention to provide an answer to Sinn Fein. A question of mine appears on tomorrow's Order Paper and that should be an opportunity, if no other answer is given, for one to be provided.

Wednesday's business moves to the spring Adjournment motion and, according to the motion before us, a debate on the draft Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994. Six hon. Members represent Sheffield. Two are former leaders of the council and one is a former leader of the opposition on the council. Given that that order is liable to relate to areas surrounding Sheffield, such as north-east Derbyshire, which I represent, although it looks easy to deal with, it may require the provision of more time.

With regard to the final day before the recess, Thursday 26 May, would the Leader of the House explain the situation liable to occur at 11 o'clock, when the Speaker may interrupt the proceedings—

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. The hon. Gentleman's comments are straying to the next motion.

Mr. Barnes: Sorry, Mr. Deputy Speaker. I inadvertently strayed on to motion No. 5. As I wish to raise some points on that motion, it might be appropriate for me to try to catch your eye then.

7.36 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The hon. Gentleman has legitimately raised a number of questions about the motion and I shall respond. However, perhaps I ought to preface my brief remarks by saying that, of course, the motions have been tabled following discussion—obviously I do not want to enter into those in any detail as it would be improper to do so—through the usual channels. I do not know whether this will influence the hon. Gentleman, but the motions reflect some of the knock-on effects, if I may put it like that, of our efforts, acknowledged by his Chief Whip and by the shadow Leader of the House, to be as helpful as possible in accommodating the wishes of the Opposition, which included—

Mr. Barnes *rose—*

Mr. Newton: May I finish the sentence as it has specific relevance to the railway motions? Those orders were originally announced on Monday or Tuesday for debate

today. At the request of the official Opposition, they were moved from today to Monday, on the understanding that we would expect to have them governed by a motion of the sort before us.

Mr. Barnes: I recognise that there has been a careful response to the wishes of the Opposition, which has taken matters into account, that we have a different timetable for this week from that which would otherwise have taken place. It is just that I am not part of the usual channels and the avenue through which I may air points, without raising great objections to the channels being used, is on the Floor of the House.

Mr. Newton: I totally understand that and I hope that the hon. Gentleman will not have taken my remarks amiss. I was delicately trying to imply two things. First, that the basic background to the motion is the efforts that the Government have made this week to be helpful to the Opposition. Secondly, it is not easy for me to go much further than that without entering into details about discussions through the usual channels, which would not be either proper or helpful.

In many ways, the same applies to the other parts of the motion, although the hon. Gentleman did make a specific point on the railway order. The only other comment that I can sensibly make is in relation to the Northern Ireland business on Tuesday. Of course, it is not for me to say what would or would not be in order on such an occasion, as I said to Madam Speaker when a similar question was asked during business questions this afternoon. However, it certainly seems that there would be possibilities for the hon. Gentleman to raise points about his concerns on that occasion, subject to the guidance of the Chair. However, I can tell him that, in response to his implicit question—I know that his question will be answered tomorrow—I believe that the Government's response to the Sinn Fein questions was published at 6 o'clock, when copies were placed in the Library of the House and made available to hon. Members through the Vote Office.

Question put and agreed to.

Sittings of the House

Motion made, and Question proposed,

That—

(1) this House do meet on Thursday 26th May at half-past Nine o'clock;

(2) notwithstanding the provisions of Standing Order No. 17 (Time for taking questions), no Questions shall be taken, provided that at Eleven o'clock the Speaker may interrupt the proceedings in order to permit questions to be asked which are in her opinion of an urgent character and relate either to matters of public importance or to the arrangement of business, statements to be made by Ministers, or personal explanations to be made by Members; and

(3) at Three o'clock the Speaker do adjourn the House without putting any Question, provided that this House shall not adjourn until the Speaker shall have reported the Royal Assent to any Acts agreed upon by both Houses. —[*Mr. MacKay.*]

7.38 pm

Mr. Harry Barnes (Derbyshire, North-East): I shall now make my points to the correct motion. The motion seems to be more important than the one that I covered previously, although there were matters that needed prodding. The second part of the motion says:

"the Speaker may interrupt the proceedings in order to permit questions to be asked which are in her opinion of an urgent character and relate either to matters of public importance or to the arrangement of business," statements,"

I presume that that day will be divided into a series of 45-minute Adjournment debates. It is normally the case that an Adjournment debate starts at 11 am or just before. That time is also the normal time for points of order to be raised and for a statement, if required, to take place. I know that it is unlikely that we shall have statements and points of order running one after the other, but someone could be unfortunate in terms of his or her Adjournment debate. I declare an interest because I, among many others, have put in my name for such a debate. If there are statements or points of order, will time be equitably chopped off other Adjournment debates?

It is unlikely that the Civil Rights (Disabled Persons) Bill will complete its remaining stages. I raised the point in business questions and referred to the motion in the name of the hon. Member for Exeter (Sir J. Hannam) at the end of April. I felt that if the House had expressed a view, the Leader of the House should take that view seriously and should make arrangements so that there was an opportunity to discuss the Bill. If the Bill does not complete its remaining stages by 26 May, there will be an end of any feasible opportunity to pursue it.

I was unhappy with the response from the Leader of the House. He said that the House had only expressed an opinion. I believe that the opinion of the House of Commons, which was expressed not glibly—it was not a matter of only two or three people being around and someone not noticing the procedures—but clearly and firmly, with strong feelings involved, should be taken on board.

The Government seem to be maintaining their opinion that the principles of the Bill are okay, but the details create many difficulties. Some of us do not believe that. We should be given the opportunity to go through the Bill properly and the Government would then have to vote against it and face the flak. The opinion of the House is that we should like the Bill to be given the opportunity to complete its remaining stages. I hope that even at this late stage—there is still time for further statements by the Leader of the House—that opportunity will be given to us.

7.42 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): I shall respond first to the point raised by the hon. Member for Derbyshire, North-East (Mr. Barnes) about proceedings on Thursday, 26 May. The matters that he has raised are, strictly, matters for the Chair. It is for Madam Speaker to choose how to organise the debates on such a day. In my experience, she normally takes into account the possibility that there could be an interruption of business at 11 am. It is for precisely that reason that a number of debates are scheduled to last three quarters of an hour rather than half an hour. There is scope to adjust without anyone being squeezed out if there is an interruption of business. It is not for me to say how Madam Speaker will choose to arrange business today week, but I venture the thought that she will certainly take account of what the hon. Gentleman has said in making her decisions on that occasion.

It is no part of my purpose to prevent the hon. Gentleman from having an Adjournment debate that day if he is so fortunate—tiresome as it may be, knowing the hon.

[Mr. Tony Newton]

Gentleman, when we discover the subject that he wishes to raise. I should be the last person to wish to deprive him of the opportunity to be tiresome.

Although I well understand why the hon. Gentleman raised his latter point, I cannot add sensibly to what I said, which he has reasonably accurately reported, in my exchange with him this afternoon in business questions. The only thing that I will say is that I do not believe, and I would not expect *Hansard* to show, that I said "only" the opinion of the House. I merely made the factual point that the motion was framed as, and undoubtedly has the effect of, an expression of opinion by the House. I do not mean in any way to demean or diminish the motion by making that point, but it needs to be taken into account. The motion cannot change the Sessional Order—this is the point I made this afternoon—that the House has passed, which governs the amount of time available for private Members' Bills.

The hon. Gentleman spoke of Government time being given. On a number of occasions, my right hon. Friend the Prime Minister has made it clear that the Government think that the right way now in which to proceed is for them to introduce proposals for consultation with a view to assisting in the drafting of legislation that they feel would achieve workable and practical progress in the cause of advancing the rights of disabled people. That is the right way in which to proceed.

Question put and agreed to.

PETITION

Use Classes Orders

7.45 pm

Mr. John Butterfill (Bournemouth, West): I present a petition on behalf of more than 300 of my constituents who are resident in Talbot Park. Their concern is to achieve an amendment of the law relating to town and country planning and, in particular, to the use classes orders. They are concerned that under class 2 of the use classes orders, no consent is required for a change of use for premises that may be elderly persons' rest homes, homes for the mentally infirm, children's homes or youth homes. In some cases, a fundamental change of character may arise from a change of use.

They are especially concerned that a change of use from an elderly persons' rest home to a home for young people who have been in trouble with the law may occur without any consent being required. Such a home would be fundamentally in conflict with the nature of the locality. Such a change should, therefore, require planning consent.

This is similar to the issue that the Government recently addressed in relation to changes of use from hotels to hostels. An amendment to the use classes orders is required. My constituents also ask that rigorous standards should be laid down regarding location, staff qualifications and adherence to standards and that regular checks are made on such property.

To lie upon the Table.

Ambleside Bus Station

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. MacKay.]*

7.47 pm

Mr. Michael Jopling (Westmorland and Lonsdale): I am grateful to have the opportunity tonight to address the House on a matter that is causing immense anxiety and concern to my constituents in Ambleside in the Lake district—the proposals made over the past five years to develop the former bus station. I am especially grateful to the Under-Secretary of State for the Environment for being here to answer the debate. I know that it is his 15th wedding anniversary and I hope that the debate will not delay him too long from taking his wife to dinner.

I am also especially grateful to my hon. Friends the Members for Sevenoaks (Mr. Wolfson) and for Bolton, North-East (Mr. Thurnham). The first knows Ambleside very well and has long connections with it. My hon. Friend the Member for Bolton, North-East is a constituent of mine and also knows the Lake district very well.

I suppose that many of my colleagues in the House have visited Ambleside, that small, historic, idyllic market town in the centre of the Lake district. It is a place that is one of the glories of England, and lies at the hub of several valleys and roads, all of which reflect the great heritage of that part of the world.

One road goes to Grasmere and to Wordsworth's various homes; a second goes to Great Langdale and the mountains; a third goes to Hawkshead and Coniston, with memories of Beatrix Potter, Ruskin and perhaps Donald Campbell; a fourth goes to Windermere, the home of Arthur Ransome's "Swallows and Amazons"; and finally there is the steep struggle up Kirkstone pass over to Ullswater, where Wordsworth's daffodils are now ending their annual delight.

The story which I want to draw to the attention of the House began in May 1989, when the former bus station in the centre of Ambleside was closed. The bus station was an important asset to the town. It allowed buses to unload the thousands of local people and tourists who continually throng the streets of Ambleside in a way which did not disrupt the already serious traffic congestion through the town, which is a consequence of all those historic roads to which I referred earlier.

The site came into the hands of developers who, in the past five years, have made no fewer than 16 planning applications to develop the site into shops and offices. During those five years, there have been two appeals. The former Secretary of State, Chris Patten, reserved his powers and threw out the first appeal, and, a little later, the second planning appeal was thrown out by the inspector himself.

In June, there is to be yet another appeal—the third—on two current applications which have been rejected by the Lake District special planning board. I understand that the Minister tonight cannot and must not comment on the merits of the scheme. I think all of us, including my two hon. Friends, understand that, and it may be that we will be fortunate enough to hear what they have to say if they catch your eye, Mr. Deputy Speaker. With the Secretary of State being in the position of judge and jury, everyone will understand if the Minister refuses to comment on the merits.

Suffice it to say that I have opposed all the various applications during those five years, and I remain totally opposed to the current proposals. All of them have involved, in my view, top-heavy development to that small but precious community. The proposal which is the focus of the appeal which will be heard during the next few weeks will involve the construction of either 17 or 21 new shops or offices. I have been informed that, if the proposal went ahead, it would increase the retail and commercial floor space in Ambleside by up to a maximum of 25 per cent. That must be top-heavy development.

Traffic through Ambleside is already congested, especially during the tourist season. Car parking space is inadequate, as it would be even with the few extra parking spaces which are included in the current proposals.

We cannot ignore public opinion in a case of this kind. Public opinion has throughout been passionately opposed to the great series of planning proposals. Massive opposition has been mounted, and will undoubtedly manifest itself at the forthcoming inquiry. I hope to be able to present a petition to the House after the Whitsun recess. It is not yet complete, but I hope that the petition will be signed by almost 8,000 people. I shall refer to the petition later.

I know that my constituents will be presenting similar petitions to the Prime Minister's office, the Department of the Environment and the Department of National Heritage during the Whitsun recess. The latest figures, which I received this afternoon, are important and so far there are 7,774 signatures on the petition. Of that figure, 2,564 live in the Lakes parish, which is the area immediately around Ambleside. The total electorate of the Lakes parish is 4,856. Therefore, local signatures constitute well over half the number on the electoral roll. I have had an estimate from the organiser of the petition that three quarters of the residents of Ambleside have signed it.

What ought to be done with the site? I believe strongly that there is a need for more car parking, and also a need for bus station facilities on the site. It is an area which has high rainfall and at the moment buses stop in the open street. That is highly inconvenient, and there ought to be some facilities to deal with people who have buses to catch and to use.

My view is that much the best proposal—planning permission for it on the site has already been granted—is that of the local Herd-Lawson trust for a scheme for open car park space. Sadly, the developers have refused to sell to the trust for that purpose.

That leads me to the basic purpose of this debate, which is to protest at the way in which the current planning laws can allow a small and relatively defenceless community —such as the one in my constituency in Ambleside—to find themselves under almost continuous siege for a period of five years, with no prospect of ending that siege at the site in the future. It really cannot be right or fair for a Goliath of a developer to keep up a continual drip-drip of semi-repetitive planning applications which would destroy the timeless magic of this small town. But—I say this with confidence—my constituents are veritable Davids, and will battle on to preserve their heritage.

I can sum up their attitude by quoting from a letter written by Elizabeth Braithwaite, who is a passionate opponent of the developments. She is chairman of both the Lakes parish council and the South Lakeland district council. She says:

"We are unable to stand aside and watch our traditional Lakeland town being ripped apart and millions of visitors from across the globe would never forgive us if we did nothing."

That is a most passionate objection to the scheme, regardless of the seemingly never-ending nature of the proposals.

In addition, there is a new and what I regard as serious matter which was drawn to my attention only today. As background, at an early stage of the saga, an official of the Lake District planning board—impertinently, in my view —announced that the board ought not to reject what he knew was already a highly controversial proposal. In spite of that official's comment, the board put him firmly in his place when it considered the matter, and it rejected the proposal for the third time. Its members did as they have done bravely and consistently throughout this saga.

Today I have received evidence that the board's officials have used their independent highways consultants in ways that I find preposterous. First, they have used those consultants to prepare plans for the developer. The members of the board are opposed to those plans. Secondly, this has been done at public expense. I understand that they are prepared to pay the fees of the independent consultant for preparing plans for the developer. Thirdly, members of the board have not been informed of that. Indeed, the papers have been kept in separate files.

I have no idea whether the practice that I have described is illegal, but I find it outrageous, given that there is a fundamental difference of opinion between the board and its servants in a matter of clear sensitivity. Furthermore, it is clear from a letter which I have in my hand dated 17 May from the independent highways consultant addressed to Mr. David Brockbank, who is the chairman of the development control committee of the Lake Distr[illegible] planning board and who will conduct the board's case [illegible] the forthcoming inquiry. The letter says:

"The scheme still offends the fundamental design principle of segregating traffic and pedestrians, but this cannot be reasonably challenged on the historical evidence made available to me."

As I understand it, that means that as a result of previous appeal decisions the independent consultant was so boxed in that he was forced to put his name to a scheme which is fundamentally flawed. How can that possibly be right? Surely each appeal ought to stand on its own under our planning law. I particularly want my hon. Friend the Minister to comment on that tonight.

I hope that my hon. Friend the Minister will explain to us his view about the unfair arrangements which seem to be inherent in our planning law. I should like to ask him to reconsider our planning law. Of course we understand that he may not be able to respond to all our points tonight, but I hope that he will take them into consideration and will write to me as soon as possible and comment on the various matters that I have raised which cause great concern to me and thousands of my constituents.

8.2 pm

Mr. Mark Wolfson (Sevenoaks): First, I congratulate my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) on bringing this matter to the attention of the House this evening. The very name of his constituency evokes strong emotions in people all over the world who know and love the Lake district. He referred most eloquently, but also realistically, to the kind of town that Ambleside is. As he described the roads which enter and leave that little town, each one was clearly in my mind.

[Mr. Mark Wolfson]

The development of a top-heavy shopping centre in the middle of the town would have a horrendous effect not only on the town but on the traffic pressures with which Ambleside already has considerable difficulty.

In mentioning my wish to participate in the debate, my right hon. Friend said that I had had a connection with Ambleside and the Lake district for many years. That is so. For more than 30 years I have known the place and been hugely fond of it. My first married home was there. I am a trustee of Brathay hall, a training centre which offers development training for young people and for managers. Large numbers come each year to the centre and benefit from it. Through my trusteeship I have a continuing interest not only in Ambleside but in the national park which is the Lake district. The work of Brathay hall is possible only because of the unique environment that the Lake district provides. I speak from a constituency at the other end of England. As my right hon. Friend spoke for his constituents, perhaps I speak for all the hundreds and thousands of off-comers who go to the Lake district because of the uniqueness that it offers and who go to Ambleside because it, too, is unique.

However inadequate our planning laws may be in dealing with the problem, we have to call a halt to unsympathetic and out-of-scale development in small places such as Ambleside. Otherwise, those who follow afterwards, as the eloquent letter from Mrs. Elizabeth Braithwaite demonstrated, will never forgive those directly responsible for such applications, Ministers who review them or Members of Parliament who have an opportunity to speak and act against such development.

The number of people throughout Britain who know the Lake district and Ambleside is great. Only a few minutes before the debate I had a meeting with an individual who lives in Kent and is a senior member of the Southern regional health authority. When I mentioned the debate to him, he immediately expressed his horror, knowing Ambleside as he did. That is just one example of what the public will feel about the development.

I heard only tonight from my right hon. Friend some of the detail of the planning application behind the appalling action taken by the officers. All planning authorities face difficulties from time to time when officials, following the exact planning regulations, feel compelled to recommend acceptance of a planning application even though the elected members are against it. I am delighted that the elected members have had the sense to turn down all the applications, and quite properly too.

The additional information that we have received about how the officers of the planning board have used public money is appalling if it is correct; that cannot be right and it must clearly be investigated.

I hope that all that I have said today will add to the pressure—for that is what there must be—ultimately to see the planning application firmly turned down on appeal and action taken by the Secretary of State for the Environment to find some way of preventing communities such as Ambleside being put under siege year after year because developers will never take no for an answer. It is unfair that any group of people, let alone that particular town, when there is wide interest throughout the country in maintaining it as an active and viable community as it is now, which is not a problem, should run the risk of being overwhelmed by unsuitable development. Clearly, action must be taken, if necessary by reviewing the current planning laws on this issue.

8.9 pm

Mr. Peter Thurnham (Bolton, North-East): I congratulate my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) not only on his success in gaining the Adjournment debate but on the eloquent and moving way in which he spoke and put the arguments and concerns of so many of the local residents. As my right hon. Friend said, I speak as a constituent of his, as a lover of the Lake district and as a close neighbour of David Brockbank. I have known David Brockbank for many years and have much respect for him. He gives his time to work as chairman of the development committee.

I have supported development in areas of high unemployment in this country, but Ambleside certainly would not fall into that category. I have followed the saga in the pages of the *Westmorland Gazette* for some time now. In fact, I received a fax today containing some of its recent entries. Today, I have been extremely concerned to hear from David Brockbank, and now from my right hon. Friend, about the actions of the officers. As my hon. Friend the Member for Sevenoaks (Mr. Wolfson) said, this case is extraordinary. Members are giving up their time to represent the interests of residents, and officers are apparently taking matters into their own hands and spending public money in the way they have decided that they want to spend it, but not in the way the members have said; the officers have not consulted anyone. I find it extraordinary that the matter has not been discussed with either the present chairman or the former chairman of the committee.

I ask my hon. Friend the Minister to look into the whole question of whether the officers have acted ultra vires. If they have acted improperly, presumably the district auditor should examine what has happened. I imagine that if the officers have acted improperly, they will have to pay the fees out of their own pockets because they took it into their heads to spend public money without consultation. It seems that they have not even had the courtesy to discuss the matter informally with the chairman of the development committee, let alone put it formally to the committee that they would spend money in that way.

I have not followed all the ins and outs of the fight that has been going on for five years, but the feelings of the residents are clear. As someone who loves the Lake district, it is clear to me that the members should be supported in their view and I welcome the opportunity for my right hon. Friend to bring the matter to the attention of the House today. I also welcome the support that he has received from my hon. Friend the Member for Sevenoaks and I add my support to the request expressed today that the whole matter should be examined properly. If there has been any wrongdoing, it should be followed up with full effect.

8.12 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Tony Baldry): I begin my thanking my right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) for his kind comments at the outset of his remarks. For the reasons to which he alluded, I am grateful for the early hour at which this debate has come

before the House. I congratulate my right hon. Friend on the care with which he has raised, on behalf of his constituents, the question of possible future uses for the former bus station site in the centre of Ambleside. He has explained clearly the concerns of a great number of his constituents—which I know he shares—about proposals for the redevelopment of the site. He has taken up those concerns with Ministers on a number of occasions over the past six years or so.

As the presence and comments of my hon. Friends the Members for Sevenoaks (Mr. Wolfson) and for Bolton, North-East (Mr. Thurnham) make clear and symbolise, this issue is of concern to a much wider area than simply Ambleside. That is not surprising for a town of such character in the heart of the Lake district.

As my right hon. Friend explained, Ribble Motor Services operated the Ambleside bus station and depot for many years. After carrying out a review of its overheads, the company found that it was not economic to maintain and retain the station, so in 1987 it decided that the station should be closed. That decision took effect in May 1989. Alternative facilities were provided elsewhere in the town by way of bus-stops for passengers wishing to use the bus services which the company continued to operate to and from the town. Subsequently, Ribble Motor Services sold its interests in the site.

Since then, a number of planning applications have been made to the Lake District special planning board with regard to the site. Some of these have been by other parties seeking to establish the principle of development for what might be described as social uses. However, the applications which have caused most concern have been those made first by Gainsborough Properties and subsequently by Dimples Estates—the company which I understand now owns the site. They are keen to obtain planning permission for shopping development, which they see as the best use for the site and, obviously, the development which they consider as developers to be in their best commercial interests.

I know from the letters which my right hon. Friend and a number of his constituents have sent to us that these planning applications have aroused a great deal of opposition from local people. They have opposed all the planning applications made to the board.

I appreciate the objections made by local people about the proposals, which include concern about the adverse effect which new, additional shops in the town might have on the livelihood of existing shopkeepers; concern about the design of the new buildings proposed and the possibility that they would obscure much valued views of the surrounding hills; concern that additional shops might attract more traffic and congestion to Ambleside; and concern that redevelopment of the site should be resisted so that the site can partly be used again one day as a bus station. My right hon. Friend made those concerns clear, as have many of his constituents in letters to us.

I make clear straight away that the latter option of returning the site perhaps to a bus station is not a matter which I have power to influence. It is entirely for Dimples Estates to consider whether it might seek to reopen the site as a bus station and try to attract bus operators to use it again, or whether it wishes to redevelop the site for some other purpose, subject of course to obtaining planning permission for its proposals.

My right hon. Friend has made it clear that the company has again exercised its statutory right of appeal to the Secretary of State against decisions made last year by the planning board to refuse permission for shopping and other development on the bus station site. Arrangements have been made for a planning inspector to hold a public inquiry, which is scheduled to open on 7 June, to hear the views of all interested parties about those particular proposals and to decide, in the light of all the evidence presented to him, whether the appeals should be allowed and planning permission granted or refused.

My right hon. Friend will also be aware that in the past two months or so the planning board has refused two further applications for amended development proposals for the site.

The thrust of my right hon. Friend's comments this evening was as much about the planning system generally. The purpose of the planning system is to regulate the use and development of land in the public interest. Of course, different people and different interest groups have different views about how an area should develop. I am sure that the House will be aware that every local planning authority, including the Lake District special planning board, must prepare a development plan. It is intended that the whole of the country should be covered by development plans by 1996.

Development plans have a key role to play in reconciling the different demands. They set the framework within which individual planning decisions are taken. The Lake District special planning board is no different from any other local planning authority in that respect. It has responsibility for drawing up the development plan for its area and for deciding planning applications in accordance with that plan, unless there are good reasons why it should not. Any applicant who proposes a development which is clearly in conflict with the plan would need to produce convincing reasons to demonstrate why permission should be given. However, applications which conform to a plan's requirements should generally be allowed unless they would cause harm to interests of acknowledged importance.

Of course, the development plan is not totally prescriptive. There is always scope for other considerations. Sometimes a departure from the development plan may be justified. If a plan proves not to be relevant in a particular case, the application will be decided on its merits. The plan is intended, however, to give a measure of certainty about the kind of development that will be permitted. It must provide a firm basis for consistent planning decisions and that is in the interests of all concerned.

In short, if an application is in accord with the plan it will generally be allowed. If it is not in accord with the adopted plan it will be refused and that refusal would be reflected in an appeal.

Everyone who has an interest in an area has a part to play in drawing up the development plan for that area; that means local people and conservation and amenity groups, as well as business and developer interests. Local planning authorities must consult all of those groups and give everyone concerned a chance to have their say. In that way, local people have a chance to influence the future pattern of development by making their views known as the overall framework is put in place.

I mention all those details about development plans because they are important as regards this issue. The Lake District special planning board placed its local plan on deposit on 17 March. The plan does contain a policy which

[Mr. Tony Baldry]

provides that within defined central shopping areas shopping development will be permitted, subject to certain criteria being met.

The bus station site is shown as being within the central shopping area of Ambleside. It follows that the Lake District special planning board intends, in its local development plan, that shopping development would be permitted within that area. I am sure that my right hon. Friend and local residents would have taken note of that.

The formal objection period ended only on 29 April, so the planning board has not yet completed a full analysis of the objections and representations it has received on the planned proposals. I am sure, however, that my right hon. Friend and others will have noted carefully those proposals.

There are circumstances in which people feel that their concerns and interests are not being taken into account when a decision is made on an application. It is understandable that they turn to my right hon. Friend the Secretary of State and Ministers responsible for planning and press us to intervene. Parliament has given the Secretary of State the power to call in a planning application for his own decision if he feels it necessary to do so. In calling in a planning application, however, the Secretary of State is effectively taking the decision away from those who represent the interests of local people.

Planning is essentially a local matter and the planning Acts provide for applications to be dealt with by local planning authorities. We believe that it is wrong to interfere with that local decision-making process, unless such intervention is absolutely necessary. Our policy on calling in planning applications is therefore very selective. Each case must, of course, be considered on its merits. We will in general only call in applications if they raise planning issues of more than local importance. To put that into context, last year we called in only 101 applications out of a total of nearly half a million. To put that into perspective, it represents less than one fortieth of 1 per cent. of all planning applications.

Of course, where proposals are turned down by the local planning authority—or are not decided within a certain time—applicants have a statutory right to appeal to the Secretary of State. Although all planning appeals are decided in the Secretary of State's name, most of them are adjudicated on and decided by independent inspectors working for the Planning Inspectorate Agency.

Only about 200 of the 200,000 or so appeals received each year are decided by Ministers. Those are usually appeals that are large in scale or especially controversial. The precise criteria were published in the Government's response to the Fifth Report from the Select Committee on the Environment. They include proposals for residential developments of 150 or more houses, proposals that raise important or novel issues of development control and those against which another Government Department has raised major objections.

In line with that policy on the recovery of appeals, arrangements have been made for a planning inspector to hold a public inquiry into the appeals made by Dimples Estates against the planning board's decision to refuse permission for shopping and other development on the bus station site. As my right hon. Friend fairly acknowledged, to all intents the matter is now sub judice because an appeal is pending. As he made clear, he and other hon. Members appreciated that it would not be appropriate for me to comment on the merits or otherwise of the proposals that are the subject of the two appeals as it would not be right for me to make any comments that might be seen to prejudice the decision on them. Nor would it be right for me to comment on the proposals which the planning board refused recently and which may yet come before the Secretary of State for determination on appeal.

I am nevertheless confident that the inspector appointed to hold the inquiry will be well aware that we are keen to ensure the highest quality for our built environment and for existing town centres, which are of key importance to urban quality. Government policy on the subject is set out in two planning policy guidance notes, which have recently been published and widely welcomed: PPG6 on town centres and retail developments and PPG13 on transport.

Our planning guidance seeks to protect and enhance the viability and vitality of existing town centres in both urban and rural areas through polices that strengthen existing centres, avoid both the sporadic siting of shopping units and large retail developments in out-of-town centres, and promote development at locations readily accessible by means other than the private car. Translated, the latter means existing town centres, which are also accessible by good transport.

My hon. Friend raised a number of matters. He asked whether anything can be done to prevent developers from making repetitive planning applications merely to wear down the resistance of the responsible local planning authority and local residents, such as those in Ambleside, who have campaigned hard against development proposals that they do not like. The answer, as I shall explain in a minute, is yes.

There is no limit to the number of applications for the same or different developments which an applicant can make. One might feel it unlikely that a local planning authority would reverse a decision made recently in respect of a similar development proposed for the same site. The applicant may be able, however—perhaps after informal discussions with the authority's officers and others—to adjust the scheme to take into account previous criticisms, or even to provide further information or arguments that might lead to a different decision on the same scheme. In any event, an applicant is entitled to apply again and to have any new application considered by the authority.

The law contains protection from repetitive planning applications for local communities, however. As the House may recall, in the Planning and Compensation Act 1991 we added—for the reasons that my right hon. and hon. Friends raised this evening—powers for local planning authorities to decline to determine certain types of repetitive planning applications. The circular that we issued at the time made it clear that our intention in introducing those powers was, as my right hon. Friend mentioned, to allow authorities to prevent repetitive applications from being used to wear down the resistance of local communities.

I entirely agree with him. No local community should feel that it is under siege from repetitive planning applications and the law gives them protection. Those powers can be used when the same, or substantially the same, proposal has been rejected by the Secretary of State on appeal, or following call-in within two years prior to the date of the application and when there have been no significant changes in the development plan or other relevant considerations.

We made it clear that authorities should use those powers only where they believe that the application in question is intended to exert pressure by submitting repeated similar applications. If an application has been revised in a genuine attempt to take account of objections to earlier proposals, it should not be regarded as a repetitive application for the purposes of those powers and the applicant should be given the benefit of any doubt.

It is for the Lake District special planning board to decide whether or not those powers apply to any of the Ambleside bus station applications. I understand that the special planning board has considered that question in relation to the applications, but reached the view that none of the bus station site applications is repetitive. That is a decision that they are entitled to make. I have no power to direct them or even to take a view.

The Lake District special planning board, having reached the view that the applications made so far by Dimples Estates are not ones to which those special provisions apply, must proceed to determine them in accordance with normal procedures; that is, the board must publicise the applications and carry out necessary consultations on the applications.

The relevant development control committee then decides the applications, having regard to the requirements set out in section 54(A) of the Town and Country Planning Act 1990, that the determination shall be made in accordance with the development plan unless material considerations indicate otherwise. It will be guided by the report prepared by its officers setting out details of the development proposed of the responses received as a result of the publicity and consultation exercise of how the proposed development accords or otherwise with relevant development plan policies and of its officers' recommendation on whether planning permission should be given.

It is right that the board should have a full appraisal of the applications with a clear recommendation from its professional officers, but of course the final decision is and must be entirely a matter for the board and it makes the final decision and gives the reasons for that decision.

My right hon. Friend is understandably concerned at the way in which officers of the planning board—if what he says is correct, and I have no reason to doubt it—appear to have employed at public expense their highway experts to act for and on behalf of the developers in preparing the application.

Clearly, from the information that my right hon. Friend has been able to give the House this evening, I am not in a position to judge the wisdom of such a course, nor would it be appropriate for me to do so without having seen the full facts, but clearly if there are matters of concern as to whether those officers have been acting within their powers, or have been acting properly, my right hon. Friend may well wish to refer them to the district auditor.

One of the most important features of the planning system is that local people generally should have confidence in the integrity of the system. If there is anything which in any way undermines the integrity of the planning system, it is right that any suspicion or concern be addressed to the appropriate body—in this case the district auditor.

In the circumstances, I am sure my right hon. Friend will again appreciate that it would not be right for me to comment more generally upon this particular case. I am sure that my right hon. Friend and his constituents will continue to keep the planning board aware of their views and, of course, will make appropriate representations to the inspector during the appeal inquiry which will be held shortly so that their views can be taken into account in the determination of the applications coming before the board or the appeal coming before the inspector.

I know that my right hon. Friend will keep me informed of his and his constituents' views in any cases which may come before the Secretary of State for decision.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes to Nine o'clock.

House of Commons

Friday 20 May 1994

The House met at half-past Nine o'clock

PRAYERS

MADAM SPEAKER'S ABSENCE

The House being met, the Clerk at the Table informed the House of the unavoidable absence of MADAM SPEAKER, *pursuant to leave given yesterday.*

Whereupon, MR. MICHAEL MORRIS, THE CHAIRMAN OF WAYS AND MEANS, *proceeded to the Table and, after Prayers, took the Chair as* DEPUTY SPEAKER, *pursuant to the Standing Order.*

BILL PRESENTED

PARLIAMENTARY ELECTIONS (No. 2)

Mr. Jeff Rooker, supported by Mr. Neil Kinnock, Mr. Austin Mitchell, Dr. Tony Wright, Ms Glenda Jackson, Mrs. Anne Campbell, Mr. John Garrett, Mr. Frank Field, Mr. Keith Hill, Mr. Mike Watson, Mr. Giles Radice and Mr. Hugh Bayley, presented a Bill to amend the law relating to elections and political parties: And the same was read the First time; and ordered to be read a Second time on Friday 15 July, and to be printed. [Bill 117.]

Points of Order

9.35 am

Mr. Barry Sheerman (Huddersfield): On a point of order, Mr. Deputy Speaker. You will be aware of the feeling among right hon. and hon. Members on this side of the House that we would prefer not to be here this morning but somewhere else. Although we should prefer to be in Edinburgh if this business were not before the House, we are here because there is an opportunity to push on with and to further the rights of disabled people, as there is a Bill before the House this morning that concerns them.

We are most concerned that, in the hallowed area of private Members' time, a large number of amendments have yet again been put down to Bills that were previously thought to be non-controversial. In a week in which we are supposed to have some kind of dignity in the House and an end to hostility just for one week, it looks as though the Government have used a particularly underhand method to block a very important private Member's Bill.

Mr. Deputy Speaker (Mr. Michael Morris): That matter is not really for the Chair, so I will not comment on it.

Mr. Alfred Morris (Manchester, Wythenshawe): Further to that point of order, Mr. Deputy Speaker. Both you and Madam Speaker have been consistently kind and helpful to right hon. and hon. Members who have raised in recent days procedural and other queries about the Civil Rights (Disabled Persons) Bill whose resumed Report stage is timed for later today and whose fate is of the deepest concern to 6.5 million disabled people.

Clearly there is time for the first four Bills on the Order Paper to complete their stages in this House today if hon. Members make brief speeches. May I urge you, Mr. Deputy Speaker, to give that guidance—if only, as my hon. Friend the Member for Huddersfield (Mr. Sheerman) said in tribute to the memory of our late colleague, John Smith, whose support for the Civil Rights (Disabled Persons) Bill was so widely admired.

Mr. Deputy Speaker: The Chair cannot possibly give such guidance, but recognises that the sooner that we get on with the business, the more likely we are to meet the right hon. Gentleman's aspirations.

Mr. Alan Howarth (Stratford-on-Avon): Further to that point of order, Mr. Deputy Speaker. If the House should proceed this morning in anything like the fashion that it did on the previous two Fridays in respect of private Members' Bills, hon. Members would bring the House into serious disrepute.

With regard to a point of order that I raised at the beginning of last Friday's sitting, I have written to my right hon. Friend the Member for Honiton (Sir P. Emery), the Chairman of the Procedure Committee, asking whether it will review our procedures on private Members' Bills. I believe that that should be done as a matter of urgency. Meanwhile, I urge you, Mr. Deputy Speaker, to use any influence that you may have, even if you have no formal powers, to encourage hon. Members to debate all four Bills for which Madam Speaker has selected amendments in a reasonable fashion and not at disproportionate length so that we may complete our proceedings on them.

If, unfortunately, the Civil Rights (Disabled Persons) Bill does not receive a Third Reading today, will you, Mr. Deputy Speaker, convey to the Leader of the House the fact that we look forward to his making a statement as a matter of urgency on the Government's plans to fulfil the resolution of the House of 29 April to provide sufficient time to complete the proceedings on that Bill?

Mr. Deputy Speaker: I understand that the hon. Gentleman's submission to the Procedure Committee has been taken up by that Committee, and I am sure that the House is grateful to him for taking that matter forward. It is entirely for the hon. Gentleman himself to raise such matters with the Leader of the House.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Deputy Speaker. You will recall that, a week yesterday, when tributes were paid to the late leader of the Labour party, John Smith, at the end of my remarks I called on the House to pass the Civil Rights (Disabled Persons) Bill in tribute to his memory, and said that that would be in keeping with the spirit of the House, because, as you know, a motion was passed two or three Fridays ago which called on the Government to give additional time.

As the House is to rise a day early next week, when most people thought that it would sit to 27 May, is it not possible for you to use what influence you have—I know that it is limited, but it is an important Bill, as most of us become disabled at some point in our lives, and it concerns 6.5 million people—to see whether that additional day could be used for us to debate the Bill?

May I finally ask you to invoke the 10-minute rule for speeches today? I know that that is not written into the Standing Orders, but it would be a considerable gesture.

Mr. Deputy Speaker: The hon. Gentleman will know that the 10-minute rule is outside the current Standing Orders. On future business, I suggest that we wait to see

[Mr. Deputy Speaker]

how we get on today. The Chair, of course, will ensure that Members stay in order, and therefore we can make some progress.

Mr. Patrick Cormack (Staffordshire, South): On a point of order, Mr. Deputy Speaker. As the Member in charge of the third Bill on the Order Paper today—the Sale of Goods (Amendment) Bill—may I clarify a point? Neither I nor my hon. Friend the Minister is responsible for any amendments. It is our earnest hope that the Bill will be discussed briefly and concisely so that we can pass on to the Civil Rights (Disabled Persons) Bill.

Mr. James Clappison (Hertsmere): Further to the points of order on the Civil Rights (Disabled Persons) Bill, Mr. Deputy Speaker. I seek your guidance on a procedural matter for the smooth running of that Bill. I tabled an amendment which was not selected for debate and was not debated the last time that the Bill came before the House. It does not appear on the Order Paper for debate today, and so I understood, therefore, that it would not be debated, but hon. Members with more experience of the House than I apparently believe that it may play some future part in the Bill and may be debated today. Can you confirm that my amendment will play no part in the debate today?

Mr. Deputy Speaker: The hon. Gentleman will know that the only amendments that can be debated are those that are selected.

Mr. Nigel Waterson (Eastbourne): Further to that point of order, Mr. Deputy Speaker. It is right to bear in mind that, despite the valid comments about the Civil Persons (Disabled Persons) Bill, there are three other Bills on the Order Paper before it, one of which covers an important natural resource; the others cover important matters of consumer protection. Is it in order for the hon. Member for Kingswood (Mr. Berry), speaking on the radio this morning, to describe them as Mickey Mouse Bills? I should not have thought that that was the kind of language that one would expect from a Member of the House. I wonder whether you are in a position to rebuke the hon. Gentleman.

Mr. Deputy Speaker: I did not hear the radio broadcast, and I certainly will not comment on it. Therefore, without further ado, the Clerk will now proceed to read the Orders of the Day.

Orders of the Day

Inshore Fishing (Scotland) Bill [*Lords*]

Not amended (in the Standing Committee), considered.

Clause 2

OFFENCES

9.42 am

Mr. Peter Luff (Worcester): I beg to move amendment No. 1, in page 2, leave out line 7.

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to take the following amendments: No. 2, in page 2, line 8, leave out from beginning to 'and'.

No. 6, in clause 3, page 3, line 29, at end insert—

'(5B) Where an officer has seized any vehicle or equipment under subsection (5A) above, the owner or charterer of the boat or the owner of the vehicle or equipment, as the case may be, if he is not the person on board the boat or in charge of or in or on the vehicle or equipment, shall be notified of the seizure as soon as practicable and informed of how the matter will be proceeded with.'.

Mr. Luff: The intention of the amendment is to enable the House to consider whether an owner of a vehicle or piece of equipment should automatically be guilty of an offence even though he or she may have no knowledge that such an offence has been committed. I believe that rather different issues apply to the owners of fishing vessels, as I shall seek to explain later, but the automatic extension of that offence to deal with the particular problems with which the Bill is concerned needs to be considered carefully.

Mr. Nigel Spearing (Newham, South): I am grateful to the hon. Gentleman for giving way at this early point in his speech, but he made some remarks publicly on the radio yesterday about his amendments, and referred to the importance, which we all appreciate, of the natural environment, and in particular the activities and advice of the Royal Society for the Protection of Birds. Will he tell us whether any of the amendments that he is about to move, or any others, had the support of that society? Will he tell us why he thinks membership of that society is incompatible with public office? I declare an interest as a member of that society.

Mr. Luff: I do not for a minute believe that membership is incompatible with public office. Sadly, the pressures on one's time in the House mean that one must make choices about what one does with one's time. I found that there just was not time to read *Birds* magazine. That is a great sadness for me. I concentrate—I make no secret of it—in my spare time on my interest in railways rather than birds. But that does not mean that I have lost my interest in birds. The hon. Gentleman makes an important point. In fact, I was about to set my amendments in precisely the context that he sought to do in his intervention.

Mr. Oliver Heald (Hertfordshire, North): Before my hon. Friend moves on, I should like him to clarify something. During the Committee proceedings on the Bill, is it or is it not correct that it was the hon. Member for Dumbarton (Mr. McFall) who raised the issue with which my hon. Friend's amendments deal, and that, in trying to

tackle this difficult issue, my hon. Friend is protecting not only the interests of the environment, but the interests of Hertz and Avis car rental companies, on behalf of whom the hon. Gentleman spoke?

9.45 am

Mr. Luff: My hon. Friend anticipates some remarks that I wish to make later when I talk about amendment No. 2, to which the remarks in Committee of the hon. Member for Dumbarton (Mr. McFall) are relevant.

The Bill was drawn to my attention as a direct result of the publicity surrounding the campaign of the RSPB and its concerns for the protection of marine life generally. I believe that the Bill and the amendments that we are discussing provide a very rare opportunity to debate the protection of marine life and, specifically, bird life. My study of the Bill, as a result of that publicity, revealed other concerns, to which the amendments—and those that were not selected for debate—are relevant. That study revealed that, although the primary reason for the Bill was an environmental concern, it also affected the livelihood of farmers and contained some rather worrying aspects of enforcement provisions.

Mr. Nigel Waterson (Eastbourne): I wish to clarify one point that applies to amendments Nos. 1 and 2. According to the Inshore Fishing (Scotland) Act 1984—perhaps matters have been updated since—quite significant sentences are available for breaches of the provisions: fines of up £5,000 on summary conviction, and without limit on conviction and indictment; and in some cases confiscation of equipment, boats and the like. Does not that underline my hon. Friend's point that one must be very careful about people unwittingly breaching the proposed law?

Mr. Luff: Again, my hon. Friend anticipates remarks that I intend to make later. I have concerns, and will express them to my hon. Friend the Minister on Third Reading, about the levels of fines. They might not be high enough for some of the greater breaches of the regulations. They are certainly too high for those who are caught by accident under the provisions of the Bill and the Act to which it refers. My hon. Friend is right to make those comments and I hope that he will make them at greater length later.

The main purpose of the Bill, and it is important to understand this to understand the amendment, was adequately summarised in the Scottish Wildlife and Countryside Link magazine in April 1993. It said:

"Attempts to regulate the Solway cockle fishery highlight another drawback of the existing system. Using tractors to harvest molluscan shellfish at low water also takes place in the Solway Firth. It has an impact on shellfish stocks and can also disturb resident bird populations. The regulation of these fishing activities does not, at present, come under the control of the Inshore Fisheries (Scotland) Act. For effective regulation of the Solway fishery to occur, Local Authority by-laws to control tractor-dredging must be introduced to complement the Scottish Office Agriculture and Fisheries Department controls on dredging from boats. However, these controls can only be introduced to control nuisance rather than to protect the ecosystem or fishery, although the Secretary of State has indicated that they will change the Act in the near future."

It is my understanding that the Bill, which is a private Member's Bill, but which was, I believe, drafted with the assistance of the Government, seeks to meet precisely that commitment from the Secretary of State.

I must emphasise that neither these amendments, nor any others that were not selected for debate, form part of any attempt to wreck the progress on this Bill or any other Bill on today's Order Paper. I have to say in all honesty that, if that had been my aim, I could have tabled many more amendments to the Bill. I have some concerns, about which I have not tabled amendments, that I shall raise with my hon. Friend on Third Reading to seek assurances on a number of important points.

Mr. Roger Berry (Kingswood): It is not the number of amendments that matter, but the length of time spent debating other matters on the Civil Rights (Disabled Persons) Bill that is the cause of concern for many disabled people.

Mr. Luff: I can understand that, but, as I said, this is a very rare opportunity for the House to discuss these issues, and it is one which we should not pass up lightly. The RSPB is taking a very close interest in our proceedings and welcomes the interest that the House is taking in this important measure. It is certainty not a Mickey Mouse measure in any sense.

Mr. Peter Atkinson (Hexham): Many rural jobs and much income are tied up with the activity. If the hon. Member for Kingswood (Mr. Berry) dismisses the subject because he has an interest in another Bill, that is unfair.

Mr. Luff: My hon. Friend's intervention speaks for itself and I agree with it entirely.

Mr. James Paice (Cambridgeshire, South-East): Will my hon. Friend comment on the fact that the hon. Member for Kingswood (Mr. Berry) has just said that the number of amendments did not matter and that what mattered was the length of speeches. I have tabled a few amendments on the Sale and Supply of Goods Bill about which I feel strongly and which I hope we shall reach. Will my hon. Friend comment on the complete contradiction between the words of the hon. Member for Kingswood and those of the hon. Member for Huddersfield (Mr. Sheerman), who referred to an onslaught of amendments that had been tabled.

Mr. Luff: I think that you, Mr. Deputy Speaker, would rightly take me to task if I speculated on amendments to other Bills. It may help the House and the hon. Member for Kingswood to know that it is not my intention to remain beyond the completion of proceedings on the first Bill, which is the only one that concerns me today. I take note of what my hon. Friend said and I think that the House will find much in what he says with which to agree.

The amendments seek to eliminate unfairnesses in the Bill and to improve it. The Bill is small but vital and must complete its passage today. If I am advised by my hon. Friend the Member for Kincardine and Deeside (Mr. Kynoch) or my hon. Friend the Minister that the effect of the amendments will be to destroy any of the Bill's purposes, I will not to proceed with them, but I hope that that will not prove to be the case. I do not intend, during the debate on the amendments, to steal the thunder of my hon. Friend the Member for Kincardine and Deeside (Mr. Kynoch)—I know that he wishes to explain to the House in greater detail the importance of the measure.

It is important that amendments Nos. 1, 2 and 6—and the Bill on Third Reading—should be properly scrutinised. The Bill has had precious little scrutiny in either House. Unfortunately, it received a brief Second Reading in another place and an equally brief Committee stage.

Mr. Barry Sheerman (Huddersfield): Did the hon. Gentleman amend the Bill in Committee? Did he apply to be a member of the Standing Committee? I know that he has diverse interests. When I look at the Register of Members' Interests, I see that he is associated with Tim Bell, Visa and Avis—*[Interruption.]* Well, let me say that the hon. Gentleman has a large number of interests. I should have thought that if those interests were so high a priority with him he would have applied to be a member of the Committee and would have amended the Bill in Committee, which he knows that he can do even if he is not a member of the Committee.

Mr. Luff: The hon. Gentleman cannot have been listening to what I said earlier. The Bill received only a formal Second Reading in the House before it was referred to a Standing Committee—a Scottish one to be precise. I was unaware of the Bill's passage through the House and became aware of it only—as the hon. Gentleman would have known had he been listening—when the campaign of the Royal Society for the Protection of Birds on marine life—

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): Order. It would be for the convenience of the House if the hon. Gentleman dealt with the amendments.

Mr. Luff: I am grateful for your help, Mr. Deputy Speaker. I do not think that the remarks of the hon. Member for Huddersfield (Mr. Sheerman) were entirely relevant to the amendments. In view of the vindictive campaign being waged by some Opposition Members against individual hon. Members, I shall answer one question posed by the hon. Member for Huddersfield that is relevant to the amendments and shows why I am interested in the Bill.

The hon. Member for Newham, South (Mr. Spearing) mentioned my membership of the RSPB. I have spent time in the Solway firth, watched the bird life there and derived great pleasure from doing so. He will know that I regularly speak on marine issues in the House. He may not know —this is relevant to the enforcement proceedings that we are about to discuss—that my family is now, and has been, involved in fisheries protection, and my brother-in-law served on a fishing vessel that was taken up from trade used in the Falklands war. Therefore, fishing issues are of great interest to me. I have absolutely no commercial interest in the Bill. My motives are entirely concerned with the Bill's enforcement provisions and the protection of marine life.

Today's debate on the amendments is timely. The amendments relate to the use of tractor dredgers on the foreshore to take cockles—an activity not covered by the 1984 Act. We need to regulate shore fishing to conserve the stocks. As my hon. Friend the Member for Hexham (Mr. Atkinson) said, cockles provide a source of income for the fishing industry, food for shops and restaurants and essential food for birds. It is important that the regulations exist and are effectively enforced.

The new-style tractor dredgers—the equipment referred to in clause 2—can collect an average of 1.5 tonnes of cockles per hour. It is significant equipment. In the process, the ecology of the foreshore is destroyed. It is important that the Bill and the clause should ensure that the provisions are enforced. The consequences for bird life are serious as the ecology of the foreshore is wrecked—the marine organisms dry out and there is not enough time for them to be rewatered by the incoming tide.

The Bill's draftsmen have not recognised the fact that the clause not only deals with problems caused by cockle fishing, but goes wider. The Bill catches in its net—if I may use a fishing metaphor—all fishing activities because it refers to boats at sea as well as activities on the foreshore. It is important to take this opportunity to consider the wider significance of the amendment and the clause.

Amendment No. 1—

Mr. Deputy Speaker: The amendment deals with vehicles or equipment subject to hire and the hirer, not the Bill in general.

Mr. Luff: Amendment No. 1 extends the guilt of an owner in relation to fishing boats in section 4 (1) of the 1984 Act to vehicles and equipment owners. It is more likely that the owner of a fishing vessel will be party to illegal fishing. It is difficult to see how such an owner could let a boat go to sea without knowing what it was going to do. There are strong logical reasons for the provision to cover sea fishing. It is much more likely that vehicles and equipment—to use the phrase in the Bill—could be involved without the owners' knowledge and consent. That is precisely my worry.

We all know that farmers share tractors. If the clause is unamended, we could encounter problems in relation to tractors in shared ownership. An owner could lend a tractor believing it to be for one purpose and find that the person borrowing the tractor intends to engage in an activity that, as a result of the Bill, is illegal. The owner of a tractor could use the claim that he thought that the tractor was being used for another purpose as a defence against prosecution, which would make the law unworkable.

The same is true of other equipment, but probably not the dredging equipment, which is highly specialised. The absence of any definition of equipment is a problem in the Bill. Section 9 of the Act could have usefully been amended to include a definition of equipment. The fact that there is no such definition makes it more difficult to discuss the clause meaningfully. If my intention were to destroy the Civil Rights (Disabled Persons) Bill, I could have done so. I hope that my hon. Friend the Minister or my hon. Friend the Member for Kincardine and Deeside will give a specific assurance on the subject of definition.

I am seeking to remove—

Mr. Sheerman: The hon. Gentleman should sit down.

Mr. Luff: The hon. Gentleman makes comments from a sedentary position that I have already answered in response to interventions from hon. Members on both sides of the House. I do not want to repeat those responses as that would incur the wrath of the Chair and the House. I am seeking to be courteous and not to waste the time of the House and it would be helpful if the hon. Gentleman desisted from making sedentary observations.

Clause 2 is well intentioned but goes too far. It makes someone guilty of an offence that he or she could not have known was to be committed. Amendment No. 2 relates to similar issues. It would effectively delete line 8 on page 2 of the Bill relating to the vehicle or equipment subject to hire and the hirer. Concern was expressed in the Standing Committee that new section 4(1A)(c) of the Inshore Fishing (Scotland) Act 1984, inserted by clause 2 of the Bill, may make a person guilty of an offence if she or he hires a vehicle and it is used without his or her knowledge

to commit an offence. The purpose of the amendment, which deletes the reference to such hirings, is to enable an exploration of the issue.

As has already been mentioned, on 9 March the hon. Member for Dumbarton referred to the problems of companies such as Hertz and Avis. He asked:

"Would the offence relate solely to the person renting the car or could it relate to Hertz or Avis? Despite legal opinion, I was asked to raised the matter in our debate on the clause. My understanding is that the provision relates only to the person who rents the car and that the hirer would not be affected. Will the hon. Gentleman comment on that for the sake of those who may be affected?"

In response, my hon. Friend the Member for Kincardine and Deeside said:

"I shall certainly get back to the hon. Gentleman . . . but I understand that the provision would not cover a car parked alongside the dredger; it would cover the equipment that is doing the damage."

My hon. Friend the Member for Ayr (Mr. Gallie) then said:

"Following the comments made by the hon. Member for Dumbarton, it may be more appropriate to refer to a tractor than to a car. A tractor and a dredging unit could be hired from separate sources. The hirer of the tractor may have no connection with the hirer of the dredger."—[*Official Report, Second Scottish Standing Committee*, 9 March 1994; c. 6.]

My hon. Friend the Member for Kincardine and Deeside provided limited reassurances in response to that matter, but the essential point is that he promised to get back to the hon. Member for Dumbarton. He will know that, since the Pepper *v.* Hart judgment, what is said during our proceedings can be taken into account by a court of law, but, to the best of my knowledge, this aspect of the Bill has not been put on record in the House. We would appreciate it if my hon. Friend the Member for Kincardine and Deeside could give further reassurances on this point. That would be a great comfort.

10 am

Amendment No. 6 is the most substantial in terms of text and it is also of great importance in the context of cockle fishing, the specific issue covered by the Bill. Although my principal concern relates to the owners of vehicles or equipment, I am also concerned about the owners of boats who are currently covered by the Bill. Amendment No. 1 would remove owners from automatic prosecution and amendment No. 6 would give them some rights over their property especially if—for whatever reason—they were not aware that their boat, vehicle or piece of equipment was being used to commit an offence. It would impose a simple duty on fishery officers to let an owner know what was likely to happen to his property as a result of their action.

It is essential that the House protects the property rights of innocent parties. There is a risk of the abuse of such rights under the 1984 Act unless amendment No. 6 is accepted, although there is less risk of boats being used without their owners' permission. I fully accept the importance of fishery officers being able to seize fishing vessels or equipment. If the Bill is to protect marine life effectively, the officers must have such power.

If a skipper is apprehended by fishery officers, he can anticipate a heavy fine, as my hon. Friend the Member for Eastbourne (Mr. Waterson) said. He can also anticipate confiscation of his catch and, more important, the confiscation of his gear which means that he has to return to his home port to replace it. That is a major inconvenience, especially for foreign vessels. Confiscation of equipment is an extremely effective deterrent against sea fishing abuse, but, unless amendment No. 6 is accepted, the Bill will widen the definition of what can be confiscated. It is therefore important that we consider the amendment carefully.

The most obvious vehicle that could be detained under the Bill would be a tractor; but to whom might a tractor belong? What if it has been stolen or borrowed without authorisation? What if it has been taken without the owner's knowledge due to a simple misunderstanding by the person who has committed an offence? It is essential that we protect the property rights of innocent parties to an offence. I accept that confiscation is a powerful deterrent and I am seeking not to remove that power but to temper it by letting the owner know what is happening. He can at least then plan for his needs even if he cannot get his equipment back.

Amendment No. 6 is reasonable. I ask only that fishery officers notify an owner of the seizure of his vehicle or equipment as soon as is practicable. I am not seeking to place an onerous duty on their shoulders. The amendment underlines my other concern, to which I shall return on Third Reading, which is to ensure that all powers provided under the Act are used properly and fairly.

Mr. Peter Atkinson: When my hon. Friend the Member for Kincardine and Deeside (Mr. Kynoch) or the Minister responds to the points made by my hon. Friend the Member for Worcester (Mr. Luff), I hope that they will consider the use of, for example, minibuses by cockle fishermen. Those who have seen the cockle harvest in Wales will know that it sometimes resembles the Klondike. Hundreds of people appear on the foreshore having travelled to the scene by minibus.

As I understand it, under the Inshore Fishing (Scotland) Act 1984 the Scottish inshore waters over which the fishery officers have jurisdiction stretch only from six miles out to the mean high water mark. A gang of people who come to the foreshore in a hired minibus often park, not unreasonably, on the road which is, of course, above the mean high water mark. In England and Scotland, if one is caught poaching with the use of a vehicle, the magistrates or sheriffs can confiscate it, but, in this case, the fishery officer would have no power to confiscate the vehicle because it would not be within his jurisdiction—it would be in the jurisdiction of the police or the byelaw enforcement officer.

It appears that there could be a lacuna in the law and I should be grateful if my hon. Friend the Member for Kincardine and Deeside could explain clearly what would happen in such circumstance.

Mr. Paice: I shall not detain the House very long, but I am concerned about the very points to which the amendments tabled by my hon. Friend the Member for Worcester (Mr. Luff) relate. He rightly mentioned the need to protect the innocent owner, but the technical issue of who the owner of a vehicle is also needs to dealt with.

In today's world, it is highly likely that the owner may be a financial institution that has retained the property rights of the tractor or whatever vehicle may be used. We must recognise that the ownership and use of various types of equipment and vehicles can be quite separate. Many years ago, I was prosecuted for owning a vehicle with defective tyres although I had had nothing to do with the use of that vehicle. Fewer people now own outright the

[Mr. Paice]

equipment that they use and that fact must be reflected in the law. That is why I was pleased that my hon. Friend tabled the amendments.

Like my hon. Friend, I fully support the motives of the Bill. I am a firm and active supporter of the Royal Society for the Protection of Birds and welcome its initiatives to encourage the Government's proposals introduced in the Bill. I in no way want to delay or detract from the Bill, but I am anxious to ensure that innocent parties who unwittingly find that equipment in which they have a proprietorial interest has been used to commit an offence should not suffer and incur the penalties to which my hon. Friend the Member for Eastbourne (Mr. Waterson) has already drawn our attention. I am sure that my hon. Friend the Member for Kincardine and Deeside (Mr. Kynoch) or the Minister will be able to deal with that issue.

Dr. Liam Fox (Woodspring): I disagree with some of the points made by my colleagues. My interest in the Bill arises from the time that I have spent on the Solway firth, not least one or two liquid new years at Drummore. The attraction of that part of the country is its traditional environment. It is an example of a delicately balanced ecosystem. If the Bill is to be effective it must firmly regulate the dredging in such parts of the country, but I believe that the amendments would weaken the proposed enforcement.

In another place, Lord Campbell set out clearly the background to the Bill. For years, traditional cockle picking has been part of the local way of life and has been carried out in balance with nature. The mudflats support large numbers of birds, and I spoke to representatives of the Royal Society for the Protection of Birds this morning. Increased prices will inevitably mean more dredging by tractors—that is a simple fact. The Inshore Fishing (Scotland) Act 1984 is not sufficient in scope to stop it, but can we introduce sufficiently restrictive measures?

The reservations expressed by my hon. Friend the Member for Worcester (Mr. Luff) are entirely understandable. To put the matter in context, we must realise what sort of community we are talking about. Unless we give the police specific powers to stop and search and to confiscate, it is difficult in a small community for a local policeman, who knows everyone in the area, to say, "I have a reasonable suspicion that you are doing this." It is much easier for the police if they have a more clearly defined power in law. Amendments Nos. 5 and 3, although attractive in terms of introducing the idea of reasonableness, might make it more difficult to enforce the legislation on the ground.

There is a more general point about the amendments. If we introduce environmentally protective legislation, it must be meaningful. If we water it down, as proposed in the amendments, we are in danger of making the legislation relatively meaningless. If we are to protect ecosystems, we must make the powers rigorous. To introduce, as the amendments do, the idea of doing things that are reasonably necessary to facilitate a search simply waters down—

Mr. Deputy Speaker: Order. The hon. Gentleman is straying on to non-selected amendments. Amendments Nos. 5 and 3 have not been selected.

Dr. Fox: I apologise, Mr. Deputy Speaker, if I have the numbers of the amendments wrong. I return to the points made by my hon. Friend the Member for Worcester.

Mr. Sheerman: On a point of order, Mr. Deputy Speaker. Would not it help progress if, when the Whips organised a filibuster like this, they briefed their hon. Friends a little better than they have done?

Mr. Peter Atkinson: On a point of order, Mr. Deputy Speaker. The Bill is of considerable concern to people in Scotland and to people who are interested in the environment. That is true of people in my constituency, which is situated near the Solway firth. During the progress of the Bill, we have been subjected to endless heckling from sedentary positions about filibusters. Some of us are concerned about the provisions of the Bill.

Mr. Deputy Speaker: It is now time that the House got on with its business.

Dr. Fox: I was referring to amendment No. 6. It might seem reasonable that we should make clear who owned what equipment at what time. However, in small rural communities, it will be extremely difficult to enforce the legislation. We would not want people outside the House to feel that, in trying to be reasonable in the amendments, we were giving less environmental protection than was initially intended.

The surveys carried out by the marine laboratory of the Department of Agriculture and Fisheries for Scotland have shown a massive diminution in the biomass of cockles in the Solway firth. We must give as much protection as we can. Although the amendments are well intentioned, they would not achieve that because they would make the enforcement of a rigorous Bill more difficult. I hope, therefore, that my hon. Friend the Member for Worcester will address that point when he replies and that my hon. Friend the Minister will take those points on board.

Mr. Waterson: Like other hon. Members who have commented on the Bill, I believe that it is a small but important measure. It deserves the whole-hearted support of the House. It is important for the people of Scotland and for people who live near the border. I represent a seaside constituency where these issues are important. I understand that the powers that we are discussing are already within the bailiwick of the fisheries committees in England and Wales. The Bill proposes to put right a position that was never envisaged in 1984 when the Inshore Fishing (Scotland) Act, which the Bill would amend, was passed.

I support the amendments tabled by my hon. Friend the Member for Worcester (Mr. Luff) and the thrust behind them. Speaking as a lawyer, I have to say that it is important that when the House considers criminal penalties —we must be in no doubt that we are talking about criminal penalties—it must be sure that they will be applied fairly and against people who are aware, or who have the possibility of being aware, that they are committing the offence covered by the Bill. The amendments, especially amendment No. 6, open up the discussion about the rights of owners who may not be aware that their boat, vehicle or other equipment is being used to commit an offence.

The amendments are sensible and fair. We are all anxious to make progress this morning, so, like other hon. Members, I shall try to be brief.

One only has to glance at the Inshore Fishing (Scotland) Act 1984 to see that there are significant penalties. That is the thrust behind the amendments. My hon. Friend the Minister may be able to correct what I am about to say; I have not had a chance to discover whether in the intervening years a regulation or another Act has amended and, no doubt, increased the possible penalties.

10.15 am

Under section 4 of the 1984 Act, a person guilty of an offence can, on summary conviction in a magistrates court, be liable to a fine of up to £5,000. As I have said, for all I know, that penalty may have already have been increased by the House through secondary legislation. On indictment, a person can be liable to a fine with no limit. That is bad enough. My hon. Friend the Member for Worcester has already touched on the other, rather more draconian, penalties that are contained in the 1984 Act. They include the rights of officers to enter dwelling houses and other premises, to search premises, to seize documents and to issue warrants for the impounding and sale of boats, gear and other equipment. People have to forfeit such equipment. Those are, rightly, very serious penalties to attach to very serious matters.

We all know the importance of such a conservation measure. We have debated at great length in the House —it is also an issue in my constituency—the Sea Fish (Conservation) Act 1992. We know that feelings run high, but we also know that if legislation is passed and enforced, the stocks can be built up again in a relatively short time. That is especially true of cockles. There can be a great surge of regeneration which produces abundant stocks again.

It is important that the penalties are serious and that they are taken seriously by those who consider breaking the regulations. However, I urge my hon. Friend the Minister and my other hon. Friends to consider seriously the force behind the amendments. They are designed to ensure that unwitting people cannot stray into breaking the regulations and into criminal convictions, with severe penalties attached to them and with draconian powers of search, detention and confiscation, without being aware that they have done so. That is why hirers and owners who may have no connection with the current use of the piece of equipment concerned should be protected as much as possible. I believe, and I urge the House to accept, that the amendments are absolutely accurate and spot on about the issue. I commend them to the House.

Mr. George Kynoch (Kincardine and Deeside): This has been an interesting debate on important amendments. I draw attention to the fact that there are no Scots spokesmen present on the Opposition Front Bench. I know that the hon. Member for Dumbarton (Mr. McFall), who is a firm advocate of the Bill, would have liked to be here today. With the greatest of sympathy from Conservative Members, we are well aware that he is attending the funeral of John Smith. I know that all Scottish Conservative Members have great sympathy for John Smith's family at this time and our feelings are with them today.

I shall deal first with amendments Nos. 1 and 2 and then with amendment No. 6, which is slightly different. Amendments Nos. 1 and 2 raise the question whether the owner of a vehicle or equipment should be criminally liable, without proof of complicity on his part, if the vehicle or equipment is used in breach of an order under the Bill. Amendment No. 2 raises the question whether such an owner should be criminally liable if he has hired out his vehicle to another person. Rightly, those are issues of concern to my hon. Friend the Member for Worcester (Mr. Luff) and I am grateful to him for providing the opportunity to explain the intention of the measure. The House will know that the Inshore Fishing (Scotland) Act 1984 already contains, in section 4(1), a similar measure in relation to fishing boats. Where a fishing boat is used in the commission of an offence under that Act, the master, the owner and, if there is one, the charterer are all guilty of an offence.

The purpose of clause 2, which the amendments seek to alter, and, indeed, the purpose of the Bill as a whole is simply to mirror the existing provisions of that 1984 Act. The purpose of the proposed new subsection 4(1A) is therefore to ensure that owners and hirers of vehicles and equipment are in no different position from the owners and hirers of fishing boats. The principle on which both measures is based is that while, in either case, those persons may not directly be conspiring to bring about the commission of an offence, they may directly or indirectly make profit from its commission. I am anxious that the Government have as complete an arsenal of weapons as possible to assist them in policing those measures. To deprive them of recourse against owners and hirers would leave open a major loophole of enforcement. We may find that the minnows are caught, but the big fish swim undisturbed.

It is also part of my consideration that persons should not be able to avoid liability under the law by the subterfuge of entering into contracts of hire with the operators of their vehicles or equipment, leaving those operators to face prosecution even though the bigger fish may still, through indirect routes, be the ultimate beneficiaries of fishing activity. In fact, I have heard many stories of the shore at Southerness on the Solway firth, where numerous vehicles have been seen ploughing up the beach suction dredging, and I have been told that a person arrives in a car with a wad of bank notes and pays those people for the services. That person, who, presumably, owns the equipment, should be responsible if there is a breach of the Act.

I hope that my hon. Friend the Member for Worcester will accept that careful consideration has already been given to the issues that he has raised today. I fully appreciate that his concern may rest with entirely innocent owners or the hirers of vehicles or equipment, but he must bear in mind the fact that that may be the position of owners or charterers of fishing boats as well. He should also bear it in mind that, on the whole, we will be dealing with specialised vehicles and equipment which may have to be adapted for that purpose. It would also be fair to say that, in exceptional cases of complete disconnection between an owner and the commissioner of an offence, the investigating authorities, the prosecuting authorities and, of course, the courts will have some discretion in the matter of responsibility. Of course, the Crown will have regard to public interest and the courts to culpability in reaching their respective conclusions. Therefore, it is my intention to close any loophole by ensuring that owners of vehicles and equipment and persons who take them on hire continue to be liable under the measure.

I hope that my hon. Friend will accept my arguments and recognise that the circumstances which cause him concern will be rare—if, indeed, they arise at all. The

[Mr. George Kynoch]

benefits of the proposed measure clearly outweigh any disadvantage which he envisages. He referred to the point raised by the hon. Member for Dumbarton in Committee, with particular reference to Avis, Hertz and cars. I said in Committee that the equipment had to be an integral part of the equipment carrying out the dredging operation and, therefore, that an innocent car parked on the foreshore, which clearly was not part of the dredging operation, would not be affected.

Mr. Luff *rose—*

Mr. Kynoch: If my hon. Friend would bear with me and, also, to save time, I should like to put on the record a letter from my hon. Friend the Minister to the hon. Member for Dumbarton on 15 March. I shall refer only to the section that applies to the matter and not include the introduction. It states:

"The proposed powers under clause 1 of the Bill could only be used where a vehicle played an active part in fishing activity, such as pulling and dredging equipment along the foreshore. Any other use would not come within the purview of the Bill.

The Bill proposes that hirers should also be liable where fishing has taken place from their vehicles partly to mirror the powers already available against charterers of vessels and partly to prevent parties from avoiding the consequences of liability by contracting out equipment. The Bill was carefully drafted to meet that concern without drawing in vehicles which were innocently using the foreshore. I hope this clarifies the issue for you."

Mr. Luff: I appreciate my hon. Friend's point, but I am still concerned about what happens to a car that is being used to transport people to the beach to take part in illegal activity, unwittingly, for example. Would that be caught in the provisions of the Bill? It may be a technical point. I do not think that he has answered my point about a tractor that is being unwittingly used. I still feel very nervous about those points.

Mr. Kynoch: I thank my hon. Friend for expanding on that. A vehicle transporting people to the beach would not be covered. The purpose of the Bill is to cover the equipment concerned. That means the equipment involved in the dredging. To consider a tractor is a fair point, which was raised by my hon. Friend the Member for Ayr (Mr. Gallie) in Committee. However, if a tractor were connected to the dredging equipment, it would be part of the equipment and therefore should be part of the process of seizure. Therefore, the owner of that tractor should already also come under the auspices of the Bill, being similar to the charterer of a vehicle.

Mr. Paice: The point that my hon. Friend has just raised was precisely what I was trying to get at in my short intervention. Today, the vast majority of farmers and others do not buy tractors outright, but use a range of different financing methods and leasing is increasingly popular. As I understand the law, for vehicles or equipment bought on lease, the title does not transfer to the operator, but remains with the financial institution. My hon. Friend's proposals are made for worthy reasons and I understand everything that he has said so far, but it means that the big finance houses would find themselves liable, as owners of title, for tractors that were used.

Mr. Kynoch: My hon. Friend raises a valid point, but I would argue that a similar situation exists in relation to boats. Very few boats are bought outright and the purchase of them involves finance companies as well. I agree that an innocent farmer may well unwittingly rent out his tractor to someone else, but I argue that, if he knows that there are restrictions on cockle fishing in an area, it is his responsibility to find out the purpose for which his tractor is being rented.

I shall move on to amendment No. 6, in relation to clause 3. That would impose a requirement on an officer who has seized a vehicle or equipment to inform its owner, if the owner has not been present at the seizure, of that fact and how matters proceed. The Bill intends to give power to British sea fishery officers to seize vehicles or equipment which, in their opinion, have been used to commit an offence under the Bill. The purpose of that power is not permanently to deprive the owner of the vehicle or equipment, but to ensure in cases in which it is appropriate to do so that the vehicle or equipment is available as evidence to be put before the courts to make out a case. It often happens that the only proper evidence that the law will accept is the offending article itself.

Mr. Waterson: May I clarify one point, which I covered in my short speech? Under section 8 of the 1984 Act, there is also a power for what is called poinding—rather than being a typographical error, I assume that that is a Scottish legal expression—and sale of the boat and its gear and catch. Is my hon. Friend saying that it is not envisaged in the Act, as amended by this provision, that there can be permanent deprival of equipment? It may not be a question that my hon. Friend can answer on his feet, but in the 1984 Act, which is our starting point for the debate, poinding, whatever that is, and sale are envisaged.

Mr. Kynoch: I would not dare to embark on the difference in the detailed legal terminology between Scotland and England, but I can confirm that what my hon. Friend says is absolutely correct. There is no intention of permanent seizure.

To return to the point about tractors and leasing companies, as I said earlier, the procurator fiscal has some latitude in whether he pursues the owner. Obviously, he would not cause an innocent owner to be pursued. However, the provisions for the owner to be included have to be in the Bill.

I was about to explain that the evidence of the equipment is usually known as the best evidence rule. Seizure should therefore be seen as an evidential matter rather than as a form of summary justice. Powers to detain fishing boats and to seize fishing gear are already available under the provisions of the Inshore Fishing (Scotland) Act 1984 and other provisions of sea fishing legislation. I believe that such powers are used sparingly and only where circumstances demand, particularly in the case of the tying up of a fishing boat. I envisage that the proposed powers would be similarly sparingly and intelligently used by those who exercise them.

At present, there is no equivalent provision to that proposed by my hon. Friend the Member for Worcester in any of the sea fishing legislation of which I am aware. That omission does not appear to have given rise to a problem. Owners of boats or gear have always seemed to find out about their detention or seizure—believe it or not, in no time at all. Obviously, word travels very quickly if something is seized and there has been a contravention of the law.

10.30 am

I recognise the concern of my hon. Friend the Member for Worcester, but I wonder whether the provision would do all that he expects of it, or whether it is entirely necessary to be included in the Bill. My hon. Friend may believe that the provision encompasses boats. That is not the case because it refers only to equipment.

The ownership of a vehicle may be difficult to determine. The vehicle may be the subject of a hire contract and the appropriate person to notify may be the person who has taken it on hire, as opposed to the leasing company or hirer. By the time that the appropriate person to notify has been found, the purposes of the provision may have been rendered unnecessary. Although the appropriate person may be known, that person may not be able to be traced in good time.

For those reasons and more, which I am sure may occur to my hon. Friends, I am reluctant to see the measure included in the Bill. However, I am aware that in many respects the Scottish Fisheries Protection Agency, which will primarily be concerned with the enforcement of the Bill, currently carries out its various duties in such a way as to least upset lawful fishing activities, so far as that is practicable. Indeed, in line with the Government's citizens charter commitments, it has produced a code of enforcement practice which, among other things, specifically commits itself to carrying out its duties in that way.

In the spirit of that policy, I understand that the agency might see the merit of some form of notification being made by the agency in the case of seizure of vehicles or equipment where circumstances merited it—for example, where it was clear that those responsible for the equipment or vehicle on the spot were unable to do so.

When the Under-Secretary of State for Scotland, my hon. Friend the Member for Eastwood (Mr. Stewart) responds to the debate, I wonder whether he will be able to offer a commitment in relation to notification in those circumstances. If that is the case, I hope that my hon. Friend the Member for Worcester will be prepared to withdraw his amendment, which I fully understand and appreciate, but which I believe to be unnecessary.

The Parliamentary Under-Secretary of State for Scotland (Mr. Allan Stewart): My hon. Friend the Member for Worcester (Mr. Luff) raised several important points which, as he said, were referred to by the hon. Member for Dumbarton (Mr. McFall) in Committee. To underline the point made by my hon. Friend the Member for Kincardine and Deeside (Mr. Kynoch), we entirely understand why the hon. Member for Dumbarton and his colleagues and colleagues in the minority parties from Scotland are in Scotland today and not here for this debate. However, it would be appropriate to say that they are fully supportive of the Bill in principle.

Hon. Members may also wonder why I am responding to the debate rather than my hon. Friend the Member for Dumfries (Sir H. Monro), who has been very closely involved with the Bill both as the fisheries Minister and as a constituency Member. Hon. Members will be aware that Lady Monro has been in hospital for a few days. I have to tell the House that she died late last night. I am sure that the whole House will wish to extend its sympathies to my hon. Friend the Member for Dumfries.

My hon. Friend the Member for Worcester raised genuine issues. However, at the end of my remarks, I hope that he will follow the advice of my hon. Friend the Member for Kincardine and Deeside and withdraw the amendment. As my hon. Friend the Member for Kincardine and Deeside said, the Inshore Fishing (Scotland) Act 1984 contains a similar measure in relation to fishing boats. Where a fishing boat is used in the commission of an offence under that Act, the master, owner and—if there is one—the charterer are all guilty of an offence.

The purpose of clause 2, which the amendments seek to alter, and indeed the essential purpose of the Bill as a whole, is to mirror the existing provisions of the 1984 Act. The purpose of proposed new subsection 4(1A) is therefore to ensure that owners and hirers of vehicles and equipment are in no different position from owners and hirers of fishing boats. I emphasise that that was very much the view of the fishermen themselves.

Mr. Michael Fabricant (Mid-Staffordshire): I understand my hon. Friend's argument and the fact that he wants consistency between the ownership of fishing vessels and the ownership of tractors, and so on. However, does he accept that the financial provisions that are available now are different from those that were available in 1984? In particular, leasing then was not such a widespread means of operating a vessel or a tractor as it is today. As a consequence, the law should reflect that.

Mr. Stewart: I accept that my hon. Friend has a point. However, we are talking about very specialised equipment. We are not talking about someone hiring a car or a van, or even a tractor, and going out for a picnic. It is fairly obvious what the hirer's purpose would be.

Mr. Paice: I want to clarify the point, as my hon. Friend the Minister seems to misunderstand slightly. There is a definite distinction between hiring and leasing. The point that I raised, and the point to which I believe my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) is referring, is leasing—using the money of a finance house to lease a vehicle or a piece of equipment for several years, just as I lease my computer equipment here in the House of Commons instead of having to pay for it upfront. It is a form of purchase, but the title remains with the finance house.

Mr. Stewart: I accept that my hon. Friend has a genuine point, to which I shall return. I agree with my hon. Friend the Member for Kincardine and Deeside that the enforcement authorities will have no interest in prosecuting an innocent person who has perhaps leased a vehicle in complete innocence of its purpose. However, on balance, he was right to say that the Government should have as complete an arsenal of weapons—to use his phrase—as possible to assist them in policing these measures. To deprive the Government of recourse against owners and hirers would leave open a fairly major loophole in enforcement.

I do not want to mix metaphors, but the minnows might be caught while the big fish would swim undisturbed if that were the case. It is clearly possible that there could be subterfuge in respect of those entering into contracts of hire with the operators of the vehicles or equipment leaving the operators to face prosecution even though the people behind the activity might be the ultimate beneficiaries of the activity.

[Mr. Stewart]

I hope that my hon. Friend the Member for Worcester will accept that we have considered the matter carefully. However, there are two arguments. The first relates to the owners or charterers of fishing boats. We are bringing the provisions of the Bill into line with that. Secondly, in exceptional cases—which is the point raised by my hon. Friend on leasing—where there is a complete disconnection between the owner and the commissioner of an offence, the investigating authorities, the prosecuting authorities and, ultimately, the courts—

Mr. Kynoch: Does my hon. Friend accept the point that I made earlier—at present, boats are frequently leased and the operation does not seem to cause any problems in the existing Act?

Mr. Stewart: My hon. Friend is correct to refer to the 1984 Act. The provisions of that Act do not seem to create any problems; there is no evidence that there is a problem with the Act. Where there is a complete disconnection between an owner and the commissioner of an offence —which is, essentially, my hon. Friend's point—the investigating authorities, the prosecuting authorities and the courts have discretion with regard to their responsibilities. The Crown will have regard to the public interest and the courts will have regard to culpability in reaching their respective conclusions.

Mr. Luff: May I be clear on what my hon. Friend is saying? Is he saying that, notwithstanding the fact that clause 2 says

"Where an offence is committed by way of contravention of any order . . . each of the following persons shall . . . be guilty of an offence",

the courts will have discretion? If so, that would be a real comfort to me in considering what I should do with my amendments. It seems to be clear that there is no discretion. However, if my hon. Friend is saying that there is discretion, that is extremely welcome.

Mr. Stewart: I am grateful to my hon. Friend—obviously, it is an important point. Perhaps I can confirm exactly what I am saying: the courts will have some discretion in the matter for their own responsibilities. The Crown will have regard to the public interest and the courts will have regard to culpability in reaching their respective conclusions. I hope that that reassures my hon. Friend.

In conclusion, I understand entirely the points made by my hon. Friends with regard to amendments Nos. 1 and 2. However, I hope that they will agree that the benefits of the proposed measure—because of the assurances that I have been able to give with regard to the powers of the courts —outweigh the disadvantages, which they envisage.

I shall refer briefly to some of the other points made by my hon. Friends with regard to amendment No. 6. I can confirm that vehicles on the foreshore would not be covered unless they were actively involved in fishing activities. If someone hires my motor car, or that of my hon. Friend, and goes to the beach for a picnic, that would not be subject to the provisions of the Bill. Vehicles innocently using the beach would not be affected; nor would vehicles being used only to transport fish from the beach to processing plants or fish markets. Under the Bill, the vehicles must be specialised. The equipment is extremely specialised. I assure my hon. Friend that car hire companies would be unlikely to be affected by the provisions of the Bill.

My hon. Friend the Member for Kincardine and Deeside rightly pointed to the best evidence rule with regard to seizure. It is right to underline his point that seizure should be seen as an evidential matter. It is not a matter of summary justice; it is simply an evidential matter. What we are doing is creating a level playing field between fishing boats and fishing gear on the one hand and land-based fishing activities on the other.

I hope that I have been able to reassure my hon. Friend the Member for Worcester on those matters. He has raised legitimate points, as were raised in Committee.

Mr. Luff: I will be reassured if my hon. Friend is able to give an assurance that fishery protection officers will exercise their powers carefully and responsibly, and consider taking steps to notify owners, even if the owners are not party to an offence. If my hon. Friend can give me that assurance, I will be greatly reassured.

10.45 am

Mr. Stewart: My hon. Friend makes a valid point, which was also raised by my hon. Friend the Member for Kincardine and Deeside. We have been in touch with the Scottish Fisheries Protection Agency on that matter. I understand that it has given that assurance on the way in which it will handle such matters, so I can give that assurance to my hon. Friend. In the light of the assurances that I have been able to give, I hope that my hon. Friend will feel able to withdraw his amendment and not push it to a vote.

Mr. Luff: I am extremely grateful to both my hon. Friends the Member for Kincardine and Deeside (Mr. Kynoch) and the Minister for their remarks. I think that I am largely reassured. Ideally, I should have liked more time to test these amendments in Committee than I have had the opportunity to do today. However, I am anxious not to delay the House any further.

As to amendments Nos. 1 and 2, the assurance that I have been given that there is some discretion to the courts with regard to public interest is important. I am glad that that is on the record, and I am glad that it will be borne in mind in the future. As to amendment No. 6, what my hon. Friend the Minister said at the end of his remarks gives me precisely the reassurance that I was looking for. Therefore, I beg to ask leave to withdraw the amendment.

Hon. Members: No.

Question put, That the amendment be made:—

The House divided: Ayes 0, Noes 28.

Division No. 247] **[10.47 am**

AYES

Nil

Tellers for the Ayes:
Mr. Dennis Skinner and
Mr. John Austin-Walker.

NOES

Arbuthnot, James
Arnold, Sir Thomas *(Hazel Grv)*
Atkinson, Peter *(Hexham)*
Banks, Matthew *(Southport)*
Bottomley, Peter *(Eltham)*
Conway, Derek
Cope, Rt Hon Sir John
Evans, Roger *(Monmouth)*
Fabricant, Michael
Fishburn, Dudley
Fox, Dr Liam *(Woodspring)*
Heald, Oliver
Hughes Robert G. *(Harrow W)*
Kirkhope, Timothy
Kynoch, George *(Kincardine)*
Leigh, Edward

Luff, Peter	Townsend, Cyril D. *(Bexl'yh'th)*
McLoughlin, Patrick	Waterson, Nigel
Montgomery, Sir Fergus	Wheeler, Rt Hon Sir John
Newton, Rt Hon Tony	Wood, Timothy
Paice, James	
Shepherd, Colin *(Hereford)*	**Tellers for the Noes:**
Stern, Michael	**Mr. David Clelland and**
Stewart, Allan	**Mr. Greg Pope.**

It appearing on the report of the Division that 40 Members were not present, MR. DEPUTY SPEAKER declared that the Question was not decided, and the business under consideration stood over until the next Sitting of the House.

Mr. Stewart: On a point of order, Mr. Deputy Speaker. I wonder if you could give the House guidance on what now happens.

Every political party in Scotland has supported this Bill—

Mr. Deputy Speaker: Order. I can give that advice. We go on to the next Bill.

Mr. Sheerman: On a point of order, Mr. Deputy Speaker. The Bill has been killed by the Government and their tactics because they were unable to control the filibuster—

Mr. Deputy Speaker: Order. The House must settle down. It is getting into a mess.

Mr. Stewart: On a point of order, Mr. Deputy Speaker. I do not want to raise the temperature in the House today of all days, but would you not rule that the Bill has been universally accepted by political—

Mr. Deputy Speaker: Order. With great respect to the Minister, I have already ruled. We must go on to the next business.

Mr. Luff: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is this a point of order on the same subject? If it is, I have already ruled on the matter.

Mr. Luff: Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: There is no further point of order on the subject. We have moved on.

Sale and Supply of Goods Bill

Not amended (in the Standing Committee), considered.

Clause 1

IMPLIED TERM ABOUT QUALITY

11 am

Mr. James Paice (Cambridgeshire, South-East): I beg to move amendment No. 15, in page 1, line 8, leave out 'in the course of a business'.

Mr. Deputy Speaker (Mr. Geoffrey Lofthouse): With this, it will be convenient to discuss the following amendments: No. 16, in page 1, line 10, at end insert

'whenever the seller sells goods in the course of a business and otherwise when in all the circumstances it is reasonable to imply the same.'.

No. 10, in page 1, line 14, after first 'relevant' insert,

'any representations or other statements made by or on behalf of the seller expressly or by implication which it is reasonable for the buyer to rely upon'.

No. 11, in page 1, line 15, at end insert

'including the commercial reputation of the seller, as the seller himself by himself or by any associated company or brand name may have induced in respect of the particular class of goods or otherwise by advertising, marketing or otherwise promoting the same.'.

No. 7, in page 2, line 9, at end insert—

'(2) In section 14 of that Act, for subsection (3) there is substituted—

"(3) Where the seller sells goods in the course of a business there is an implied condition that the goods supplied are reasonably fit for the purpose usually intended or to the knowledge of the seller or an agent of the seller (including any credit-broker) actually or reasonably foreseeable intended by the buyer for such goods, and in determining reasonableness regard shall be had to all the circumstances including the commercial reputation of the seller, as the seller himself by himself or by any associated or brand name may have induced in respect of the particular class of goods or otherwise by advertising, marketing or otherwise promoting the same.".'.

Mr. Paice: I must declare an interest as an adviser to the Dixons group of companies, which are obviously involved in the sale and supply of goods.

The House will be aware that during the past few weeks —culminating in a vote in the House last week—I have single-mindedly pursued the issue of horse racing on Sundays. I am grateful to the House for its support on that issue, which I pursued with similar single-mindedness to that of the hon. Member for Kingswood (Mr. Berry) in relation to the Civil Rights (Disabled Persons) Bill. For that reason, I have only recently been able to turn my attention to other issues. As the interest that I have just declared makes abundantly clear, I am concerned about the sale and supply of goods.

Amendments Nos. 15 and 16 are linked and refer to the implication that a seller is operating a business for the supply or sale of goods even though he or she is not.

Many hon. Members will be familiar with the fact that car boot sales, Sunday markets and other opportunities for people to dispose of goods are burgeoning. Car boot sales have come a long way since their origins as somewhere where people could sell unwanted household commodities from the boots of their cars. Many different people now operate at them, sometimes as genuine businesses, but sometimes on the very fringes of respectability, selling a

[Mr. Paice]

range of commodities, both new and second hand. I dare say that some of the commodities are purported to be new but are not.

Another development is shop squatting, which has caused great distress to the retail industry. As premises become vacant, for whatever reason—sadly, during the past two or three years it is often because the previous tenant had to close the business down—people move into them, often at Christmas time, to sell a range of commodities. In such cases, the goods are almost entirely new, but they are of fairly dubious quality.

The common feature of car boot sales, Sunday markets and shop squatting arrangements is that the sellers appear to be operating as businesses. The Bill clearly sets out to protect consumers and I do not want to detract from that aim. I am trying to enhance consumer protection in that respect. We must therefore ensure that members of the public are not excluded from the protection offered by the Bill because someone is masquerading as a business, but is not one in reality.

It is impossible for a consumer to know for certain whether someone is legitimately operating a business or whether they have managed to procure a pile of out-of-date groceries, tinned foods, Christmas decorations or any one of the countless variety of products that are on sale on such occasions. A potential purchaser does not know the business background. Perhaps someone has been left the goods, found them in their attic or obtained them by dubious means, which is a matter for the Sale of Goods (Amendment) Bill, which is next on the Order Paper. Or they may simply have gone out and purchased them.

Mr. Oliver Heald (Hertfordshire, North): Does my hon. Friend agree that the law should state that only the purely private seller is excluded? His amendments would give the courts discretion to achieve that, which has been impossible under existing legislation.

Mr. Paice: I always bow to the judgment of colleagues who are experts in the legal profession, as I am not. I am therefore even more grateful that my hon. Friend appears to endorse my argument.

In my constituency, many people who go to, or purchase goods from, the various sales that I mentioned are greatly concerned and I am sure that other hon. Members also find that that is the case. Car boot sales are especially common and purchasers have no idea of the origin of the products on sale. It is impossible to know whether the goods are being sold genuinely and whether they are genuinely new. Goods often seem to be in the original packaging, but sometimes there are grounds for doubting that they are new.

The Bill as drafted, and after the Standing Committee, does not protect the consumer if sellers of goods can demonstrate that they are not selling them as a business.

Mr. Nigel Waterson (Eastbourne): I appreciate that my hon. Friend's proposal will not apply to charities, but existing law applies to second-hand goods. What effect would his amendments have on the following situation, which is not unheard of in my constituency? Someone—perhaps a farmer—takes a sort of rental for the number of people coming to a big car boot sale. People might not come regularly to set up a stall as they might have full-time jobs during the week. Perhaps they come along from time to time to sell stuff that is theirs or that they have acquired in the way that he described, which might include second-hand goods.

Mr. Paice: The second-hand goods aspect is extremely important and I am pleased that the Bill as drafted proposes that protection be extended to cover second-hand goods. I want that protection also to be extended to similar goods sold in situations where purchasers believe that they are buying from a business when they are not.

Once one moves to the second-hand goods arena, one must clearly begin to question the origins of the goods. There is no way that purchasers can know who has title to the goods. One has to assume that it is the seller. One must also assume that the seller is telling the truth if he says that he bought the product new only a year ago and that it has hardly been used, or that it was his grandmother's and has never been turned on because she died shortly after buying it. A range of salesman's glib talk can be used to persuade the gullible to purchase goods that they believe to be in good condition, but when they get them home they find that they are not.

If it can be proved that the person from whom the item was bought was not operating as a business, the buyer has no right of redress, which the Bill seeks to provide. I am anxious, therefore, that the provisions regarding a business should extend not only to new products but to second-hand goods, as I understand that they would if the amendments that I have drafted were made.

That would not be a precedent. Already, every classified advertisement must declare at the end if it is a trade sale. That is most commonly seen in vehicle advertisements. I am sure that all of us are old enough to remember reading classified advertisements for second-hand cars in the days when an ancient car was all that we could afford, and telephoning about a car only to find that one was telephoning a garage when one had thought that it was a private number because it was in the classified advertisements. If a garage advertises in those columns now, it must make it clear that it operates as a trade business. The extension of that principle to the sale and supply of goods would give much greater protection to the consumer.

I conclude by making a positive statement to the House. The subject has arisen many times, and I hope to pre-empt accusations that may be made later. In tabling my amendments, I have not had any advice, assistance, participation or, to the best of my knowledge, any knowledge from Ministers, civil servants or parliamentary counsel. They were drafted by myself in conjunction with other Back-Bench colleagues who are lawyers and better able to put them into legal language.

Mr. David Clelland (Tyne Bridge): I accept entirely what the hon. Gentleman has said about the drafting of his amendments. I think that the proof of what he has said is the fact that most of his amendments were ruled out of order by the Speaker. However, as the hon. Gentleman has been a Member of the House for a considerable time and was here in 1989, the last time that the measure was debated, will he explain why, with his great interest in the subject, he did not table those amendments then?

Mr. Paice: Life moves on in this place and Members' interests tend to vary. The hon. Gentleman will find that during the period to which he refers I was actively involved in other aspects of the legislation of the House. I am a firm

believer in the fact that one cannot concentrate on too many things at once, and that people who try to do so end up in difficulties. I am grateful for the hon. Gentleman's acceptance of the statement about the authenticity of the amendments, although his comment about the proof of it was perhaps unnecessary.

I have proposed my amendments Nos. 15 and 16 specifically because I wish to protect the consumer, who may be misled into believing that he or she is buying from a genuine business, only to find, when seeking redress, that it was not a genuine business. That is the sole purpose of the amendments. I commend them to the House.

Mr. Roger Evans (Monmouth): The Bill is a welcome measure of consumer protection as far as it goes, and the amendments in the group all deal with specific matters designed to improve consumer protection. I welcome what my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice) has said and I shall develop his argument a little further as it introduces the other amendments, Nos. 10 and 11, which stand in my name.

Part of the problem is that branded goods acquire a commercial reputation. If one buys from a private citizen a nearly new second-hand something-or-other—perhaps a rather expensive motor car—which turns out to be what the Americans call a lemon, what happens? Under the existing law, and under the Bill as drafted unless it is amended in the way that we are discussing, a sensible private seller would say nothing more than that it is a nearly-new something-or-other. The fact that it may have been very unsatisfactory in the six months for which one owned it is neither here nor there. The law imposes no obligation on the seller to say anything about the item. If the seller does say something about it, the law imposes a liability on the seller only if the seller makes a misrepresentation of existing fact—a narrowly defined category—or if the seller makes a contractual promise, which most sellers are not foolish enough to do.

11.15 am

Amendments Nos. 15 and 16 catch that situation, where someone buys a nearly-new something-or-other which is sold by a private citizen but the private citizen receives a higher price as a result of the commercial reputation of that class of goods. I suggest that that is the classic situation in which it would be reasonable for the court to treat the item as being sold in the course of a business.

That leads to amendments Nos. 10 and 11, which tackle the problems caused by the fact that the vast expenditure on advertising, marketing and promotion induces in members of the public—very reasonably, since that is why the money is spent—expectations of quality, which are not always met. The public, as consumers, should have wider protection in those circumstances. As the Bill is currently drafted—I welcome it although I am nostalgic for that useful ancient term, "merchantable", although I can understand that it is no longer up to date—clause 1(2A) provides:

"For the purposes of this Act, goods are of satisfactory quality if they meet the standard that a reasonable person would regard as satisfactory, taking account of any description of the goods".

I pause there because that deals with amendment No. 10—description—which is a very narrow legal category.

What I suggest should be considered specifically as part of all the circumstances are representations—that is perhaps not so controversial or novel—and all other statements made on behalf of the seller, expressly or by implication, on which it is reasonable for the buyer to rely. If the seller puffs up the goods, it seems to me that it ought to be specifically drawn to the court's attention as something to which it is reasonable to have regard. That is fair and just because it is the seller's expenditure on advertising, promotion and marketing that has raised expectations in the public of satisfactory quality, and that should be specifically brought into account.

Mr. Heald: In one of my amendments, which was not selected, I tried to tackle the problem, which my hon. Friend approaches in a different way, of a seller making a statement, for example, to the effect that the vehicle has a defective vacuum pump, but not explaining the full relevance of that—the full relevance being that the braking system would fail if the vehicle went on the road. In such circumstances, would the quality and nature of that statement be fully taken into account in deciding whether the quality was satisfactory?

Mr. Evans: I am grateful for that intervention because my hon. Friend makes an extremely important argument. I imagine that most of us, as consumers, would regard that situation as crying out for a just remedy.

The intention of the wording introduced in amendment No. 10, "other statements", is that if those statements are incomplete in the way described in my hon. Friend's example, or if a part-truth is told, which may be true as far as it goes but nevertheless does not go any further—

Mr. Alfred Morris (Manchester, Wythenshawe): I am grateful to the hon. Gentleman for giving way. Can he gave the House a broad estimate of how long he intends to speak on this group of amendments?

Mr. Evans: I should not have thought that that was relevant to what I am saying. I shall not speak at great length. From the clock, I believe that I have been speaking for about three minutes.

Mr. Morris: How long are you going to speak?

Mr. Evans: I shall not continue very much longer, if the right hon. Gentleman will just listen. These are important technical matters. I have spent more than 20 years at the Bar arguing about cases arising from the existing legislation and I have been struck by the degree of injustice whereby consumers do not obtain what they reasonably expect and anticipate. The amendments are intended to catch the wily Arthur Daley type of salesman, who ought to be sued successfully. It should not be enough to say, "I have said just enough and it is accurate as far as it goes," in the way my hon. Friend the Member for Hertfordshire, North (Mr. Heald) described. That is what I want to catch.

I will move on quickly to amendment No. 11, which refers to a good point that I should have thought that Opposition Members would find attractive. I want to add a specific provision as to "all the circumstances",

"the commercial reputation of the seller, as the seller himself by himself or by any associated company or brand name may have induced in respect of the particular class of goods or otherwise by advertising, marketing or otherwise promoting the same.'".

It would seem to me unjust for large commercial organisations to arouse expectations of quality which, in a particular case, they manage to get out of because under the existing law nothing has been said that is specific. Clause 1, which is highly satisfactory and desirable, could be strengthened in that way to deal with that problem. I commend the amendment to the House.

[Mr. Evans]

I do not intend to go on for much longer, which should console the right hon. Member for Manchester, Wythenshawe (Mr. Morris), who seems to be still here. My final point is that I am deeply troubled by what the Bill does to section 14 of the Sale of Goods Act 1979. In the 20 years since I passed my Bar exams, the law has been altered twice, and in drafting terms it is a dog's dinner. I have a specific question which I hope that my hon. Friend the Minister will answer specifically. Why is section 14(6) left in when it should not be? I appreciate that those who drafted amendment No. 7 may not have thought of the importance of section 14(3), but if we are to have a new and effective definition of satisfactory quality, the definition of

"reasonable fitness for the purpose intended"

contained in that subsection should be brought up to date as well.

The House must bear in mind the fact that when I sat the Bar finals it was the other way round: reasonable fitness came first as the primary remedy, then merchantable quality. Parliament subsequently inverted that and we are now playing around to improve merchantable quality and, rightly and properly, substituting "satisfactory quality". It is necessary to broaden the test of reasonable fitness, which was traditionally far too narrow and again favours businesses and does not protect the consumer. The way in which it works at present is that where the buyer makes known a particular purpose to the seller, the goods have to be reasonably fit for that purpose. That is all very well as far as it goes, but it is extremely limiting.

If I were to say to you, Mr. Deputy Speaker—and if you were in trade, which you are not—that I wanted a something-or-other to do something-or-other, it would be fair game, if you were going to sell it to me, that it should be reasonably fit for that purpose. Most of us go into large retail warehouses to buy goods and we should have the same kind of protection. There is bound to be, and there always has been, an overlap between merchantable quality and reasonable fitness. Because the term "satisfactory quality" is so much better drafted, there will be even wider overlap.

Amendment No. 7 would ensure that the goods should be reasonably fit for usual purposes, and that should be spelt out. It would also ensure that the actual purposes of the buyer, which the seller knows, are made clear. It goes further, however, and refers to the purposes of the buyer which are "reasonably foreseeable" by the seller. In other words, if the commercial reputation of the seller and the goods in question is such, all the matters which have been aroused in the way of expectations on the part of members of the public should have a remedy. That is the purpose of the amendment.

It is my submission to the House that this combination of amendments strengthens this welcome Bill. When my hon. Friend the Minister speaks in due time, I hope that he will consider each of those aspects and see how far he can follow the spirit of the arguments that have been put. I commend what I have said to the House.

Mr. Heald: I pay tribute to my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice), who has tabled amendments Nos. 15 and 16, which address problems that I have encountered in the courts as a barrister in the past 20 years. Those problems arise from the definition in section 14 of the Sale of Goods Act 1979 that the implied term as to "merchantability", or now "satisfactory condition" arises

" where the seller sells goods in the course of a business".

Those words cause two problems. First, the words "in the course of" have considerable uncertainty to them at law and do not provide adequate consumer protection. We should remember that the Bill, dealing as it does with the supply and sale of goods, affects all our constituents. It is not to be lightly trifled with and if there are mistakes and errors in the law, which there are, they should be remedied.

The second problem is that the word "business" is not a legal term of art, but it is an etymological chameleon, which means different things, depending on its context. There is a need for additional flexibility to protect the consumer.

To appreciate the nature of those problems it is necessary to consider the background. The words were first inserted in the Supply of Goods (Implied Terms) Act 1973 and are similar to words used in the Trades Description Act 1968 that the false description must be applied

"in the course of a trade or business".

The Unfair Contract Terms Act 1977 uses similar words,

"makes the contract in the course of a business"

The policy of the words has never been clear at law. If I make a brief reference to "Benjamin On Sale of Goods", which is the leading text on this, the problem can be appreciated. About those words, it states:

" It seems plain that they cover not only a seller making a regular sale of goods in which he deals, but also a seller who by way of business manufactures or obtains or sells a commodity for the first time: this is supported by authority on the former wording . . . It seems also to be generally agreed, though such authority as there is derives from decisions in other contexts, that there is no need for the seller to be in the business of selling items such as that sold, or indeed to be in the business of selling at all; a one-off adventure will suffice."

On that basis, it was generally thought up to 1984 that the purpose of the wording was to include all sales except those by purely private sellers. In an earlier intervention I made that point to my hon. Friend the Member for Cambridgeshire, South-East. Most of us thought that that was the law and it is my submission today that it should be and that the amendments would achieve that.

I successfully argued in cases that the principle should be that only private sellers were excluded. In the earlier edition of "Benjamin on Sale of Goods", the following passage appeared, which seemed to support that:

"A farmer who sells off a surplus tractor, or a medical practitioner or solicitor or local government department disposing of surplus equipment which sells a used typewriter acts in the course of a business and so attracts the operation of the statutory term."

You may feel, Mr. Deputy Speaker, that if you were purchasing an item of property—a computer or a typewriter from a local authority—you would expect it to meet a certain standard and you would be somewhat surprised and feel that you should have a remedy at law if it was in a poor condition, unsatisfactory or, to use the old word, "unmerchantable".

The law was thrown into confusion in 1984 by the House of Lords decision in Davis *v.* Sumner, which is reported in the weekly *Law Reports*. That was a case under the Trades Description Act upon the wording,

"in the course of a trade or business".

The House of Lords decided in that case that a "sporadic" sale of an item was not covered and that there must be some degree of regularity to the provision of those goods in a business.

In that case a self-employed courier sold a car that he had used for his business during the preceding two years. The sale was held not to be

"in the course of a trade or business".

He had done 118,000 miles on his car, but the odometer showed 18,000 miles. He sold it and signed to say that 18,000 was genuine. The House may find it rather extraordinary to discover that it was held that he was not liable when the goods were not of merchantable quality —in this particular instance they did not meet their trades description.

There is a distinction to be drawn between the Trades Description Act and the Act with which we are concerned, the Sale of Goods Act. Under the Trades Description Act one is talking about the criminal standard and one is trying to restrain criminal activity. It is therefore right that the definition in that Act should be restrictive. I shall develop the argument that the same considerations can be applied under the Sale of Goods Act 1979. The House of Lords decision in Davies *v.* Sumner was followed in a 1988 case, R and B Customs Brokers Co. Ltd. *v.* United Dominions Trust. As it was not reported until early 1989, that explains why my hon. Friend did not bring it to the attention of the House on a previous occasion. That case was brought under the Unfair Contract Terms Act 1977, where it was held that the buying of goods must form at least an integral part of the buyer's business or be a necessary incidental thereto.

Because that decision failed to make the distinction between the two purposes of the two Acts, the effect is to reduce protection for buyers.

11.30 am

It is right that there should be a restrictive definition in a criminal statute, but a more liberal one is required where the consumer and his protection is at stake in a civil context, as here. It appears that a sporadic sale by someone who is not in the business of selling would not be covered by the protection. That is wrong, and amendment is needed. The words "in the course of" are inadequate for the purpose of consumer protection. The amendment is needed for that reason. The same is true in respect of the meaning of "business". Trading corporations or partnerships are businesses, but there are numerous borderline cases—non-trading corporations, partnerships, private individuals, and non-profit making organisations such as universities, colleges, schools and nursing homes.

Is a hospital restaurant, university book shop or even school tuck shop a business within the meaning of the statute? That may seem an arcane point, but it arises regularly in the provision by charities of low-cost furniture and the sale of secondhand clothes at jumble sales. One assumes that the charity itself would not be covered, but a problem arises where a charity or any of those other institutions moves into the commercial field.

In the leading text, that problem is outlined as follows:

"There are also organisations of a non-profit making nature such as universities, colleges, schools, nursing homes and so forth which make sales: although the whole activity may perhaps not be appropriately designated as a business, certain portions of it (e.g. a university bookshop or hospital restaurant) may be. Such cases must be solved with the aim of the legislation in mind; this seems to be the protection of consumers against those who sell with some degree of professionalism and regularity. The answer will turn on the circumstances of each case, and it is doubtful whether any specific principles can be laid down. At present such authority as there is . . . arises in other contexts".

The amendment would delete the words

"in the course of a business"

and add to the concept of a sale in the course of a business the flexibility that the implied term may be implied when, in all the circumstances, it is reasonable to do so.

In a proper case, that would enable the court to allow in the implied term, to deal with two particular problems. They are the case of a sporadic sale by a business man whose business was not that of selling—the problem that I outlined in respect of a farmer selling a tractor—and situations such as car boot sales, which are the subject of considerable public concern.

At present, the Government are amending the law on markets in three ways. One is a provision in the Deregulation and Contracting Out Bill. There is currently a prohibition on setting up a market within six and a half miles of an existing market.

Mr. Roger Evans: Six and two third miles.

Mr. Heald: Within six and two third miles of an existing market. That prohibition is going. The provision as to market overt may go if the Sale of Goods (Amendment) Bill [*Lords*] is dealt with today. Car boot sales and their implications as markets are also being considered.

The law as it stands is not capable of dealing with the problems that arise for the consumer in knowing whether the place where he is purchasing goods is reputable. At car boot sales there will be individuals who are not selling in the course of a business as existing law would have it, but who none the less frequently attend car boot sales with items for sale. The flexibility provided by the amendment would address that situation.

My only concern is that the flexibility is too widely drawn. When my hon. Friend the Minister considers amendments Nos. 15 and 16, I should be grateful if he would address their specific wording and say whether their breadth and flexibility is too wide and might catch private individuals who sell goods, perhaps through a newspaper —whom we all agree should be excluded from the ambit of the legislation. I look forward to hearing my hon. Friend's response.

Mr. Clelland: It may help to progress matters if I answer the points that have been raised. I am sure that they cover the amendments, so other hon. Members may not need to repeat them and prolong debate.

Amendment No. 15 would amend section 14(2) of the 1979 Act. At present, it provides that it is an implied term of a contract of sale that goods are of satisfactory quality. That introduces one of the basic requirements of the 1979 Act, but it is limited to cases where the seller sells goods in the course of a business. It does not extend to sales where the seller is not acting in the course of a business. Amendment No. 15 would remove that limitation, so that all sellers of goods would be required to supply goods of satisfactory quality.

That would place a significant burden on individuals wishing to sell goods. If a dealer sells a secondhand car, it is reasonable to expect him to have the skills and equipment to check that the vehicle is of satisfactory quality. A private seller is not in that position. His description of a vehicle may become an implied term of the contract, but that is all that should be expected. I cannot, therefore, support that amendment.

Mr. Waterson: Will the hon. Gentleman give way on that point?

Mr. Clelland: If the hon. Gentleman will forgive me, I want to make progress.

Mr. Matthew Banks (Southport): Will the hon. Gentleman give way?

Mr. Clelland: No.

Mr. Banks: The hon. Gentleman is making a great mistake.

Mr. Clelland: Amendment No. 16 would also amend section 4(2) of the 1979 Act. The requirement that goods should be of satisfactory quality would apply in contracts of sale—

The Parliamentary Under-Secretary of State for Technology (Mr. Patrick McLoughlin): Will the hon. Gentleman allow me to intervene?

Mr. Clelland: I will give way to the Minister.

Mr. McLoughlin: I am most grateful. The Government and I whole-heartedly support the Bill, but in the light of recent suggestions, will the hon. Gentleman confirm—as I believe that he did in Committee—that he received from the Department of Trade and Industry help with his Bill and with meeting points raised in amendments tabled by my hon. Friends?

Mr. Clelland: I do not understand the point that the Minister is trying to make. Both sides of the House want the Bill to pass, which is why some of us cannot understand the prevarication of Conservative Members and their attempts to delay progress. We know of course that their behaviour relates not to this Bill but to one that is to be considered later today—if we ever reach it. It is my intention to get the Bill through quickly because everyone wants it.

The effect of amendment No. 16 would be that the requirement that goods should be of satisfactory quality would apply to contracts of sale not only where the seller sells goods in the course of a business, but where, in all the circumstances, it is reasonable to imply—I assume that the hon. Gentleman means infer—that he sells in the course of a business.

I cannot agree to that amendment. Its second part is unclear and imprecise, and would introduce great uncertainty into transactions. What circumstances would be relevant in deciding whether it may be inferred that someone is selling by way of a business? Is it reasonable for a buyer who responds to an advertisement and visits the seller's house to purchase goods to assume that the seller is in the course of a business because he has 20 items for sale? The risk of being assumed to be acting by way of a business would deter many individuals from selling goods.

Mr. Heald: What does the hon. Gentleman say to the point that I was making: that if the law stays as it is, as proposed in his amendment, the effect would be that if someone, perhaps a farmer, sells a tractor after two years, where his business is not naturally the sale of tractors, he would not be covered by the legislation? Surely he should be. The person buying from the farmer should be able to rely on the satisfactory condition of the item.

Mr. Clelland: The farmer might very well sell his car rather than his tractor; it is still a motor vehicle. He is not an expert in car sales. He is merely selling a second-hand car, as many individuals do.

Mr. Heald *rose—*

Mr. Clelland: I shall not give way again. I have answered that point. Any individual can sell an item without being an expert in the nature of the item and cannot be held to be running a business as a result.

I do not see the need for amendment No. 10, as the additional factor is already covered by the present wording of section 14(2)(a). Any representations or other statements made are likely to amount to a description of the goods, which is already a factor referred to in that section. If they are not a description, they are, I suggest, "other relevant circumstances" and are therefore covered by the third factor in that section.

The Bill is drafted in general terms to cover a wide variety of situations and types of goods. Its terms are therefore often of a general nature. We should avoid introducing amendments that move away from that. In addition, introducing further factors into section 14(2)(a) could result in a court feeling constrained to consider only those factors, to the exclusion of all others. Furthermore, the introduction of that factor would be somewhat at odds with the provision of proposed section 14(2)(c). I can imagine that retailers may become most reluctant to offer any statement in respect of goods. That could deprive buyers of the advice that they require.

Amendment No. 10 refers to representations or statements on which it is reasonable for the buyer to rely. That would create a degree of uncertainty in commercial transactions. What criteria will be used in deciding whether it is reasonable for a buyer to rely on the representations made to him? Ultimately, the matter will have to be decided by a court, but it is likely that, in many cases, where the purchaser is an individual, he will not pursue the matter if the seller asserts that it was not reasonable for him to rely on any representations, as to do so could involve considerable legal costs.

Amendment No. 11, like amendment No. 10, would add additional wording to the proposed section 14(2)(a) suggesting that an additional factor be introduced, which, in essence, would be the commercial reputation of the seller. Again, I cannot support the amendment. Section 14(2)(a) already refers to the consideration of

"all the other relevant circumstances."

To the extent that the commercial reputation of the seller is relevant, it is already covered by that provision. I cannot, however, accept that the seller's commercial reputation is a relevant factor. Section 14(2)(a) explains what makes goods of a satisfactory quality, and the reputation of the seller cannot have any impact on that. It is totally inappropriate when assessing the quality of goods to assess the commercial standing of the supplier.

I am most concerned that the effect of amendment No. 11 would be to suggest that buyers should have different rights depending on from whom they purchased goods. That should not be the case. The requirements of the legislation should apply with equal force to all sellers who act in the course of a business.

Mr. Roger Evans: I am surprised that the hon. Gentleman is not concerned about the effect of advertising and the vast amount of money that is spent on building up brand names and reputations. When somebody buys a nearly new something-or-other, why should not the fact that it is a something-or-other, with all that goes with it, which has been puffed up in expensive advertising, be specifically drawn to the court's attention as something

that could be taken into account? I should have thought that that was elementary social justice and a considerable protection.

11.45 am

Mr. Clelland: I do not imagine that there is anything to prevent that from being brought to the court's attention. We are saying that we do not think it needs to be written into legislation.

I now deal with amendment No. 7. Section 14(3) of the 1979 Act deals with a situation where a purchaser of goods expressly, or by implication, makes known to the seller or, in certain circumstances, a credit broker any particular purpose for which the goods are being bought. In such circumstances, there is an implied condition that the goods supplied are reasonably fit for that purpose. That is the case whether or not the buyer's purpose is a purpose for which the goods are commonly supplied, except where those circumstances show that the buyer does not rely, or that it is unreasonable for him to rely, on the skill or judgment of the seller or credit broker. A number of aspects of that section should be noted.

The purchaser, if he wishes to rely on the implied conditions, must make it known to the seller or credit broker, either expressly or implicitly, the purpose for which the goods are required. There is an obligation on the purchaser in some way to make known the purpose; there must be some action by him. Another aspect to note is that the implied condition covers whatever use the buyer has in mind as long as that use is made known to the seller or credit broker. That includes a wholly unlikely use. A third aspect is that the buyer cannot rely on the implied term where circumstances show that he does not rely on the seller or credit broker's skill or judgment, or it would be wholly unreasonable for him to rely.

That can be illustrated by examples. A buyer who wishes to rely on a seller's skills must make it clear what he intends. A purchaser who makes it clear that he wants to fill a bottle with boiling oil should not be supplied with a plastic one that melts on impact with the hot liquid. An expert builder should not seek to rely on the skill and judgment of an untrained assistant in a DIY superstore when purchasing building materials.

That demonstrates that that provision of the Act should remain as it stands. There is reference in the amendment to an implied term that the goods are

"reasonably fit for the purpose usually intended."

But proposed new section 14(2)(b)(a) states that one of the aspects of satisfactory quality is

"fitness for all the purposes for which goods of the kind in question are commonly supplied".

That part of the amendment appears to amount to no more than a repetition of what is already an implied term. To include it would cast doubt on what is already included in the Bill and could result in considerable confusion.

The amendment goes on to refer to what is

"reasonably foreseeable intended by the buyer".

There is a danger that a court could interpret that as placing a higher burden on the seller than the present provision does. The existing provisions require the buyer to make some indication of his intention, but the formulation of the proposal is such that the seller may be deemed to have been in a position where it should have been reasonably foreseeable to him what the buyer intended, regardless of any activity, or inactivity, on the part of the buyer.

The amendment goes on to refer to the "commercial reputation" of the seller. I do not think that that can have any relevance in the matter. The purchaser of goods is entitled to the same level of protection whether he purchases from a household name or from a small trader. The law should not in any way suggest that there is any difference between the requirements applicable to small traders and those applicable to retail chains. The purchaser should always be entitled to the same rights.

I hope that I have answered the points raised by hon. Members. Hon. Members on both sides of the House want the Bill to go through. It has been discussed in this place before, in 1989. It has been discussed on Second Reading and in Committee. We have gone to considerable lengths to discuss it again this afternoon. I see no reason to delay the Bill any further. I hope that the amendment will be withdrawn.

Mr. Waterson: I support the principles and thinking behind the amendments. It was unfortunate and, if I may say so, contradictory that the hon. Member for Tyne Bridge (Mr. Clelland), the sponsor of the Bill, indicated at the beginning of his speech that he thought that it would be helpful to hon. Members, and perhaps make it unnecessary for them to contribute, if he spoke at that point in the debate. He then proceeded, on at least two occasions, to refuse to accept interventions from me. I assume that his intention was genuine, but if he had accepted my intervention my remarks now might not have been necessary. Perhaps he and the House would like to reflect on that as the debate develops.

The Bill is important. I was not in the House in 1989 and so did not have the benefit of debating the matter then. It is important, not least to my constituents and those of other hon. Members. We have lost one important piece of business today thanks to the manoeuvres of Opposition Members, and I hope that that will not be the case with this Bill. It matters to ordinary members of the public who buy goods in the way of business or otherwise. It is important that we understand what "in the course of business" means. Some Opposition Members have tunnel vision during such debates. We are discussing an important measure. Other important measures appear later on the Order Paper and an important measure was lost earlier. I deprecate the sneering attitude that some hon. Members have adopted to an important and technical piece of legislation. I hope that we shall hear no more of that language in speeches or sedentary interventions.

Mr. Barry Sheerman (Huddersfield): On a point of order, Mr. Deputy Speaker. This is not acceptable. We all know that the hon. Gentleman is filibustering just after a Division when, breaking all conventions, we had a payroll vote. How dare the hon. Gentleman cast aspersions on hon. Members who support a Bill that we are to come to later? It is not right.

Mr. Deputy Speaker: Let us get on with it.

Mr. Waterson: I withdraw no aspersions. The remarks of the hon. Member for Huddersfield (Mr. Sheerman) were wholly inappropriate and I withdraw not a word of what I said.

Mr. Sheerman: The hon. Gentleman would not; he is an unctuous slob—*[Interruption.]*

Mr. Deputy Speaker: Order. I apologise—I did not hear what the hon. Gentleman said. If he said anything that fell outside parliamentary language, he must withdraw it.

Mr. Sheerman: I do not think that "unctuous slob" is unparliamentary.

Mr. Deputy Speaker: The Chair happens to think that it is unparliamentary, and I should be grateful if the hon. Gentleman would withdraw it.

Mr. Sheerman: I reluctantly withdraw the phrase.

Mr. Waterson: I reluctantly accept that reluctant withdrawal. I hope that we can now make progress. I am several minutes into my speech and have not got to the meat of it. The reason for that lies entirely with Opposition Members. Let us now make progress, as we should all like to do.

The concerns underlying the amendments are important and deserve to be considered. If I can be reassured by remarks made by the hon. Member for Tyne Bridge or the Minister, that will be splendid. We are in a different era from when legislation on the subject was originally introduced. When the sale of goods legislation was introduced, we considered a simpler position whereby there was little option between buying goods in a shop, which is clearly in the course of business, and buying goods privately, perhaps from a neighbour, or through classified advertisements in the local newspaper. But now, as my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice) has said, the distinction is blurred.

My hon. Friend related stories of people who respond to classified advertisements and discover that they are dealing with a commercial business such as a car showroom. We heard about the practice of shop squatting, which occurs in my constituency. Local authorities have occasionally been reduced to putting skips full of earth outside premises to stop shop squatters gaining access.

Mr. Clelland: On a point of order, Mr. Deputy Speaker. Will you rule on whether the hon. Gentleman is talking about anything to do with the Bill? Shop squatting and skips outside shops have nothing to do with the Bill.

Mr. Deputy Speaker: The hon. Member for Eastbourne (Mr. Waterson) is in order; if he were not, I would have ruled him out of order.

Mr. Waterson: If the hon. Member for Tyne Bridge had held his peace for a millisecond longer, I should have come to the subject of car boot sales, on which I hoped to intervene during his speech when he rattled through his Department of Trade and Industry brief.

Car boot sales are a problem in all sorts of ways. There are few Members of Parliament who have not had to deal with the range of problems associated with car boot sales such as planning and traffic matters. Many of us—I am no exception—regularly receive letters from people who have acquired items that are new or second hand at such sales. They are a substantial business—at least in my part of the country, in Sussex, and I dare say in other parts of the country as well. That is why the definition of

"in the course of a business"

is so important.

My hon. Friend the Member for Hertfordshire, North (Mr. Heald) spoke of where the definition draws the line —whether the business is defined by the place where the property is acquired or the activity of the seller. My hon. Friend wondered whether someone who sporadically sold items would fall within the definition. That is precisely what I want to know from the hon. Member for Tyne Bridge. If someone occasionally, not necessarily every week or every weekend, goes to car boot sales, rents a pitch and sells items that are new or second hand—it is common ground that the sales of goods legislation applies every bit as much to second-hand goods as to new ones—and a member of the public buys an item, is that transaction caught within the wording of the Bill? I do not know whether the hon. Member for Tyne Bridge wants to deal with that issue—apparently he does not.

One way to approach the subject is to look at the ordinary life style and business of the seller. Perhaps my hon. Friend the Minister will comment on that subject. Perhaps the tax law can assist us. Will the person who is selling on a part-time basis be caught by the tax provisions, and is what he or she is doing a business? If tax is paid, will it be capital gains tax or income tax?

I have one reservation about amendments Nos. 15 and 16: I wonder whether they are drawn a little too wide. Any law student will say that there is already an enormous body of case law on the sale of goods. I hope to speak later on the word "merchantable", which has acquired a massive body of case law—I regret its proposed demise. The same will apply to the amendments, which are loosely worded. My hon. Friend the Member for Cambridgeshire South-East said that he did not have the expert assistance from which the hon. Member for Tyne Bridge benefited. With due respect to my hon. Friend, perhaps the Government draftsmen can do a better job. My only reservation is whether the amendments, if accepted, will produce a substantial volume of new case law, which is the last thing we need on the subject of sale of goods.

Mr. Edward Leigh (Gainsborough and Horncastle): It seems that when one speaks on the subjects of Bills one has to provide one's provenance to prove that one has a genuine interest in the subject. I spoke on the subject in 1989. I think—I do not know—that I am the only Member present today who spoke on the Consumer Guarantees Bill in 1990. For those who are interested in great speeches, my remarks can be found in columns 1221, 1222 and 1223 of the *Official Report* of 26 January 1990. I opposed the Bill then because I thought that it was far too widely drawn. I do not know whether it was as a result of opposing the Consumer Guarantees Bill that shortly after that I was made a Minister with responsibility for consumer affairs. I have taken an interest in such matters for some time.

Although a number of us opposed the Consumer Guarantees Bill on 26 January 1990 because we felt that it was drawn too widely, it was in many ways a forerunner of the Bill that we are discussing today. When I was a Minister with responsibility for consumer affairs, I took an interest in such matters, not least because, as a lawyer, I had been involved in them for a number of years. I had hoped that we would manage to produce a wider consumer Act. Replacing "merchantable quality" with the words "satisfactory quality" has been a controversial issue for a long time. The law commissioners dealt with that at some length and the Bill of the hon. Member for Tyne Bridge (Mr. Clelland) is useful. There is no doubt that, whatever one's romantic feelings about an old-fashioned term such as "of merchantable quality", the Bill is long overdue.

I regret that the Government, for very good reasons, have been unable to introduce a Bill in Government time

—we understand the pressures on the legislative timetable —but this is a useful Bill which we should all welcome. It is precisely because it is useful that I oppose the amendments moved by my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice).

My hon. Friend is not a lawyer, and it is perhaps because he is not a lawyer that he spoke so clearly on a complex subject. I shall deal in a moment with the concerns of my hon. Friends the Members for Monmouth (Mr. Evans) and for Hertfordshire, North (Mr. Heald). I understand the concerns expressed by my hon. Friend the Member for Cambridgeshire, South-East that led him to table the amendments. I hope that I shall not sound too much like a negative lawyer, but I believe that the amendments would be unworkable. If, by some mischance, they were to be accepted, they would drive a coach and horses through the Bill and provide new opportunities for litigation. They would be a lawyers' paradise. I do not know what my hon. Friend the Minister is going to say, but I suspect that it will be very similar to what I am saying.

12 noon

I understand why my hon. Friend the Cambridgeshire, South-East tabled the amendments. He is worried about Sunday markets and I, too, constantly receive complaints about car boot sales. I suspect that he was speaking as a frustrated layman and on behalf of his constituents when he said that the public should be protected. The people who set up at car boot sales are effectively masquerading as business men. The public should therefore be protected as they would be if they were dealing with a business. I agree that a member of the public cannot possibly know the nature of the business involved in a car boot sale or a shop squat. My hon. Friend said that the Bill should be restrictive and that only the wholly private seller should be excluded from its provisions. He felt that the amendment would make that clear.

I receive many complaints from my constituents, especially about Hemswell market near Gainsborough where people have bought what they subsequently considered to be shoddy goods but had no redress. I confess that I receive fewer complaints about goods from people who have bought them at car boot sales than from reputable businesses in Gainsborough which believe that such goods have fallen off the back of a lorry. It is not so much a question of the goods being shoddy and the public not receiving a perfectly satisfactory buy; the people who are suffering are not those who attend Sunday markets such as that at Hemswell but the reputable traders of Gainsborough who are losing business and the ordinary people of Gainsborough whose videos and other goods have perhaps been stolen.

Unlike my hon. Friends the Members for Cambridgeshire, South-East and for Monmouth, I do not believe that the main problem with car boot sales is the nature of the goods sold there. I suspect that members of the public who attend car boot sales know that they are taking a slight risk because they are not going to a reputable shop. They know that such sales take place on an ad hoc basis. They wander around enjoying themselves and hope to get a bargain.

Mr. Michael Fabricant (Mid-Staffordshire): Does my hon. Friend accept that people buying goods such as tape recorders at car boot sales are often assured that the goods will work but find that they do not when they get them home? In the present circumstances, they have no redress.

Mr. Leigh: My hon. Friend is quite right. It is precisely for that reason that I would not buy a video or a tape recorder at a car boot sale. I would have the common sense —I suspect that many of my constituents have, too—to know that, if one goes to a car boot sale and picks up a lemon, one has no redress. That is the nature of the deal —that is life. It is the give and take of commercial life.

Let us consider what would happen if the amendments were passed. Anyone selling items at a car boot sale or any kind of informal gathering would have placed on him an obligation as onerous as that placed on an ordinary shopkeeper. A potential purchaser could attend the sale determined to buy something dirt cheap—it could have fallen off the back of a lorry—but do so in the knowledge that the item he bought was covered by the implied term "satisfactory quality". He would therefore win in every way.

The amendment would therefore promote the very shop squats and car boot sales about which the House is worried, whereas we want to protect reputable shopkeepers who are paying rates and rents. I hope that my hon. Friend the Member for Cambridgeshire, South-East will accept that the amendment would not only mean a massive increase in litigation but would achieve precisely the opposite of what he wants and harm reputable shopkeepers.

Mr. Fabricant: My hon. Friend is right to say that anyone attending a car boot sale should not expect the same quality of goods that one buys in a shop and that we should not seek to place the same onerous responsibilities on a car boot salesman. However, if one finds a bargain and asks the person selling it whether both rings on the cooker work or whether the tape recorder works, one asks a specific question to which one receives a specific answer. In that case, it is surely wrong for the car boot salesman to lie. Should not there be redress in such circumstances?

Mr. Leigh: That is a different situation. If there is misrepresentation, various forms of traditional legal redress are available under common law, if not statute law. My hon. Friend the Member for Monmouth has more experience of this than I. We are debating an implied term. Is my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) arguing that the new implied term "satisfactory quality" should apply to goods bought at informal gatherings?

I am not in the business of protecting people who misrepresent goods. If I, as a private person, wish to sell my car and go out of my way to misrepresent it, there would be a right of redress against me, or at least the possibility of damages. The consumer could come back to me. I hope that no one is suggesting that if I sell my car as a private person, I should be bound by the same implied terms that would cover a commercial car salesman. I am open to persuasion, but I hope that, whatever his concerns, my hon. Friend will withdraw the amendments.

My hon. Friend mentioned classified advertisements, but he did not make a very powerful case. Under modern law, one is entitled to know whether a classified advertisement has been put in a newspaper by a commercial salesman or a private individual. The situation is quite different at a car boot sale where one is face to face during a transaction. One can ask someone questions face

[Mr. Leigh]

to face. It is difficult to ask a classified advertisement about what is being sold, but one can ask someone who is trying to sell something at a car boot sale where the goods come from and what the nature of the person's business is.

Similar arguments apply to the amendments tabled by my hon. Friend the Member for Monmouth. He is trying to take matters so wide that virtually anything that one says can be taken as a description. I appreciate that my hon. Friend is a lawyer; for all I know, he may still be in practice. However, I am sure that when he thinks these matters through he will realise that, once again, this is simply an opportunity for opening up vast areas of litigation.

Like my hon. Friend the Member for Monmouth, I am nostalgic for the old term "merchantable quality", but I am sure that my hon. Friend would accept that the ordinary member of the public has no idea what that term means. I hope that, although my hon. Friend is, as I am, a conservative, he will realise that the term "satisfactory quality" is a far more modern term which the man on the Clapham omnibus can understand.

When I was doing my law finals, I did not understand what "merchantable quality" meant, but I was too shy to ask my law teachers. I am still not entirely sure what it means. We have in the Bill satisfactory wording that a reasonable person, if he is buying from someone who is engaged in sales in a commercial sense, can understand. He will know that there is an implied assurance of satisfactory quality. If we were to take matters further, we would not improve the legislation.

I know that what I am saying is, in the words of my hon. Friend the Member for Monmouth, that there will be all sorts of Arthur Daley-type salesmen who will get away scot free. That has always happened in real life. We can rely on the good sense of people who go to Sunday markets to know what is going on and to take particular care. I hope that, on mature consideration, we shall leave the Bill unamended.

Mr. Matthew Banks (Southport): I am grateful for the opportunity to contribute to this short debate. I do not propose to detain the House long as there is important business after this which I know that a number of hon. Members present wish to address.

I very much endorse the comments made by my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh). I believe that the Bill should be left alone. However, I believe that my hon. Friends the Members for Cambridgeshire, South-East (Mr. Paice) and for Monmouth (Mr. Evans) made some powerful and telling comments. I shall pick up one or two of their points and refer to two or three of the amendments.

If you will allow me, Mr. Deputy Speaker, I feel that it is necessary to make one important point. I was not present for the debate on the Inshore Fishing (Scotland) Bill, although I have sought to speak on this Bill. In view of some of the rather unpleasant exchanges during the previous Division, I feel that it is necessary to say that I propose to speak with considerable brevity. It is well known that within my constituency I have been a campaigner for disabled people, both before and during my time as a Member of Parliament. I am also a registered disabled person myself, so I hope that it will not be necessary to listen to any nonsense by way of sedentary interventions by Opposition Members.

With regard to amendments Nos. 7 and 11, I am especially concerned about the suggestion that members of the public should have adequate protection if they buy goods from a particular seller. What concerns me more than anything else is the suggestion that it should be possible to provide consumer protection for those who buy goods from a particular source. I am especially concerned about whether we should allow for protection in respect of goods that are bought from someone who appears to the buyer to be a reputable seller, but who turns out not to be a reputable seller of the goods.

12.15 pm

Amendment No. 7 goes to the heart of the problem, but it will be rather unworkable. My hon. Friend the Member for Monmouth should think carefully about withdrawing it. I accept that the amendment would make it a requirement that the goods would need to be fit for the purpose reasonably intended by the buyer. However, I subscribe to the view put forward by my hon. Friend the Member for Gainsborough and Horncastle that the amendments would lead to a lawyers' paradise and that they are unworkable. The Bill should be left intact.

Amendment No. 15, to which my hon. Friend the Member for Eastbourne (Mr. Waterson) referred, would require that goods would need to be of satisfactory quality even if not sold in the course of business. This goes to the heart of my concern about how much one can legislate for. I want to see adequate consumer protection.

Mr. Roger Evans: The hon. Member for Tyne Bridge (Mr. Clelland) did not give way when I tried to intervene on this point. Bearing in mind what our hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice) said when he introduced the amendments, it is unrealistic to look at amendment No. 15 without looking at amendment No. 16, as they are part and parcel of the same proposal. It is not being suggested that all private sales should be covered. What is being proposed is that

"whenever the seller sells goods in the course of a business and otherwise when in all the circumstances it is reasonable to imply the same",

such sales should be caught.

Mr. Banks: I am grateful to my hon. Friend for clarifying his position; that is especially helpful. I assume from what my hon. Friend has said that he does not seek to over-legislate.

Mr. Evans *indicated assent.*

Mr. Banks: My hon. Friend indicates that he does not seek to over-legislate and I am grateful to him for that. Under the law as it stands, the only implied terms when the seller is not acting by way of business are that the seller has good title and that the goods are as described. However, I am not convinced that the amendments should be accepted. It will be for my hon. Friend to decide on the appropriate course of action later.

The hon. Member for Tyne Bridge (Mr. Clelland) referred to the question of buyers having different rights depending on when or where they bought their goods. My contention is that it will be especially difficult to legislate for all the occasions when a member of the public buys an item from one source or another.

I hope that the Bill will move smoothly through the House today. I want it to be workable and enforceable, and I want it to provide adequate protection for the public. I did not have the opportunity to speak in the House in 1989, but I have taken a particular interest in consumer protection both before and during my time in the House and I am grateful to be able to speak in the House, albeit briefly, on this important Bill and the amendments.

Dr. Liam Fox (Woodspring): In view of the time and the brevity of other contributions, I shall restrict my comments to amendment No. 11. My hon. Friend the Member for Monmouth (Mr. Evans) is normally a straight-down-the-line, deregulating, free-market Conservative, but there are always one or two occasions when job creation gets the better of hon. Members, especially lawyers, who regard this legislation as especially beneficial in terms of job creation for them. The clause is the classical intrusion of the nanny state into what reasonable members of the public can decide for themselves when they buy goods. My hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) made that point clearly.

The idea that we must include commercial reputation, brand name, advertising and marketing is simply nonsensical, because whether or not an individual buys a product is not built purely on what influences are brought to bear by advertising, or by brand name and so on, but on the experience that they have in the products that they have previously brought. For example, if somebody buys Sainsbury's cola because it happens to look like a can of Coke and finds that it tastes terrible, they would go back and buy Coke the next time, irrespective of the advertising pressure on them. That is just common sense, which members of the public have.

How are we to interpret the amendment? For instance, if I say that I am selling my car and that it is a Rover, one owner, does that somehow mean a great deal more in law, irrespective of whether I have been a dreadful driver or a very good driver and have looked after my car well, because Rover may be a good brand name?

Mr. Leigh: We must persuade my hon. Friend the Member for Monmouth (Mr. Evans) to withdraw his amendment, because it is nonsense on stilts. We have all bought second-hand cars. As I understand it, my hon. Friend the Member for Monmouth is saying that just because there had been advertisement which advertised a Rover or a Volvo as a safe or a beautiful car or whatever, somehow the person selling one three or four years down the line would be bound by that advertisement. That is absolute nonsense. My hon. Friend cannot have thought the matter through.

Dr. Fox: My hon. Friend makes the point for me. How far can we take it? For example, am I to take my jeans back to the store because in the advertisement it was possible to roll down a hill in them quite happily, but when I fell over in the street they ripped? Am I somehow being sold goods that are unsatisfactory? If my teeth do not turn out perfectly white in the morning like those in the Pearl Drops advertisement, am I somehow being sold unsatisfactory goods? If I climb up a mountain in a jungle and am sweaty at the end of it, despite having used a particular deodorant, does that make that product null and void?

The amendment is nonsensical and the worst kind of intrusion into the freedom that individuals ought to have to use their own judgment in buying goods. I hope that we shall not allow such a terrible, nannying intrusion into a Bill which is otherwise quite acceptable. Clause 1 is fine. We do not need the amendment. It is the worst sort of intrusion, saying that the public cannot make up their own minds, that we have to decide everything for them and put it into to detailed legislation, giving lots of jobs to the lawyers on the way. I hope that my hon. Friend will seek leave to withdraw the amendment.

Mr. McLoughlin: We have had the benefit of the explanation of my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh), who welcomed the Bill and, indeed, his substantial recognition of the direction that it is taking. In the light of various allegations that have been made over the past few days, it is worth pointing out that the Government have helped the hon. Member for Tyne Bridge (Mr. Clelland) both in bringing forward the Bill and in giving him help and advice on the amendments drafted by hon. Members. A lot of nonsense has been talked about something that has been a long-standing practice when private Members' Bills are brought before the House.

Mr. Sheerman: May we get the record straight? There are no allegations about when the Government quite properly help someone like my hon. Friend the Member for Tyne Bridge (Mr. Clelland) with a Bill of which they approve, which has support on both sides of the House, provided that it is open and above board. The only controversy that arises is when things are done behind the scenes in an underhand way and a Minister misleads the House about what is going on. That has nothing to do with my hon. Friend the Member for Tyne Bridge and the conduct of business in respect of his Bill.

Mr. McLoughlin: As I said, I did not want to resurrect that particular argument. I was merely putting on record the fact that help has been given to the hon. Member for Tyne Bridge by the Department of Trade and Industry because we welcome the Bill.

With regard to the amendments and the speeches that have been made, my hon. Friend the Member for Monmouth (Mr. Evans) has had a bit of a drubbing from his own side, which he is not used to, for not being the kind of deregulator that we expect him to be. However, he asked me a specific question about section 14(6). I accept that the Bill is complicated and I said that I would give some clarification in the presence of the Consumers Association. This is not the right place to give that clarification, so I shall provide it later. In answer to my hon. Friend's point, section 14(6) has been repealed and has been replaced by different words. I refer him to schedule 2, page 17, line 25, which he now has readily to hand. I hope that that covers some of his concerns.

My hon. Friend the Member for Cambridge South-East (Mr. Paice) in introducing the group of amendments, which includes amendments that he and my hon. Friend the Member for Monmouth tabled, gave a warm general welcome to the Bill. I am grateful for that because I think that the Bill will go a long way to enact what has been suggested to us by the Law Commission as a sensible set of proposals. History has shown that the measure has had an unfortunate record, falling almost at the final stage. My hon. Friends the Members for Gainsborough and Horncastle and for Woodspring (Dr. Fox) and others have said why they believe that the amendments are not suitable

[Mr. McLoughlin]

to form part of the Bill. The Bill goes a considerable way towards enhancing consumer protection, straightening out the consumer protection law, especially applying to some of the concerns which came out of the Bernstein case, and is broadly welcomed by all.

My hon. Friends the Members for Mid-Staffordshire (Mr. Fabricant) and for Eastbourne (Mr. Waterson) referred in passing to the problems of car boot sales. They rightly reflected a concern, but it is not the purpose of the Bill to deal directly with car boot sales. There are bits of consumer legislation which deal with the description of car boot sales and are already covered in the Bill.

I hope that hon. Members will forgive me if I deal specifically with the amendments before the House. The Government oppose amendment No. 15. It would be wrong to impose on a seller, who is not acting by way of business, the full obligations of a seller who is acting by way of business. In appropriate circumstances, an individual may be acting by way of a business and the implied terms of quality would, therefore, apply to him. Most sales by private individuals, however, are not like commercial sales.

The requirements that goods should be described can already be quite a stringent requirement. For example, if I were to sell my car and describe it as having no rust, as doing 40 miles per gallon and as being capable of 0 to 60 mph in 15 seconds, it would have to meet that description. I must say that, if my car could do that, I would not be selling it. However if I were to put it on the market, it would have to meet that description. However, I would be setting out a description of the car and I would therefore have a responsibility to ensure that that description was met. I hope that that goes some way towards meeting the points raised by my hon. Friend the Member for Cambridgeshire, South-East.

With regard to amendment No. 16, I assume that my hon. Friend the Member for Cambridgeshire, South-East intended the word "imply" to read "infer". If that is so, the effect would be to create an area of doubt as to whether the implied term as to satisfactory quality applied in certain contracts. It would be clear that it did where the seller was acting by way of business and clear that it did not if the seller was not acting by way of the business. Those circumstances can be tested objectively, but in between there would be a grey area as to who was doing the inferring. If it were the buyer, that would be a very subjective assessment and it would create great uncertainty. If the intention were to use "imply", the only person able to imply that he was acting by way of a business would be the seller. Any seller who implies that he is acting by way of business most probably is. The wording in amendment No. 16 is not quite right and I hope that my hon. Friend will not press it.

Mr. Roger Evans: Simply from reading the words, the party doing the implying is surely the court. That is what the wording must mean.

Mr. McLoughlin: I take the point that there is always substance in respect of the court implying. My hon. Friend has cleared the point up and I am grateful to him for that.

The aim of amendment No. 10 is already sufficiently covered by other items taken into account in assessing whether goods are of satisfactory quality. In particular, the description of goods must be taken into account. Moreover, the list of items is not a closed list. It includes additional and other relevant circumstances.

With regard to amendment No. 11, it is inappropriate to consider the reputation of the seller when assessing the quality of goods. That would lead to a particularly peculiar situation in that identical goods could be deemed to be satisfactory if sold by one seller, but not satisfactory if sold by another.If the seller applies a description to the goods, such a distinction may be appropriate, but that is already covered elsewhere in the subsection.

12.30 pm

We must consider the Bill in conjunction with the Sale of Goods Act 1979—

Notice being taken that strangers were present, MR. DEPUTY SPEAKER, *pursuant to Standing Order No. 143 (Withdrawal of Strangers from the House), put forthwith the Question,* That strangers do withdraw:—

The divided: Ayes 1, Noes 25.

Division No. 248] **[12.30 pm**

AYES

Montgomery, Sir Fergus

Tellers for the Ayes:
Mr. Alan Howarth and
Mr. Greg Pope.

NOES

Arbuthnot, James
Arnold, Sir Thomas *(Hazel Grv)*
Atkinson, Peter *(Hexham)*
Banks, Matthew *(Southport)*
Conway, Derek
Evans, Roger *(Monmouth)*
Fabricant, Michael
Fox, Dr Liam *(Woodspring)*
Greenway, Harry *(Ealing N)*
Hughes Robert G. *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Kirkhope, Timothy
Kynoch, George *(Kincardine)*
Leigh, Edward
Lloyd, Rt Hon Peter *(Fareham)*
McLoughlin, Patrick
Mayhew, Rt Hon Sir Patrick
Newton, Rt Hon Tony
Paice, James
Scott, Rt Hon Nicholas
Stewart, Allan
Townsend, Cyril D. *(Bexl'yh'th)*
Waterson, Nigel
Wheeler, Rt Hon Sir John
Wood, Timothy

Tellers for the Noes:
Mr. John Austin-Walker and
Mr. Dennis Skinner.

It appearing from the report of the Division that 40 Members were not present, MR. DEPUTY SPEAKER *declared that the Question was not decided, and the business under consideration stood over until the next sitting of the House.*

SALE OF GOODS (AMENDMENT) BILL [*LORDS*]

Order read for consideration (as amended in the Standing Committee).

To be considered on Friday 17 June.

Civil Rights (Disabled Persons) Bill

As amended (in the Standing Committee), further considered.

12.39 pm

Mr. Roger Berry (Kingswood): On a point of order, Mr. Deputy Speaker. For the convenience of the House, it may be helpful if I say that I am prepared to accept the amendments in the expectation that we can proceed immediately to Third Reading.

Hon. Members: Agreed.

Mr. Deputy Speaker (Mr. Michael Morris): Order. First I should check whether any hon. Member wishes to move amendment No. 11.

Clause 3

DISABILITY RIGHTS COMMISSION

Mr. Edward Leigh (Gainsborough and Horncastle): I beg to move—

Hon. Members: Formally.

Mr. Deputy Speaker: Order.

Mr. Jeff Rooker (Birmingham, Perry Barr): On a point of order, Mr. Deputy Speaker. Is it in order for the hon. Member for Gainsborough and Horncastle (Mr. Leigh) to move the amendment?

Mr. Deputy Speaker: The answer is yes.

Mr. Berry: The hon. Gentleman's name is not on the amendment.

Mr. Deputy Speaker: The hon. Gentleman's name does not have to be on it.

Mr. Berry: On a point of order, Mr. Deputy Speaker. I accept the amendments. Therefore, is it not in order that we proceed to the Third Reading?

Mr. Deputy Speaker: The answer is no. It is entirely up to the hon. Member who moves the amendment.

Mr. Berry: I wish to move the amendment formally.

Mr. Deputy Speaker: That is not appropriate. I suggest that the hon. Gentleman sits and listens for a few seconds.

Mr. Leigh: I beg to move amendment No. 11, in page 2, line 31, leave out

'of the passing of this Act'

and insert

'after this section is brought into force'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 49, in page 8, line 2, after 'period', insert

'and subject to such conditions (if any) as may be specified.'

No. 50, in page 8, line 3, leave out from 'any' to end of line 4 and insert

'specified requirement of Part III or Part IV of this Act'.

No. 51, in page 8, line 5, after 'section' insert

'may make different provision for different cases or for different classes of case and in particular'.

No. 52, in page 8, line 9, at end insert—

'( ) For the purposes of this section, "specified" means specified by the Secretary of State in regulations under this section.'.

No. 64, in clause 17, page 9, line 37, leave out from '(3)' to end of line 40 and insert

'Section 15 above and this section shall come into force on the day this Act is passed.

(4) The other provisions of this Act shall come into force on such day as the Secretary of State may by order appoint.

(5) Different days may be appointed by an order under subsection (4) above for different purposes and different provisions.'.

Mr. Leigh: Amendment No. 11 was tabled by my hon. Friend for Bristol, North-West (Mr. Stern), who is not here. It deals with the time limit for performing some of the actions required by the Bill. It allows the Secretary of State six months from the commencement of the Act, rather than six months from Royal Assent, in which to set up the new Disability Rights Commission. I am worried about the time scales in the Bill. The amendment extends the time limit for setting up the commission and for publication of codes of practice. A new Disability Rights Commission would need time to ensure that it got off on the right foot. The procedures involved, such as the selection of commissioners, would need thorough examination and careful consideration. Using the tight time scales in the Bill might be to the detriment of the organisation.

Mr. Berry: As I said that the amendment was acceptable, will the hon. Gentleman advise the House as to the purpose of further delay?

Mr. Leigh: This is a serious matter and the House is entitled to know about the amendments if they are to be accepted and to pass into law. I am perfectly entitled to move them and that is precisely what I am doing.

Using such a tight time scale might be to the detriment of the organisation. I know that we are all aware of the important role that the commission would have in working towards the elimination of discrimination against disabled people. It is imperative that it gets off to a good start and is as effective as possible, working within realistic time scales.

Ms Liz Lynne (Rochdale): The hon. Member for Kingswood (Mr. Berry) has said that he accepts the amendments. Why is the hon. Member for Gainsborough and Horncastle (Mr. Leigh) going ahead with his speech? Is it to delay the implementation of the Bill? The House and the 6.5 million disabled people would like to know the answer to that.

Mr. Leigh: I have never made any secret of the fact that I oppose the Bill. I have never tried to hide behind any support for the Bill. I have always made that clear. On previous occasions, I have made it clear that I oppose the Bill. Under the procedures of the House, I am entitled to speak to the Bill. That is precisely what I am doing.

Mr. Barry Sheerman (Huddersfield): As I have said before, I know that the hon. Gentleman is an honourable Member. Does he intend to filibuster? I believe that he understands how we feel about the Bill. We believe that there should be a vote and that we should make progress. Is he happy for that to happen, or is he going to filibuster? Can he tell the House now?

Mr. Leigh: I have no intention of filibustering because that would be out of order. I am simply speaking to the amendments.

As I said, this is an important matter. The time scales set out in the Bill do not give sufficient time. Even the

[Mr. Leigh]

supporters of the Bill accept that it would have enormous consequences. One of the reasons why I oppose the Bill is because of those increased public expenditure consequences. The Bill is fundamentally regulatory and if it is to be enacted at all it is in order for me to suggest that we should have more time to consider such matters.

12.45 pm

Mr. Alan Howarth (Stratford-on-Avon): If my hon. Friend looks again at clauses 8 and 10 and considers the amendments made in Committee he will realise that no time limit is set for compliance with the Bill. The relevant Secretary of State will have the discretion to determine how long the time scale for implementation should be. Comparable legislation in America allows public transport 20 years for implementation and here it could be even longer.

Does my hon. Friend accept that proponents of the Bill are most anxious not to load unreasonable compliance costs on businesses, employers and society? In the light of the spirit of reasonableness shown by supporters of the Bill, does he accept that it is sensible for the House to complete consideration of the Bill today, so that it can go to another place where, if constructive and helpful amendments are tabled, I am sure that their lordships will be willing to consider them? Would not that be a proper procedure?

Mr. Leigh: My hon. Friend is an eloquent supporter of the Bill and he is taking a perfectly honourable position. I understand his point of view. He has said on several occasions that the cost compliance figures suggested by the Government are exaggerated. He does not for one moment accept that the Bill will cost the taxpayer anything like £17 billion. I accept that there could be delays in implementing the Bill and that it could be introduced gradually. I accept his point of view. Presumably, we are not talking about a cost of £17 billion being imposed immediately on the public purse. From reading the arguments and the various briefs supplied to us by business organisations, however, I am convinced that, although we may not arrive at £17 billion in the near future, compliance costs would be enormous and would have serious implications for business, especially small businesses.

I hope that the House will at least accept that I have been perfectly honest in saying that I oppose the Bill. I accept that what I am doing might not be very popular with disabled people—many people will not understand what I am doing. Occasionally in this House, however, one has the right to speak according to one's conscience and to what one believes to be right for the nation, rather than always be influenced by what one pressure group or a series of groups, however worthy, may propose.

Mr. Alfred Morris (Manchester, Wythenshawe): I am grateful to the hon. Member for giving way. He has made his position clear. He has said that it is not his intention to talk out this humane and extremely important Bill. Is he prepared to contemplate with serenity the talking out of the measure? Is he prepared to contribute to a debate that may go on too long? Is he prepared to say now that he would like to see the Bill at least go forward for further consideration to the House of Lords?

It has been accepted that the hon. Gentleman has acted with honour. He is in an extremely important position because my hon. Friend the Member for Kingswood (Mr. Berry) has said that we are prepared to accept his amendments—we are prepared to accept all the amendments—so that the Bill can go forward. Will he accept briefly, if he looks at the cost compliance assessment document, that it is badly dated? It refers, for example, to the disablement commission, which was altered in Committee.

Mr. Deputy Speaker: Order. The right hon. Gentleman is making a very long intervention. I hope that he will draw it to a close now.

Mr. Morris: I will do that. I am trying to correct an error of fact. The hon. Gentleman may think that that document takes account of the debates in Committee, but it does not.

Mr. Leigh: I can confirm that I do not intend to continue speaking for more than a few minutes and therefore I do not intend to talk out the Bill. I am simply doing what I am entitled to do, which is to speak to the amendments.

I think I have dealt with amendment No. 11. I shall now deal with amendments Nos. 49, 50 and 51, which are in my name. That group of amendments would allow the Secretary of State more flexibility and a greater variety of exemption procedures and especially extend the scope for exemptions from the employment provisions of the Bill.

The Secretary of State is given a power to make exemptions to the regulation of provision of goods, services and new constructions under part IV. That is reasonable and allows for some of the different difficulties and circumstances that may obstruct the attempt to implement the wide-ranging provisions of the section. However, the scope for exemptions, as currently specified, seems to me to be far too narrow and restrictive to allow for the full range of circumstances that may arise.

There are no exemptions for the part of the Bill regulating employment. That is an especially grave omission. An over-rigid Bill has much less chance of successful implementation than one that retains flexibility. As I did the previous time that we debated the Bill, I have moved a number of amendments. If it is to become law, the Bill must be flexible. One of the reasons why I oppose the Bill is that I believe it to be inflexible. Especially with regard to employment and to the current state of the recession, any flexibility that we can introduce would be worth while.

[See *Official Report*, 23 May 1994, col. 21.

For example, an employer might come under the force of the Bill tomorrow. My hon. Friend the Member for Stratford-on-Avon (Mr. Howarth) says that the purpose of the movers of the Bill is to bring it in gradually. However, as I understand it, an employer might come under the force of the Bill straight away. He might acknowledge, and agree to, his obligations to make changes to his premises, but be unable to complete the changes for some time, due to the size of his business. In that case, surely it is better to allow an exemption period while the changes are made and keep the employer within the law than to prosecute an employer who wishes to stay within the spirit of the legislation.

Mr. Alan Howarth: Does my hon. Friend appreciate that the Bill provides exactly what he is asking for? The

principle that employers should be required only to "make reasonable accommodation"—I quote from the terminology of the Bill—and that there should be no imposition of undue hardship on employers completely covers the worries that he, otherwise perfectly reasonably, expresses. Therefore, will he accept that it would not be appropriate to detain the House more than another moment or two on that subject and that it would be in the interests of Parliament, as well as in the interests of disabled people, that we should be enabled to reach a conclusion in our consideration of the Bill today, so that hon. Members who may have objections of principle, which they are fully entitled to express, can have those objections tested, if necessary, at a vote? It is not acceptable that the Bill should simply be talked out and be frustrated for lack of time.

Mr. Leigh: I shall not comment on the latter argument because I do not believe that it is relevant to the amendment that I am discussing, but if what my hon. Friend says is right, and the proposers of the Bill wish it to be as flexible as possible, I believe that my amendments would improve it.

Mr. Berry: That is precisely why I said many minutes ago that we would accept the amendment. There is no point in further debate on the matter, except to wreck the Bill.

Mr. Leigh: The amendments are narrow and that is why I intend to finish speaking in about a minute, if the hon. Gentleman will allow me to do so. I have tabled the amendments, however, and I am perfectly entitled to speak to them. The Minister is also entitled to speak about them, if he feels it necessary to do so.

It is better to keep an employer within the law than to prosecute an employer who wishes to stay within the spirit of legislation. The Bill would be left rather inflexible and would not be put to its best use if it allowed for exemptions solely for periods of time and did not allow for any other circumstances.

The Secretary of State may wish to exempt an employer or service-provider from the requirements of the Bill while the nature of his business premises means that he is unable to carry out the alterations necessary—for example, the building might have a preservation order. I could cite many other examples, but I shall sit down now. I hope that the House will recognise that the amendments are sensible and that if the Bill is to become law, they would improve it.

The Minister for Social Security and Disabled People (Mr. Nicholas Scott): Given the considerable controversy that surrounds the Bill and the proceedings in the House on 6 May, I should preface my remarks on this group of amendments with a clear and unambiguous statement.

The Government have, and have always had, reservations about the Bill promoted by the hon. Member for Kingswood (Mr. Berry). That comment is not new; I have said it on numerous occasions and I will explain exactly its context before I consider the amendments. My introductory remarks will be brief.

Mr. Berry: On a point of order, Mr. Deputy Speaker. I thought that we were dealing with the amendments now. Surely we should not have a statement from the Minister about Government policy in general at this stage.

Mr. Deputy Speaker: I am grateful to the hon. Member and I understand why he is taking such interest in proceedings today, but I should be grateful if he left it to me to make a judgment about what is in order and what is not in order.

Mr. Scott: I have no intention of unduly prolonging my introductory remarks, but they must be judged against a background in which my own position has been under attack from the hon. Member for Kingswood and others —not always, I may say, with the degree of accuracy that one would expect.

Mr. Dennis Skinner (Bolsover): Sit down then.

Mr. Scott: If the hon. Member would like to intervene, I am perfectly willing to give way to him.

Mr. Skinner: I do not want to waste time, but if the right hon. Member had any guts and had earned the title Minister for Disabled People, he would give a welcome to the Bill. He would sit down and let us get on and finish the proceedings for the benefit of those 6.5 million disabled people. What he has been doing up to now is kicking their crutches away. Come on, get on with it.

Mr. Scott: Despite the vulgarity of his language, the hon. Member knows that in the six years in which I have been Minister for Disabled People I have consistently endeavoured to improve the quality of life for disabled people through a range of Government initiatives and support for those voluntary organisations of and for disabled people, who play such an important part in enabling that progress to be made. I have done that consistently and I am determined to go on seeking to do it.

The Government themselves have made clear their intention to consult and to act in five key areas that affect the quality of life of disabled people and the obstacles that are placed before them in a number of important areas. I want that work to continue. What I have never said is that the Government support the Bill promoted by the hon. Member for Kingswood.

Ms Liz Lynne (Rochdale): On a point of order, Mr. Deputy Speaker. I was just wondering when the Minister might get on to talk about the amendments.

Mr. Deputy Speaker: I shall soon get a little ratty if there are any more points of order from hon. Members trying to decide what the Chair shall do. The Chair will make that judgment.

Mr. Scott: The bottom line has always been that the Government cannot accept the Bill because of the considerable cost implications involved. That applies to this group of amendments as it does to others. *[Interruption.]* If hon. Members will allow me to respond, albeit to the sedentary intervention from the hon. Member—

Mr. John Austin-Walker (Woolwich) *rose—*

Mr. Scott: I will give way to the hon. Member in a moment.

Mr. Deputy Speaker: Order. It is not usual to respond to sedentary interventions. As the right hon. Gentleman is now speaking to the amendment, perhaps we may make progress with that.

Mr. Austin-Walker: On a point of order, Mr. Deputy Speaker. I appreciate that the Government do not support

[Mr. Austin-Walker]

the Bill, but if that is the case, why did neither the right hon. Gentleman nor any other member of the Government vote against the Bill on Second Reading—

Mr. Deputy Speaker: Order. After a degree of latitude was allowed to hon. Members on both sides of the House, we have just started to debate the amendment—so may we now stick to it?

1 pm

Mr. Scott: In parenthesis—literally, Mr. Deputy Speaker, in a sentence—I have explained on a number of occasions precisely why, for constructive reasons, we did not oppose the Bill on Second Reading and allowed it to go into Committee—

Mr. Deputy Speaker: Order. Back to the amendment, please.

Mr. Scott: As a point of order was raised, I thought that I should seek—with your indulgence, Mr. Deputy Speaker—to make the position clear.

The common theme of the amendments is the time scale for implementing the Bill's provisions.

Mr. Berry: The Minister may not have heard me indicate that we are prepared to accept the amendments. I hope that that is helpful and that we may proceed as quickly as possible.

Mr. Scott: I am sure that that is the hon. Gentleman's hope, but in the same way as we debated on Second Reading and in Committee, we must discuss these amendments against the background of the need to carry forward discussions about the obstacles that stand in the way of disabled people in society and for Parliament to address them in due course. The Government will of course take note of this debate, as they did of debates on Second Reading and in Committee, as they develop their own proposals. Before I gave way, I was saying that the common theme of the amendments is the time scale for implementing the Bill's provisions.

Mr. Austin-Walker *rose—*

Mr. Alfred Morris *rose—*

Mr. Jeff Rooker (Birmingham, Perry Barr) *rose—*

Mr. Deputy Speaker: To which right hon. or hon. Member is the Minister giving way? I call Mr. Rooker.

Mr. Rooker: I appreciate that the right hon. Gentleman is in a difficult situation and I do not want to make it worse. Will he tell the House and those outside whether the amendments form a tranche of any of those that were drafted or examined in his Department? If so, and as the Minister's amendment has been accepted by the Bill's promoter, why are we debating them?

Mr. Scott: In the light of the trouble in which I found myself after I was last asked such a question, I will let the hon. Gentleman know the answer. I would have to look at the particular amendments. They may reflect amendments that were moved earlier. I would not want to make any commitment today that would get me into the sort of trouble in which I found myself when I was trying to be helpful on a previous occasion.

Mr. Alfred Morris: All the world knows now that most of the amendments were drafted by the Government. We accept them. The right hon. Gentleman is speaking for the Government. Will he now allow us to proceed with the rest of the amendments—one of which is a new amendment from the Minister?

Mr. Scott: I made it clear that the Government cannot accept the Bill. I want to use the proper procedures of the House to explain the Government's reservations about this particular group of amendments. It is right that the House should have the opportunity to discuss them and—

Mr. Terry Dicks (Hayes and Harlington): Will my right hon. Friend give way?

Mr. Scott: In just a moment, if I may just complete a sentence or two.

The House should understand why we are resisting the amendments and why we should consider them in some depth, whether or not some of them may be acceptable. We need to discuss those matters today. That will better inform our discussion of the future since, as I am making clear, the Government cannot accept the Bill.

Mr. Dicks: By devious routes, the amendments are my right hon. Friend's, the Department's or Government amendments. Why does he want to tell us about amendments that he helped to get through to Back Benchers to table? There is an old rule about life, and it is a simple one—if you are in a hole, stop digging.

Mr. Scott: What a number of my hon. Friends have done by moving the amendments before the House is to express concern, particularly about the speed with which the Bill would take effect, the costs that it would impose, and the speed with which that cost could be imposed on businesses, employers and shops. I take the point that is frequently made, and it is a common point between the hon. Member for Kingswood and myself that the concessions that he made in Committee did not, as he will recall, involve me in moving amendments, but in making clear during discussions on the Bill the Government's reservations that they placed the responsibility for the timing into the hands of the Secretary of State. In other words—

Mr. Nigel Spearing (Newham, South): I think that the whole House accepts what the Minister said about his own contribution to the disabled, and we accept that, of course, Government matters put him in the hands of the Treasury. But does he agree that the—

Mr. Deputy Speaker: Order. We are on amendment No. 11.

Mr. Spearing: Does the Minister agree that amendments that were referred to in the answer of the Leader of the House to my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris) were drafted by his Department and that, therefore, he is not overtly, but covertly speaking against amendments that he has tabled? What is the object of doing that?

Mr. Scott: I am not going to enter into that, for the reasons that I explained earlier.

I am concerned to see that we have an opportunity this afternoon to explain to a wider audience, as well as to the sponsors of the Bill, our concerns about the speed with which the costs that will be inherent in the Bill, if it reaches

the statute book in its present form, could be placed on employers and providers of various facilities for disabled people.

I believe that it is naive of the hon. Member for Kingswood to infer that, because these matters have been placed under the authority of the various Secretaries of State concerned, there would not, if the Bill reached the statute book, be considerable and powerful pressure for the immediate implementation of the various matters. That, in my view, would arouse the expectations of disabled people, and would be very difficult for Secretaries of State, perhaps of either party, who have to take into account not just meeting the needs of disabled people, important though that aim is, and one which I share, but the costs that might be borne by the Government and, perhaps more importantly, by industry, commerce and business.

I believe, as I shall seek to explain if I am given the chance to develop a coherent argument, that we need to take those people with us as we develop policies that are designed in a constructive way to meet the needs of disabled people in society. So I am nervous, despite the fact that there is built-in flexibility about timing, and that power is given to Secretaries of State, that, in passing the Bill in its present shape, the speed and the pressure for immediate implementation would create considerable problems for those in Government who have to take responsibility for its implementation.

Mr. Michael Fabricant (Mid-Staffordshire): I accept that my right hon. Friend has concerns over the points that he made, but could not they be dealt with in another place, were the Bill to be allowed to get to another place?

Mr. Scott: That is true, but, in my years in this House, I have never thought it a proper principle that because there would be opportunities for discussion in another place, the House should not give proper consideration to proposals that are being placed before it, and particularly since the House has a special responsibility for the public purse, which does not in the same way—

Mr. Spearing: Treasury again.

Mr. Scott: If I may say so, I made it very clear that it is a proper concern of those who are responsible for public expenditure in this country that we should not be placing undue burdens on the public purse or on businesses, which are the engine of economic success.

Mr. Berry: The Minister kindly acknowledged that in Committee I moved that the Secretary of State, subject to parliamentary approval, should determine the time scale for introducing each of the measures. Therefore, the cost implications would be entirely under the control of the Secretary of State. Will the Minister tell the House what else one could have done to make the provisions acceptable? The pressures that he mentioned will exist whether or not the Bill reaches the statute book. I repeat that the costs will be under the control of the Secretary of State, which is why we accept the amendments.

Mr. Scott: I have to tread a narrow path and address the amendments, while setting them against the background of the pressures that could exist in the areas affected by the amendments. The amendments properly consider the time scale. To set at rest the minds of right hon. and hon. Members who have intervened about the drafting of the amendments, I can say that all the amendments in the group were drafted by Parliamentary Counsel, as was amendment No. 64 in the name of my hon. Friend the Member for Bristol, North-West (Mr. Stern).

I have another worry about the path on which we would be embarking were the Bill to achieve Third Reading today and we sent it to another place. It is a concern that I have expressed frequently in previous discussions—the failure of the Bill's sponsors to consult the many sectors of the economy that would be affected by the Bill's provisions. It is important that those sectors of the economy have an opportunity, before the legislation reaches the statute book, to express their concerns, not just about the totality of the cost, but about the speed of impact of the costs that might be placed on them.

Mr. Alfred Morris: Never was an accepted amendment parried at such length from the Treasury Bench. Does the Minister recall the money resolution, tabled by Treasury Ministers in support of the Bill? That underwrites the cost. As my hon. Friend the Member for Kingswood (Mr. Berry) said, the right hon. Gentleman has total control over dates and expenditure.

Mr. Scott: The money resolution does not do that. It is a technical device—in a non-pejorative sense—tabled to ensure that those parts of a Bill that attract significant public expenditure are in order as the Bill is discussed. That is not the implication that many people would draw from the right hon. Gentleman's intervention. The money resolution was in no sense underwriting all the public expenditure that might flow from the Bill. That was why the Government were under considerable pressure—and had a duty once the Bill had received Second Reading and before its Report stage—to produce the compliance cost assessment that has been before the House. That assessment is the assessment of the expenditure. As anyone who has had dealings with legislation in the House knows, the money resolution in no sense underwrites that. The money resolution simply makes it clear that it would be in order for various matters in the different clauses of the Bill to be discussed properly.

As I was saying before I gave way to the right hon. Member for Manchester, Wythenshawe (Mr. Morris), I am concerned about the lack of consultation with many sectors of the economy which would be affected by the Bill's provisions. I expressed my disappointment to the hon. Member for Kingswood that the Bill had returned in virtually the same shape as it had appeared before the House more than a year ago in February 1993. The Government had previously expressed their concerns about the practical implications, costs and potential for litigation. I had hoped that, before the Bill came back to the House for consideration, there would have been widespread consultation with those on whom its requirements would fall and who are very properly concerned—a point highlighted by my hon. Friend the Member for Bristol, North-West—about the costs and any wider consequences that would flow to them.

1.15 pm

Mr. Sheerman: I do not want to delay the proceedings, but the Minister is going a little wide of the amendments and taking a long time. He will—

Mr. Deputy Speaker: Order. The hon. Gentleman has only just come into the Chamber and is accusing the Chair

[Mr. Deputy Speaker]

of not restraining hon. Members' contributions. I suggest that he listens to the full debate before making such accusations.

Mr. Sheerman: I apologise, Mr. Deputy Speaker, for being absent from the Chamber for a short time and for any disrespect to the Chair. I wanted to intervene on the Minister because he cannot get away with what he is saying. He referred to a wholly spurious cost assessment which everyone outside the Government knows to be laughable. He also said that there had not been sufficient consultation or time. In his capacity as Minister with responsibility for the disabled, he has for years said that he was benevolently neutral about the Bill while he could have been encouraging and helpful. The truth is that he did not think that this Bill would come to fruition.

Mr. Scott: I do not want to repeat myself because it would be tedious and almost certainly out of order to do so at length, but I must say that the Government have made their position clear a number of times, most particularly when I wrote on 17 January this year to every hon. Member to express my reservations about comprehensive legislation in this area. I said that the Government believed that the best way forward was through education, persuasion, the raising of awareness in society as a whole and, where necessary, targeted legislation. I made it clear that I was opposed to the sort of over-arching legislation that we are now discussing in this part of the Bill. That was made abundantly clear by my right hon. Friend the Prime Minister and by me on numerous occasions to hon. Members and to the sponsor of the Bill.

The hon. Member for Kingswood knows my concern as well as I do. To be fair, in Committee he acknowledged my concern about the lack of consultation that had led many employers' organisations and others to express worries about the costs and the rate of imposition of those costs on their members and the interests that they represent. It is perfectly proper for those organisations to have done so. They might not have expressed such reservations or felt it necessary to make representations to a range of hon. Members had the hon. Gentleman and his colleagues undertaken the necessary consultation themselves as the Bill passed through its various stages. I now know that, somewhat belatedly, they are doing so and are arranging discussions with various employers' organisations and other providers. The hon. Gentleman made it clear in our exchanges in Committee that he rather regretted that he had not embarked on that process before.

Mr. Berry *indicated dissent.*

Mr. Scott: It would be worth the hon. Gentleman looking at the record. If I have misrepresented him in any way I apologise, but he acknowledged that it might have been better if the consultation process had started rather earlier than it did.

Mr. Rooker: Like everyone else, the Minister realises that parliamentary time is extremely valuable. His points might be halfway valid, but, if the Bill could go to another place today having secured a Third Reading and if it were to be amended in another place, it would not be subject to the vagaries of private Members' legislation on a Friday. It could be dealt with late at night during the week, possibly in the overspill after the summer recess. That would provide a possible four months for consultation without damaging the Bill's prospects of receiving Royal Assent. The Bill would not fall to be debated on a Friday—that is not the procedure once it has left this place. The Minister is putting his successors in an impossible position. He cannot say with sincerity that he wants widespread consultation and detailed discussion about when particular clauses will come into force if it appears that he has sought to kill the Bill stone dead. I ask him not to do that.

Mr. Scott: I am nervous because of the constraints under which, manifestly, I operate in terms of the rules of order. However, I want briefly to refer to the approach that I announced when the Bill was discussed at an earlier stage and which the Government have adopted. Within the next six months or so, we intend to engage in a proper process of consultation with a range of interests about proposals in a number of key areas, which will address many of the concerns raised today by the promoter and sponsors of the Bill. They need to be addressed—

Mr. Sheerman *rose—*

Mr. Deputy Speaker: Order. We must get back to amendment No. 11. There will be a Third Reading debate at some stage during which the wider points can be made. I should be grateful if we could get back specifically to this group of amendments.

Mr. Sheerman: I had merely intended to give the Minister a chance to read his note.

Mr. Deputy Speaker: I hope that that point is relevant to the amendments.

Mr. Scott: I am only reiterating what I have said before. There is evidence, even in today's *Financial Times*, that concerns are being expressed by the Confederation of British Industry—

Mr. Deputy Speaker: Order. I ask the Minister firmly to stick to the amendments. When the House has finished its discussion on them, we can put the question on them. We are discussing amendment No. 11.

Mr. Scott: I am certainly in accord with that aim. I do not want to challenge your ruling in any way, Mr. Deputy Speaker. The amendments concern the impact of costs, the speed with which the provisions of the Bill could be implemented and the worry, which is being expressed even today by the Institute of Directors and the CBI, about those pressures. The amendments have been tabled to address those matters and it is to those amendments that my remarks are directed. With my normal generosity in this area, I am only too willing to enable those who feel that they have points to make to put them to me and to respond to them to the best of my ability, despite a somewhat unfortunate experience recently.

Mr. Peter Thurnham (Bolton, North-East): My right hon. Friend has made it clear that the Government are not prepared to accept the Bill. Some people had hoped that when the Bill was discussed in Committee—I was not a member of the Committee—it might have been amended in a way that made it possible for the Government to accept it. Clearly, that was not the case, so it is important that we now use whatever time we have available to learn more about the way forward and about what the real objections are. The compliance cost assessment came out only after the Bill had completed its Committee stage. I have not

been here to debate it previously. It is important that we use the time positively to explore what the Government's objections are and to spell out more clearly what course could be followed in future so that we can have a Bill that has the support of the Government as well as the support of all those whose interests are being expressed so clearly today.

Mr. Berry: We accept the amendments.

Mr. Scott: I very much agree with the point made by my hon. Friend the Member for Bolton, North-East (Mr. Thurnham). We have time now on the Floor of the House. The offer made by the hon. Member for Kingswood simply to accept the amendment, and to say that that is the end of it and that a line can be drawn across the page is not a constructive approach to the way forward as the Government see it. The Government see the way forward not as allowing the Bill to become law, but as replacing the laudable efforts of the hon. Member for Kingswood and his predecessors who have introduced similar Bills, and operating along the lines I announced at an earlier stage, which have been reiterated since by my right hon. Friend the Prime Minister.

We are determined to go out to consultation on five of the key areas that are reflected in the approach of the promoter and sponsors of the Bill—

Mr. Ray Powell (Ogmore): On a point of order, Mr. Deputy Speaker. I have listened to the whole of this debate. Some of us on the Back Benches are getting rather frustrated. With all due respect and despite the fact that you have said to the Minister that he must address his remarks mainly to the amendments, I point out that he is constantly ignoring your request. It is frustrating for us as Back Benchers. We would not—

Mr. Deputy Speaker: Order. Those amendments are about compliance costs. Certainly, since I reprimanded hon. Members on both sides of the House, the speeches have been on compliance costs.

Mr. Scott: It is true and it is clear in my view that the discussions that we have had on the Bill at previous stages have already begun to affect attitudes outside the House without any doubt at all. I shall not stray into the contents of the broadcast of the hon. Member for Kingswood this morning on the "Today" programme, which were manifestly inaccurate. I hope that when he looks at what he said on that programme and checks it against the facts, he will understand that he was inaccurate. In my view, attitudes are changing outside. The Confederation of British Industry has never really had any enthusiasm in the area, although it recognises that, whatever happens, there are likely to be costs for its members. It has now said: "while there is clearly a need for a new legislative framework to protect people with disabilities in employment, and possibly in other areas, to introduce such legislation without consulting employers and other groups that will be instrumental in ensuring that such legislation is effective is unlikely to produce the best solution. There has been no opportunity for that in this present Bill."

That is the view of the Confederation of British Industry and, manifestly, it has been a failure on the part of the sponsors of Bill to take it into account. Many members of the CBI take a constructive view towards the needs of disabled people and their rights in terms of employment. Many of its members are also members of the Employers Forum on Disability, for example, who have a manifest commitment to progress in that area and quite right. That is why I believe that further discussion today on the impact of some of the costs could be of use in further improving attitudes outside the House.

Mr. Peter Atkinson (Hexham): Does my right hon. Friend accept that the representations that I have had in recent weeks from retailers and businesses underline absolutely what he has just said? Those companies are more than prepared to move progressively to providing better access for disabled people because it increases their business, if nothing else. However, they are absolutely horrified at the lack of consultation that has taken place during the passage of the Bill. They have not been consulted. It was only in April that they began to get information about the implications of what has been suggested. They fear that it will cost jobs and make it harder to continue to employ disabled people.

Mr. Sheerman *rose—*

Mr. Scott: Perhaps I may respond to my hon. Friend and then, of course, I shall give way to the hon. Gentleman. I very much agree with my hon. Friend and I also agree that there have been some very encouraging examples recently of increased awareness and real progress in the employers' approach towards disabled people. When businesses come to see hon. Members and make their views clear to Government, and probably also to the Opposition Members who are the sponsors of the Bill, about the need to consult to ensure that effective, supportable and deliverable practical measures are in place, it behoves us to take careful note of that and respond to it. They are still manifestly concerned about the problems, especially about the speed of the implementation of the sort of legislation that we are presently discussing.

Mr. Sheerman: Will the Minister be totally frank? The fact of the matter is that that very sophisticated lobby are not shrinking violets. When legislation passes through the House and when it is anticipated, that lobby is here and asking for consultation all the time. The truth of the matter is that, assiduously, his Department was telling everyone out there—the CBI, the Institute of Directors and everyone else—that the Bill did not have a chance and that, if it had a chance, it would kill it. That is why the Government suddenly woke up. They saw a majority of hon. Members behind it and a chance that it would go through.

Mr. Scott: That was a robust intervention, but it was somewhat inaccurate. Although we made clear our reservations about the Bill, particularly in my letter as early as 17 January in which I explained to hon. Members why I was opposed to the approach being pursued by the Bill's sponsors, I indicated that the Government wanted to see progress in this area. My right hon. Friend the Prime Minister made it clear in response to a question that he wanted the Bill to go into Committee so that it could be examined in detail and we could discover which parts we could agree on and how we could carry forward some of the ideas.

If I may say so, that is precisely what the Government are now committed to doing. Having studied the discussions that are still continuing in the House, and apart from discussions that may be taking place outside the House, we are committed to discussing the matters to see as we undertake our—

1.30 pm

Mr. Rooker: On a point of order, Mr. Deputy Speaker. Somewhere among the Standing Orders there is a Standing Order which allows you to instruct an hon. Member to resume his seat on the ground of tedious repetition. Will you consider doing that?

Mr. Deputy Speaker: First, I assure the hon. Gentleman that I have a copy of the Standing Orders in my hand. Secondly, it is not appropriate to do that at this juncture.

Mr. Scott: I plead for your understanding, Mr. Deputy Speaker, as I seek to respond politely to repetitious interventions and make clear what I believe is the Government's position and, underlining our opposition to seeing the Bill reach the statute book, I nevertheless underline our commitment to ensuring that there is a proper, new legal framework, in particular, to protect disabled people in employment. That is one of the five points on which we are committed to consult over the next six months, manifestly with an understanding that, at the end of that consultative period, we will consider what legislative moves may or may not be necessary.

That will be important in terms of consultation. We will approach that consultation in a widespread manner. We will not just consult employers. We will be prepared to consult the organisations of and for disabled people so that they can make their views clear about the shape of that legislation.

With regard to employment, we all know that the quota system is discredited. We want to move to a more sensible—

Mr. Deputy Speaker: Order. We should return to cost compliance, not the quota system.

Mr. Scott: Manifestly, it is a matter of costs and we are concerned about the £17 billion worth of non-recurring costs and the £1 billion a year of recurring costs which, it is said in the compliance cost assessment, could be placed on businesses and other enterprises if the Bill reaches the statute book in its present form.

I understand that hon. Members may have some reservations about the cost compliance assessment. As I told the House when we last discussed these matters, it was an exercise that was carried out under considerable pressure of time. Each Department was asked to make its assessment of the costs on those organisations which were, in a sense, in its client area so that the Government could put together a package that could be placed before the House in terms of a total compliance cost assessment.

We did that. There is no reason why, having seen the cost compliance assessment, hon. Members should not examine it in detail and consider the extent to which they feel it reflects the position as they understand it. However, it was the best that the Government could do between Second Reading and their legal commitment to produce such an assessment before Report. We are anxious to move ahead quickly with consultation and to take such action as we believe is necessary in the light of those consultations.

Dr. Liam Fox (Woodspring): I hope that my right hon. Friend will make it clear that the Government's thinking on this point is that, while the aims of the Bill are laudable, some reports from the United States about the backlash created by the costs of US legislation show that it is creating an unhealthier atmosphere in terms of public and business attitudes towards disability than currently exist in the United Kingdom.

Mr. Scott: The Americans with Disabilities Act is still in its early stages. It is right that we are getting conflicting signals. As I said, I am particularly conscious of one piece of evidence which looked at and, basically, produced a favourable report on the early days of the implementation of that Act. As I said before, I hesitate to query that.

Mr. Sheerman: What about the other side?

Mr. Scott: There are reports coming forward. I would probably be out of order if I went into too much detail. *[Interruption.]* I have responded to interventions from Labour Members, as I did at an earlier stage. Any hon. Member who knows me would know that I probably have a better record of giving way to interventions than almost any other Minister who stands at the Dispatch Box.

Mr. Peter Atkinson: I am grateful to my right hon. Friend for giving way to me again. I shall make a point about the cost. We have had enormous figures bandied around. What is certain—and what can be said with certainty—is what it costs individual businesses to do individual jobs. If Labour Members had done a calculation of what it costs to put a lift in a shop, they would know that the minimum price is £20,000—and it could be £100,000. Shop owners also know what it costs to widen a door—and that could be anything from £2,000 to £5,000. In the area which I represent, which is a country area where shops are not rich or necessarily prosperous, that burden would be devastating to companies.

Mr. Scott: I agree with my hon. Friend and I understand—

Mr. Berry: This is outrageous.

Mr. Deputy Speaker: Order.

Mr. Scott: I am trying to respond to the point raised by my hon. Friend. I agree that there is considerable concern on this front not only among employers but in other areas as well. For example, Business in Sport and Leisure—BISL—which is an umbrella organisation promoting the interests of private sector companies involved in the sport and leisure industry and representing more than 50 companies, has said:

"The sport and leisure industry is committed to providing facilities for disabled people and access where at all possible, in the centres it owns. Most newly built night clubs, bingo centres and ten pin bowling centres have facilities for disabled people and access by lift provided at all levels"—

Mr. Rooker: Why not give us their addresses and telephone numbers as well?

Mr. Scott: The hon. Member has access to a telephone directory. If he wishes to ring the organisation concerned, why does he not do so? I am addressing the issue of costs, the speed of implementation of the provisions of the Bill and the implications for the Bill of the amendments which are properly before the House at present.

BISL went on to say:

"It is, however, often impractical, if not impossible, to do this in existing buildings, even when considering refurbishment, because of a number of different levels and staircases. Schemes have been considered where lifts for disabled people might be attached to flumes and swimming pools. The costs, however, of schemes like this outweigh their possible use. Overall, we are

concerned with the very high cost that this Bill would involve for the leisure industry if it becomes law. We would urge the Government to undertake the widest possible consultation and to consider the full impact on business if this measure is to receive Government support."

I have already said that the measure is not receiving the Government's support. However, I have given an undertaking to BISL, as I have to others, that as we come forward with our proposals in this area, we will engage in the widest possible consultation.

Recently, a great deal of progress has been made in the leisure and tourist industry. Wonderful work has been done, for example, by ADAPT—Access for Disabled People to Art Performances Today—under the leadership of Geoffrey Lord. *[Interruption.]* I shall not respond to sedentary interventions, or I shall get into more trouble with Mr. Deputy Speaker. Nevertheless, we have seen considerable progress in this area from a variety of organisations that have sought to improve provision for disabled people in major sports and other facilities.

There is clearly room for a great deal more to be done. Many people have contacted me to express their concern about the current inaccessibility of theatre, cinema and other provision. Again, mammoth costs are likely to be involved in that area, not least because many of our theatres, cinemas and arts venues were constructed about 100 years ago and it would be very expensive to adapt them properly to meet the standards for disabled people that we all want to see. It cannot be done overnight. That is the point dealt with in the amendments. We have to ensure that these matters can be tackled over a sensible period, which may vary from industry to industry and provision to provision.

I received a letter from the British Retail Consortium on 28 March. It states:

"It is important that employers' costs are kept at a sustainable level, and that the timescale set for compliance"—

that is what we are talking about—

"with such legislation is achievable".

Mr. Alfred Morris: Why should the Minister read from a brief that was drafted for him before we accepted the amendments which, after all, he drafted?

Mr. Scott: At the risk of being repetitious, I say that the House should use our proceedings today further to explore and inform discussion on this important matter. The British Retail Consortium letter continues:

"Disabled people should be treated fairly and employers"—

Mr. Dicks: On a point of order, Mr. Deputy Speaker. Is it normal for a Minister of State to arrange for amendments and new clauses to be passed to Back-Bench Members, who then table them, and to come back to talk about the very amendments that he created, and to filibuster? Is not that an abuse of this place?

Mr. Deputy Speaker: So far, there has not been a filibuster. So far, speeches have been in order, particularly those on amendments Nos. 49 to 52. That is my ruling for the moment.

Mr. Dicks: Further to that point of order, Mr. Deputy Speaker. The amendments that the Minister is speaking to are the very amendments that he and his office drafted for the narks on the Back Benches to move last time.

Mr. Deputy Speaker: The source of amendments has nothing to do with the Chair.

Mr. Scott: If I may pick up the thread again, it is right that we should take note of the views of those organisations. We should not quickly, easily and glibly pass over the questions that are reflected in the amendments about the scale and time scale of measures which will place extra costs on business, industry and other providers in society.

Mr. Berry: We agree.

Mr. Scott: I am delighted to know that the hon. Gentleman agrees and I hope that he recognises now that it is right that the Government, in picking up on one of the main threads in his Bill—access by disabled people to premises—should hold comprehensive consultation with those organisations and take careful account of their views. They are apprehensive and they have communicated some of their views in response to the provisions in the Bill because they are concerned about the time scale.

Mr. Spearing: Will the right hon. Gentleman give way?

Mr. Scott: I should like to continue for a few more sentences.

I have said it before and I say again that one of our concerns is that, in legislating in this important and sensitive area, in which we all share the underlying aims of the sponsors of the Bill, we should not create resentment among employers and other people who will be affected by the passage of legislation such as this or any Bill introduced by the Government which will involve costs on industry and businesses.

Several hon. Members *rose—*

Mr. Scott: I shall give way first to the Opposition Front-Bench spokesman.

Mr. Sheerman: I am reluctant to intervene, but will the Minister consider that this is a private Members' day and this is a private Member's Bill that has the majority of the House behind it? I beg him to salvage his reputation and not to block the Bill. He has spoken for nearly an hour and I beg him to salvage his reputation and the Bill by speeding on and finishing his remarks.

Mr. Scott: I could have made a great deal more progress had I not given way on the number of occasions that I have done this morning. When we last discussed the matter, I gave way more than 20 times during a 50-minute speech.

Mr. Spearing: We are talking about today.

Mr. Scott: Indeed, and I have given way a considerable number of times. The majority of interventions were by Opposition Members, the rest by Conservative Members who support the Bill. I do not think that I should be the subject of criticism about giving way.

A number of organisations have made clear their commitment to progress in the area, but also their concerns about costs and time scales.

Mr. Alan Howarth: Does my right hon. Friend accept that employers and other organisations may have been led into a misapprehension by the Government's compliance cost assessment? Unfortunately, the document was not available to hon. Members by the Committee stage. The Government produced it some considerable time after the Committee concluded and, remarkably, they ignored the

[Mr. Alan Howarth]

amendments made in Committee. The document ignored clauses 8 and 10, as amended in Committee, which made it clear that there is no five-year time limit for compliance with measures in the Bill. Why did the Government produce a document that asserted that there was and therefore gave people to understand that the £17 billion alleged cost of compliance would fall all at once, or in a maximum of five years, on business? My right hon. Friend knows that that is not the case. Why did the Government produce a document that so easily led to misunderstanding and undue alarm?

1.45 pm

Mr. Scott: I do not want to go back over that ground. Obviously my hon. Friend and other hon. Members can raise such doubts or criticisms of the compliance cost assessment as they think fit. I explained the pressures to the House recently. A compliance cost assessment is not normally produced by Committee stage. It is produced after Second Reading and in time for Report. That is the Government's duty and it was fulfilled.

Mr. Alan Howarth *rose—*

Mr. Scott: I know that my hon. Friend would have preferred a cost benefit analysis. It would certainly not be wrong for him to go down that route. If it were undertaken, it might be a very valuable exercise, but it certainly is not the duty of Government. If my hon. Friend has serious reservations about the compliance cost assessment, I urge him to bring them to my attention so that we can consider them properly.

The exercise had to cover a considerable number of Departments at the same time and to pull the information together into a coherent representation of the costs, as we could best assess them, in time for Report.

It is clear that employers and others are concerned about the Bill. I do not want that alarm to turn into resistance to the idea of progress towards meeting the needs of disabled people. In my job, I have sought consistently to persuade employers and providers of services used by disabled people of the need for action in that area. I have sought to assure them that the Government certainly do not want to impose unfair costs at too great a speed and in a way that would make employers and providers feel resentful or hostile to the very concept. We must ensure that such moves as are taken by employers, shopkeepers and other providers of services used by disabled people provide services on a fair and equal basis, as they do for other citizens. We are trying to increase employers' awareness and to make them concentrate on people's abilities and enable them to achieve success—the aim that we all share. In response to my hon. Friend, let me say that the Institute of Directors and Business in Sport and Leisure had expressed their anxieties before the compliance cost assessment was published in April. They had corresponded with the Department before that and we should not imagine that they expressed those anxieties simply as a result of the publication of the compliance cost assessment.

Even if the Bill as a whole were to guarantee a fair wind and acceptance in the business sector, people in that sector still have significant anxieties about the time scale. People need time to learn about the new rights and the duties which would be—

Mr. Berry: Will the Minister please indicate to the House where in the Bill the time scale is set out?

Mr. Scott: I do not want to return to the argument that I had with the hon. Gentleman at the beginning of my speech because that would be tedious and repetitious. Undoubtedly there is worry in the business community and among other providers— [*Interruption.*] They may or may not be right, but they are worried. They are worried that, if the Bill reaches the statute book at the moment, the proper pressures that would be put on the Government to implement the Bill speedily, if not immediately, would impose costs on them in business. I think it unlikely that, if the Bill were to reach the statute book in its present form, there would not be immediate and consistent pressure on the Government to implement the provisions of the Bill as rapidly as possible.

Mr. Thurnham: Does my right hon. Friend agree that those objections are the reason why we have to have a proper debate now, and that it would be naive to imagine that a Bill about which there has obviously been a lack of consultation could be rushed through the House without the House having the opportunity to hear those significant objections? I hope that my right hon. Friend will not feel intimidated in making those significant arguments so that we can hear the reasons for the Government's objections. He has made it clear that the Government cannot accept the Bill in its current form.

Mr. Scott: I believe that the underlying anxiety which has been expressed to Government, and I think has been represented to other hon. Members, is that the Bill does not simply tinker with existing statutes but represents a wholly new approach to meeting civil rights.

Mr. Clelland: It is the Civil Rights (Disabled Persons) Bill.

Mr. Scott: Exactly. It is civil rights for disabled people. That represents a new departure for many people outside the House and many of them still feel nervous about it, even if they accept the underlying aims of the Bill, which, as I say, are widely accepted on both sides of the House. They find that it is a new departure which arouses fear, or apprehension at least, in many of the organisations that represent the interests of business people. I believe that they want more time to adjust to that, and that the amendments would help to achieve that.

Mr. Peter Atkinson: When I mentioned cost compliance to my right hon. Friend in an earlier intervention, there was a chorus of heckles from Opposition Members who said, "Read the Bill".

Mr. Dicks: And Conservative Members.

Mr. Atkinson: I am sorry—and Conservative Members. One of the anxieties of businesses is that, although an exemption is given in, I think, part IV, the all-pervading clause 2 still applies and the line saying if "he fails to make reasonable accommodation for his disability" is the line that is worrying business men and companies because that could be used to override the exemption in part IV of the Bill. It may be wrong and I am not a lawyer, and nor are they, but that is the worry of businesses.

Mr. Berry: That is simply not true.

Mr. Scott: I shall have to study that intervention by my hon. Friend carefully, because I am not sure that he has accurately interpreted the Bill. *[Interruption.]* I want to be careful to study his words without judging them too much.

For employers in particular, the impact of the Bill would be virtually immediate, as the commission would have to be set up in six months. Other provisions could be brought in at various times, but employers express particular concern—

Mr. Berry: You have referred to the introduction of the Disability Rights Commission within six months. The amendment that you are speaking to suggests that that could be delayed. We have accepted that amendment. Please, Minister, why is it that you repeatedly—

Mr. Deputy Speaker: Order.

Mr. Berry: I apologise, Mr. Deputy Speaker; I am trying to remain as calm as possible.

Certain points have been accepted by hon. Members on both sides of the House, and I do not understand why they are then repeatedly trotted out as reasons for not making further progress on the Bill. The Minister has spent more than an hour doing that. I find that astonishing and disabled people will find it even more astonishing.

Mr. Scott: I find some of the hon. Gentleman's remarks astonishing. Since he has provoked me, I allude to his performance on the "Today" programme this morning, which is relevant to our discussions. He suggested that we "held up" amendments to the Bill until after the local government elections. In fact, our amendments were tabled on the eve of poll of the local elections. This morning, the hon. Member said quite clearly—I have got the transcript —that the amendments were "held up" until after the elections so that we could appear benign until those elections were out of the way.

Mr. Berry *rose—*

Mr. Deputy Speaker: Order. Neither that contribution nor that just now from the hon. Member for Kingswood (Mr. Berry) has anything to do with the amendments before the House.

Mr. Scott: I apologise for being provoked.

Before I draw my remarks to a close, I should like to refer to the American experience. The supporters of the Bill continually point to the American experience—in a way, that is right and understandable. They acknowledge that the Americans with Disabilities Act has had a major influence on the Bill, and rightly so. Bearing that in mind, we should study carefully how the American Act was implemented and the sort of problems that were encountered in its implementation.

In my view, implementing the Bill at the speed envisaged by the sponsors would not allow time to learn from the American experience—

Mr. Sheerman: What speed?

Mr. Scott: —in a way to avoid the pitfalls.

The amendments—

Mr. Rooker: There is no speed.

Mr. Scott: The amendments—

Mr. Berry: There is no speed.

Mr. Scott: The amendments would give us sufficient time—*[Interruption.]*

Mr. Deputy Speaker: Order. I must ask the hon. Member for Birmingham, Perry Barr (Mr. Rooker) to contain himself. If he wants to make a contribution or to refute something that the Minister has said, he can stand up and say so, but he should not do so from a sedentary position.

Mr. Dicks: On a point of order, Mr. Deputy Speaker. The Minister, perhaps inadvertently—and I say that reservedly—is misleading the House. There is no speed and no timetable. Why does he not tell the real truth for a change?

Mr. Scott: If I may say so, I am seeking to outline to the House the real concerns of business and other providers of the costs that could be imposed upon them. There is an overwhelming concern about the new rights conferred by the Bill and how businesses can comply with it.

Mr. Fabricant: My right hon. Friend has said that the Government would wish to seek advice from industry. We have already received a huge weight of evidence from its representatives about what they like and do not like about the Bill, albeit that much of that evidence was based on the Bill before it reached Committee. Yesterday, the Prime Minister said that he wished to press ahead with legislation for the disabled. My right hon. Friend the Minister has told the House today that he wants to go ahead speedily with such legislation. Surely it would make sense for the legislation that the Prime Minister has in mind to be used to amend the Bill still further, but in another place, so that it could be completed speedily.

Mr. Scott: The danger of my hon. Friend's approach is that it would arouse expectations about the future of the Bill that might not be fulfilled. As I have made clear, the Government and I do not feel that the Bill is the appropriate means of tackling the matter.

I have spoken at length to stress the importance of consultation with all the parties concerned. When the Government consult on their own proposals, our actions will suit these words. My right hon. Friend the Prime Minister has made clear his views, and we are determined to tackle discrimination in employment, access to goods and the availability of financial services. We will look at the prospects for extending the big building regulations to meet better the needs of disabled people in buildings of a variety of types, and the creation of an independent—

Dr. Liam Fox *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 28, Noes 1.

Division No. 249] **[2.00 pm**

AYES

Austin-Walker, John	Howarth, Alan *(Strat'rd-on-A)*
Barnes, Harry	Jones, Lynne *(B'ham S O)*
Berry, Roger	Livingstone, Ken
Corbyn, Jeremy	Lynne, Ms Liz
Cormack, Patrick	Madden, Max
Davies, Bryan *(Oldham C'tral)*	Morris, Rt Hon A. *(Wy'nshawe)*
Dicks, Terry	Pope, Greg
Dixon, Don	Powell, Ray *(Ogmore)*
Fraser, John	Rooker, Jeff
Greenway, Harry *(Ealing N)*	Sedgemore, Brian
Hill, Keith *(Streatham)*	Sheerman, Barry
Hoey, Kate	Shore, Rt Hon Peter

Skinner, Dennis
Soley, Clive
Spearing, Nigel
Townsend, Cyril D. *(Bexl'yh'th)*

Tellers for the Ayes:
Dr. Liam Fox and
Mr. Michael Fabricant.

NOES

Stern, Michael

Tellers for the Noes:
Mr. Peter Atkinson and
Mr. Edward Leigh.

It appearing on the report of the Division that 40 Members were not present, Mr. DEPUTY SPEAKER *declared that the Question was not decided, and the business under consideration stood over until the next Sitting of the House.*

Mr. Sheerman: On a point of order, Mr. Deputy Speaker. We have just seen a Bill killed by a cynical manipulation by the Government and the Whips, with the Minister talking it out. The Government used the strategy of having a vote knowing that the bulk of the Bill's supporters are in another place attending the funeral of the former Leader of the Opposition. It is a disgrace for which the people of this country will never forgive the Government.

Mr. Peter Atkinson: On a point of order, Mr. Deputy Speaker. Earlier this morning a Bill was lost—the Inshore Fishing (Scotland) Bill—that was of enormous importance to nature conservation in the north-west and Scotland. It was killed because Opposition Members called a vote knowing that the Bill would not be passed, and the business was lost.

Ms Lynne: On a point of order, Mr. Deputy Speaker. Is it in order for the Government to talk out such a Bill? Can you do anything to ensure that private Members' Bills are protected?

Mr. Deputy Speaker: The Bill has not been talked out. It has been lost at this stage of its proceedings.

Mr. Skinner: On a point of order, Mr. Deputy Speaker. The Division took place on behalf of 6.5 million people who are disabled. Today the Government—particularly the Minister for Social Security and Disabled People, who has not earned that title—have kicked the crutches away from those disabled people. To make it worse, in that Division, although 28 people went through the Lobby, and large numbers of the parliamentary Labour party are up at John Smith's funeral, more than 12 Tories in the House refused to go through the Lobbies to provide the necessary 40 Members, including yourself, Mr. Deputy Speaker, so that the debate could continue. What the Government have done is beneath contempt. A Back-Bench measure has been killed by the Minister and the Government Whips. They should be ashamed of themselves.

Mr. Jeremy Corbyn (Islington, North): On a point of order, Mr. Deputy Speaker. What procedure would enable the House to censure the Minister, the conduct of his office and his appalling behaviour in destroying a private Member's Bill?

Mr. Deputy Speaker: That is a not a matter on which the Chair can give guidance.

Mr. Alan Howarth: On a point of order, Mr. Deputy Speaker. Have you received any notification from the Leader of the House that he intends to make a statement at 2.30 pm to tell the House about the Government's plans to provide further time for consideration of this measure, in accordance with the resolution passed on 29 April?

Mr. Deputy Speaker: I have received no such representation.

Mr. Alfred Morris: On a point of order, Mr. Deputy Speaker. Can I use this one remaining opportunity of a point of order to make it clear through you to all disabled people and everyone else that this campaign for a Bill which has been with Parliament for two and a half years will go on for as long as it takes to win full citizenship for Britain's disabled people?

Mr. Leigh: On a point of order, Mr. Deputy Speaker. As my hon. Friend the Member for Hexham (Mr. Atkinson) said, we earlier debated two very important Bills —the Inshore Fishing (Scotland) Bill and the Sale and Supply of Goods Bill. Knowing that there were fewer than 40 hon. Members present, the Opposition deliberately employed tactics to kill those two worthy Bills, one of which was presented by a Labour Member. The Opposition are furious that they have now been caught out by the same tactics. If any hon. Members have behaved disreputably today, it is the Opposition who, by underhand methods, deliberately killed two Bills but have now been caught out on their Bill.

Mr. Deputy Speaker: None of that has anything to do with the Chair.

Several hon. Members *rose—*

Mr. Deputy Speaker: I am not taking new points of order other than from hon. Members who have previously risen to their feet.

Mr. Sheerman: My point of order is further to that of the hon. Member for Gainsborough and Horncastle (Mr. Leigh) who impugned the actions of the Opposition—

Mr. Deputy Speaker: Order. That is nothing to do with the Chair, one way or the other.

Mr. Dicks: On a point of order, Mr. Deputy Speaker. I have to say that my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) told a pack of lies. The other Bills—

Mr. Deputy Speaker: Order. I should be grateful if the hon. Gentleman rephrased that.

Mr. Dicks: My hon. Friend was economical with the truth. The two Bills to which he referred would not have been lost had the Government and the Whips played the game by the rules. If they keep moving the goalposts, they should not be surprised when others try to do the same.

Mr. Deputy Speaker: Order. Again, that is nothing to do with the Chair.

Mr. Berry: Further to that point of order, Mr. Deputy Speaker. Members of all parties and millions of people outside will be disgusted by what they have seen here today. The amendments that we were debating were accepted by the Bill's sponsors one hour and 15 minutes ago. The Minister has cynically talked out the Bill. It is an insult to disabled people, and the Minister should reconsider his position.

NORTHERN IRELAND TERMINATION OF JURISDICTION BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

EMPLOYMENT PROTECTION (GOVERNMENT COMMUNICATIONS HEADQUARTERS) BILL

Order for Second Reading read.

Mr. Dennis Skinner (Bolsover): With the greatest pleasure and on behalf of the trade unionists at GCHQ, I beg to move, That the Bill be now read a Second time.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 17, Noes 17.

Division No. 250] **[2.17 pm**

AYES

Berry, Roger
Corbyn, Jeremy
Davies, Bryan *(Oldham C'tral)*
Dixon, Don
Hill, Keith *(Streatham)*
Hoey, Kate
Livingstone, Ken
Lynne, Ms Liz
Madden, Max
Morris, Rt Hon A. *(Wy'nshawe)*
Pope, Greg
Powell, Ray *(Ogmore)*
Rooker, Jeff
Sedgemore, Brian
Sheerman, Barry
Skinner, Dennis
Spearing, Nigel

Tellers for the Ayes:
Mr. Harry Barnes, and
Mr. John Austin-Walker

NOES

Arbuthnot, James
Atkinson, Peter *(Hexham)*
Bottomley, Peter *(Eltham)*
Bowis, John
Conway, Derek
Cormack, Patrick
Dicks, Terry
Fox, Dr Liam *(Woodspring)*
Greenway, Harry *(Ealing N)*
Hughes Robert G. *(Harrow W)*
Montgomery, Sir Fergus
Paice, James
Scott, Rt Hon Nicholas
Sproat, Iain
Thurnham, Peter
Townsend, Cyril D. *(Bexl'yh'th)*
Wheeler, Rt Hon Sir John

Tellers for the Noes:
Mr. Edward Leigh, and
Mr. Michael Fabricant.

It appearing on the report of the Division that 40 Members were not present, MR. DEPUTY SPEAKER *declared that the Question was not decided, and the business under consideration stood over until the next Sitting of the House.*

CONTAMINATED LAND BILL

Order for Second Reading read.

Mr. Deputy Speaker: Bill not printed.

Second Reading deferred till Friday 15 July.

TREASURE BILL [*Lords*]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 17 June.

TRADE DESCRIPTIONS (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Jeremy Corbyn (Islington, North): I do not know where that shameful objection came from. The date that I would like is 15 July.

Second Reading deferred till Friday 15 July.

MARRIAGE (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Corbyn: I cannot imagine why anyone should object to this Bill, but the date that my hon. Friend the Member for Leyton (Mr. Cohen), the promoter, would prefer is 15 July.

Second Reading deferred till Friday 15 July.

FIREARMS (AMENDMENT) BILL

Read a Second time.

Bill committed to a Committee of the whole House.-[*Mr. Shersby.*]

Bill immediately considered in Committee; reported, without amendment; read the Third time, and passed.

LANDLORD AND TENANT (COVENANTS) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 17 June.

Mr. Patrick Cormack (Staffordshire, South): On a point of order, Mr. Deputy Speaker. I seek your guidance. The Treasure Bill was objected to by a Government Whip, yet it has the Government's support. They told me that they had arranged for a Minister to be here to give Queen's Consent. My right hon. Friend the Secretary of State for National Heritage has given the Bill his full support. Could you please explain the U-turn?

Mr. Deputy Speaker: Order. The hon. Gentleman is an experienced member of the Chairmen's Panel. He will know that we cannot have a debate about that now, and it is not really a matter for the Chair.

Mr. Ray Powell (Ogmore): On a point of order, Mr. Deputy Speaker. May I draw your attention to the fact that, as there was co-operation from the Opposition, the Firearms (Amendment) Bill went through in a matter of seconds? If the same thing had applied to the Civil Rights (Disabled Persons) Bill, it would have been a great justice to the House.

Mr. Deputy Speaker (Mr. Michael Morris): That is also not a matter for the Chair.

Accrington Victoria Hospital (Maternity Unit)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Conway.]*

2.35 pm

Mr. Greg Pope (Hyndburn): I start by saying how pleased I am to have secured this debate on an issue of such importance to so many of my constituents. My one deep regret in securing the debate today is that it prevents me from attending the funeral in Edinburgh of the former leader of the Labour party, John Smith. I know that the Minister has been sympathetic to my dilemma on that; I thank him for the concern that he has shown and for being present on the Government Front Bench to reply to the debate. I am sure that he understands—as I hope you do, Mr. Deputy Speaker—that I felt that it was important that I put the interests of my constituents first.

I am sure that the Minister will be pleased to hear that I have not come here to score cheap debating points or, indeed, to criticise the Government's health service reforms. Indeed, I hope to be able to show that keeping Accrington Victoria hospital's maternity unit open is consistent with the Department of Health's recommendations on mother and baby-centred care. I am optimistic that the Minister can give me positive assurances today.

The maternity unit at Accrington was recommended for closure by the Blackburn, Hyndburn and Ribble Valley district health authority on 16 March this year, following a three-month consultation period. During that time, representations were received from the community health council, myself as the local Member of Parliament, Hyndburn borough council and the Lancashire county council, to name but a few. All but one of the representations—the one exception being the National Childbirth Trust—recommended that the maternity unit should stay open.

The highly controversial decision to recommend closure of the unit was taken at a district health authority meeting attended by only five people, all of them men. Five men proceeded to take a decision affecting the future not only of hundreds of Hyndburn women but of women across the whole area of east Lancashire. Five men made a recommendation which will mean that women from my constituency will have to travel to Blackburn to have their babies.

Many of my constituents contributed by making representations to the district health authority. One would have expected that their views, together with the other responses, would be examined, discussed and taken into account, but they were ignored by the district health authority, which spent less than five minutes discussing the options for maternity care across a large area. How could the five men on the district health authority possibly have taken all the responses into consideration in less than five minutes? Indeed, why did they bother to accept the responses at all if their intention was merely to ride roughshod over the majority of people's views and to pay only lip service to the consultation process?

The House will appreciate my anger at the arrogance with which not only my view but that of hundreds of my constituents was swept aside by the district health authority. It has made a complete sham of the consultation process. What is worse, my constituents cannot even write to the district health authority about the decision because it was made at the authority's last ever meeting prior to its abolition on 31 March. The district health authority was replaced by a trust on 1 April last year. Clearly, the trust did not take the decision. It cannot be held responsible or to account for that decision, but nor can the district health authority, given that it no longer exists. I deplore that cynical exercise in evading responsibility. The decision was rushed through before the abolition of the district health authority by a small number of people against all advice and at the expense of the interests of women in my constituency.

Following the closure in the late 1980s of the Bramley Meade and Bull Hill maternity units, the maternity unit at Accrington is the last in the area outside the unit at Queen's Park hospital in Blackburn. The closure of the Bramley Meade maternity unit in Warley and the Bull Hill maternity unit in Darwen met with massive public opposition. Thousands of people signed petitions, but the district health authority ignored them.

Nobody can deny that the planned modernisation of Queen's Park hospital and the maternity unit is desperately needed and will be beneficial. I do not seek to oppose that, and I warmly welcome the improvements at Queen's Park hospital, but I cannot accept that the maternity unit in my constituency at the Victoria hospital in Accrington—an integral and much-loved part of the community—should be sacrificed to make way for those plans.

I am sure that the Minister will accept that expectant mums should have the right to decide where to have their babies. Women who experience complications in pregnancy will require consultant care, but the women who are in desperate need are those in low-risk categories who do not need a high-tech approach and who very much value a much more low-tech approach. Some of those women will want to give birth at home, which is fine. My constituency secretary, Pamela Gedzielewski, had her three babies at home and I strongly support her right to do so. If the maternity unit in my constituency is closed, women will be denied a major option—having a local, low-tech and friendly unit available to them. The Victoria hospital is a friendly and excellent establishment. I was there only a couple of weeks ago to meet the new trust managers and staff. If it is kept open, it will provide an invaluable service not only for people in my constituency, but for people across east Lancashire who want to choose a small, friendly unit.

One of the reasons given for the closure of Accrington Victoria is that it is under-used. That argument, however, does not stand up and has become a self-fulfilling prophecy. GPs do not send women to Accrington Victoria because it is threatened with closure. Therefore, the unit is under-used and is threatened with closure. It is a circular argument. In some instances—I stress not in all instances—general practitioners have sent women to Queen's Park without discussion with the patient.

The Blackburn, Hyndburn and Ribble Valley community health council commissioned a survey, some of the findings of which are interesting. It showed that 44.7 per cent. of women assumed that Queen's Park hospital was the only place available. Almost 41 per cent. said that the choice of venue for birth had not been discussed with them. A little under 70 per cent. were not aware of the GP unit delivery service and 62.2 per cent. were not aware that they could have had midwife-only care. When they were made

aware of that, more than 14 per cent. said that they would have opted for midwifery-led care and more than 10 per cent. said that they would have opted for the GP unit.

If one takes into account those figures and the fact that some women will need consultant care whatever their preference, in the last year there could have been 380 births in midwifery units and 273 births in GP units. As 47 per cent. of Hyndburn women who responded said that, given the choice, they would opt for Accrington Victoria hospital, I suggest that they have not been given that choice. One woman told the community health council that she had had her baby at Queen's Park, but later found out that she could have had it at the Victoria hospital in Accrington. She was furious with her doctor because she had not been informed of that possibility. Women are having to fight to have their babies locally. General practitioners are the first point of contact for pregnant women, many of whom do not feel able to challenge their GPs' decisions on the alternatives in pregnancy. If women were properly informed of their choices, many more would use the Victoria hospital.

Accrington's Victoria hospital is obviously the local choice for people in my constituency. It is worth bearing in mind that 36 per cent. of households—significantly above the national average—do not have a car. Queen's Park hospital is quite a distance for new dads, grandparents and other relatives to travel. Some women have also voiced the concern that the distance to Queen's Park hospital increases the likelihood of their giving birth in an ambulance in peak times, which I am sure that all hon. Members would agree should be avoided.Queen's Park hospital is two, or even three, bus rides from where many of my constituents live. I do not see why they should be forced to use maternity services in a very large, impersonal and high-tech facility so far from their homes. Queen's Park desperately needs the proposed new facilities. One step that would help and would relieve the pressure on that hospital would be to keep Accrington Victoria open and to promote it properly.

Closing the maternity unit in my constituency would be a major step backwards. The people of Hyndburn want to keep their maternity unit open—I use the word "their" advisedly, as the Accrington Victoria hospital was built using public subscriptions and not by the state and my constituents strongly believe that it belongs to them. The least that they can expect is to have a say in what happens to it. Whenever possible, my constituents have voiced their objections to the proposed closure of the maternity unit. They have written to the Secretary of State for Health and the community health council, queued up to sign petitions, and attended public meetings and even candle-lit vigils.

I appreciate that the Government Front Bench are not very keen on referendums, but if we had one tomorrow I am convinced that the overwhelming majority of my constituents would vote to keep the maternity unit open, but they have not been given the choice—it has been made for them by the unelected and now abolished district health authority.

This is not just a case of a Labour Member carping at Government policy. The campaign to keep the unit open has cross-party support. As one would expect, Labour party members have been in the forefront of the campaign, such as Councillor Sheelagh Delaney, who has worked tirelessly on its behalf. The Conservative mayor of Hyndburn, Councillor Bramley-Haworth, has also expressed his personal support for the unit. We have also had support from Liberal Democrats and, what is more, from thousands of people who live in Accrington. Only this morning the *Accrington Observer*, which I can assure the Minister is no Labour rag but a fiercely independent newspaper, wrote in its opinion column:

"Not many issues make people genuinely angry—but the health authority's decision to close the baby unit is definitely one of them.

It's a complete disgrace that the wishes of an overwhelming majority of the people of Hyndburn . . . can be blatantly ignored.

And it's even more scandalous that the totally undemocratic decision was taken by a rump of five unelected people in just five minutes."

Accrington Victoria was put at risk so that funds could be released to develop Queen's Park. It seems clear now that the hospital trust that runs the maternity unit in Accrington does not want to operate it. A cynical person might suggest that that has something to do with the fact that the people who run it are the self-same people who ran the district health authority when it was originally proposed that the unit should close some years ago.

Although the hospital trust operates the maternity unit, it does not own it—it is owned by another trust. I hope that the Minister will take this on board, as it is the key to the argument. I am trying to suggest that because of the diversity of provision in the health marketplace, if I may so describe it, more than one trust can run the maternity unit. It does not have to be the hospital trust. I understand that if the decision is referred back to the purchasing consortium, another trust will be very interested in bidding to run the maternity unit. I put it to the Minister that the Government have nothing to lose by referring it back. It would be a sign of immense good will and it would be widely welcomed in my constituency. If, at the end of the day, another trust does run the unit and there are not enough referrals to that maternity unit and it closes, fair enough—at least we shall be able to say that we have had every opportunity.

I know that the Minister cannot give me that direct categorical assurance today. I know that he cannot possibly pre-empt the decision of the regional health authority next week, but I implore him to give an assurance to me, to the House and, most of all, to my constituents that when the decision lands on his or the Secretary of State's desk it will not simply be rubber-stamped but that the issues that I have mentioned today will be taken seriously and that strong consideration will be given to referring the decision back.

2.50 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Bowis): I start by congratulating the hon. Gentleman on his good fortune in securing the opportunity for the debate and acknowledging the dilemma that he faced in speaking today, of all days, to which he referred at the opening of his speech.

The hon. Gentleman believes, as I do, that comprehensive, high-quality maternity services, responsive to women's needs and offering real choice, should be available to all women, regardless of where in the country they happen to live. That is Government policy and has been adopted throughout the national health service. Guidelines were issued in January and health authorities have been asked to set target dates for the implementation of their own local strategies. Most important of all, the policy reflects the views of women themselves.

It is not surprising that close bonds develop, as the hon. Gentleman said, between local communities and their

[Mr. John Bowis]

hospitals. Those are often buildings with a long history, which hold cherished memories for people. In the case of baby units, perhaps there is a heightened sense of nostalgia and family history. Times and health needs change, however, as do patterns of care. We must not allow feelings of nostalgia to subvert the need to develop the best possible health services for the future. In other words, modern health care delivery must learn from the practices of the past, but not be restricted by them.

For some years, until its dissolution on 31 March this year, the Blackburn, Hyndburn and Ribble Valley health authority had worked on a strategy of centralising its maternity services at Queen's Park hospital in Blackburn. To that end, one of the last actions of the authority, at its March meeting, was to decide in favour of closing the last remaining peripheral maternity unit at Accrington Victoria hospital, about which the hon. Gentleman spoke.

The former authority had issued a consultation document on 27 October 1993, setting out its proposals to complete the strategy. It explained that that could be successfully achieved only by shutting Accrington Victoria maternity unit and redistributing the resources released by the closure. Those resources could then be invested in an integrated hospital and community midwifery service based at Queen's Park hospital, where the £13 million centralisation of gynaecology and obstetric services is nearing completion.

The consultation document emphasised the authority's intention to introduce woman-centred maternity services in line with the recommendations of the Government's expert maternity group. There is no disputing the fact that that approach offers women a greater choice and more say in the care that they receive. It also means continuity of care throughout pregnancy and child birth and beyond.

What we are speaking about here is the type of maternity care that women are choosing for themselves. Last summer's report of the Government's expert maternity group, called "Changing Childbirth", recommended placing additional emphasis on involving women in planning their ante-natal and post-natal care. The report concluded that maternity services should be as responsive as possible to the needs and wishes of women throughout pregnancy and during and after childbirth. We formally accepted its recommendations in January this year.

The consultation on Blackburn's proposal to close the Accrington unit ran for three months, ending on 4 February. The responses received were then considered by members of the health authority in line with procedural requirements, culminating in the March decision.

The community health council opposed the district health authority's plans, which means that the matter has now been referred to North Western regional health authority, which will consider the evidence at its meeting on 26 May. I remind the hon. Member that, if the RHA were to support the district but the CHC were to maintain its opposition, Ministers would then be called upon to decide the issue. He will appreciate, as he said, that I cannot pre-empt any final decision, which would be made only after taking into account all relevant factors, including the responses to the consultation exercise and, of course, the points that he made today.

The new East Lancashire health district has a residential population of 495,000. Most women's maternity needs are met at Queen's Park, with 87 beds and Burnley general hospital, with 64 beds. Victoria hospital has a total of 74 beds, of which 14 on one ward form the maternity unit. There is no other peripheral unit in east Lancashire.

As the hon. Member said, the number of women using the Accrington unit has declined in recent years. In plain figures, 120 babies were delivered there last year against a potential maximum of some 400. That compares with a current total of 1,000 deliveries each year at Queen's Park hospital. At full capacity, the Queen's Park maternity unit is designed to provide midwifery-led care for up to 1,500 births per year.

The new development at Queen's Park, six miles from Accrington, opens later in the year. It brings together, for the first time in Blackburn, maternity and gynaecology services on one site. It will provide the whole district with a modern, purpose-built centre that will serve the population for many years to come.

The district health authority confidently believes that the new Queen's Park maternity unit represents a major advance in terms of medical facilities and will offer a much-improved environment for mothers, babies and their families. The hon. Member acknowledged that.

The new unit will be the centrepiece of an integrated community and hospital midwifery network serving women throughout Blackburn, Hyndburn and Ribble Valley. Strengthening the midwifery service is seen as a vital part of the DHA's strategy. This integrated network will enable women to be offered five levels of maternity care depending on individual choice and clinical need.

As the hon. Member stressed, the Accrington unit has served the town well for many years. Although numerous people have expressed support for its continued existence, the hon. Member also acknowledged that that has not been reflected in GP referral rates, which have shown a long-term decline, more than halving in a 10-year period. One reason is the trend towards short stays in hospital, followed by post-natal care by community services at the mother's home. The number of women transferred from Queen's Park to Accrington after the birth of their babies has fallen and there has been a corresponding rise in demand for community midwifery services—those services are struggling, under the present arrangements, to meet that demand.

The DHA argues that the full benefits of its integrated hospital and community midwifery services can only be realised by closing Accrington's maternity unit and redistributing the resources. Consultant ante-natal clinics would continue to be held in Accrington twice a week.

Comments arising from the consultation were considered by the authority at its March meeting. Those who responded to the consultation generally supported the planned developments in community midwifery, but, at the same time, there remained opposition to the closure of the Accrington unit.

As I understand it, the new East Lancashire health authority maintains the view that the maternity strategy set in train by its predecessor is the appropriate one, but is unable fully to implement it while a significant slice of its resources is still committed to the Accrington unit. It believes that women throughout the district are being denied the freedom of choice that they have every right to expect. The health authority is responsible for ensuring that the best services are available to all its resident population.

I note that, in formulating its plans, the DHA also drew on the findings of a survey of 620 local mothers who had

given birth during the preceding 12 months, the views of 11 GP practice-based focus groups and those expressed at two open public meetings. Those results bear out both the underlying themes running through "Changing Childbirth" and the long-term strategy adopted by the DHA.

I recognise of course that the hon. Member's main concern, and that of his constituents, is for the effect on a community that has grown accustomed to the presence of a maternity unit in the town. That concern is understandable. On the other side of the coin, the health authority is rightly concerned that all women in the district should have access to a comprehensive range of high-quality maternity services, offering as much scope for individual choice as possible. The arguments are complex and sensitivities run deep.

Under the statutory consultation procedures, the next step is for the RHA to consider the matter. If it decides in favour of the district health authority and the community health council maintains its opposition, the matter will be referred to Ministers for a final decision.

I assure the hon. Gentleman that, in reaching a decision, Ministers will carefully consider all the arguments, and that we would not countenance a reduction in services. Rather, we expect to see maternity services throughout the district brought up to the standard of the very best. It is vital that maternity services respond to the needs and wishes of mothers, and we are determined—as is the hon. Gentleman—to ensure that that is valid for the people of Hyndburn, as it is becoming true for women throughout the country.

For the last half hour, the thoughts of the House have centred on Accrington. Today, as the hon. Gentleman said, our thoughts are also in Scotland, with John Smith's family. Perhaps it is appropriate that the final prayer of the House this week—from the hon. Gentleman, myself and the whole House—is for John Smith. May he rest in peace.

Question put and agreed to.

Adjourned accordingly at Three o'clock.

Written Answers to Questions

Monday 9 May 1994

HEALTH

Internet

Mr. David Shaw: To ask the Secretary of State for Health what plans her Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public wish to have access to and *(c)* to use the Internet as a means of increasing the openness of her Department.

Mr. Sackville: The Department's press releases issued electronically through the Central Office of Information are accessible to users of the Internet via Data-Star Dialog (Europe) or Mead/Lexis/Nexis. They are also available to subscribers to FT Profile, Reuters Textline and to POLIS.

The Department's press releases are also available through the COI's fax retrieval service, details of which can be provided by their news distribution service.

There are no further plans to use Internet.

Eye Tests

Mr. Blunkett: To ask the Secretary of State for Health what guidance she has issued relating to charges for eye tests and visual field tests; and if she will make a statement.

Dr. Mawhinney: No guidance has been issued about charges for eye sight tests and visual field tests. Under the general ophthalmic services certain groups of people are entitled to a free sight test on the national health service.

Dental Services

Sir Teddy Taylor: To ask the Secretary of State for Health (1) what steps she will take to introduce the licensing and registration of denturists and dental technicians following the Nuffield report;

(2) if she will take steps to establish a separate profession of clinical dental technicians covered by legislation.

Dr. Mawhinney: Under the terms of the Dentists Act 1984 it is for the General Dental Council to make regulations to establish classes of dental auxiliaries who may undertake dental work.

Sir Teddy Taylor: To ask the Secretary of State for Health what estimates she has made of the number of dentures fitted by denturists and dental technicians; and what percentage this represents of the total number of dentures fitted.

Dr. Mawhinney: The Dentists Act 1984 does not permit dental technicians to fit dentures.

Hospital Consultant Posts

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 28 April, *Official Report*, column *307*, how many hospital consultant posts have been vacant, by specialty, in each of the last five years for which figures are available.

Dr. Mawhinney: The information is shown in the table.

This indicates trends in consultant vacancies notified to the Department as at 30 September of each year. As a snapshot of vacancies on a single date they may not fairly reflect the trend for the number of vacancies over the year as a whole.

Vacant Hospital Consultant Posts by Specialty Group England—30 September 1988-1992

Specialty Group	*1988*	*1989*	*1990*	*1991*	*1992*
General Medicine Group	133·4	119·7	129·2	86·3	82·8
Accident and Emergency	17·0	15·0	18·4	12·6	15·6
Surgical Group	110·5	88·2	135·3	77·7	63·8
Obstetrics and Gynaecology	25·0	17·9	23·4	12·6	15·0
Anaesthetics	100·2	70·3	87·9	44·8	66·7
Radiology Group	38·3	34·6	33·9	16·8	15·0
Radiotherapy	6·7	4·2	7·2	2·0	4·0
Pathology Group	70·3	39·0	49·9	31·5	16·6
Psychiatry Group	268·9	193·4	217·3	137·9	131·6
Dental Specialties	20·1	10·0	10·5	12·3	9·0
ALL SPECIALTIES	790·4	592·3	713·0	434·5	420·1

Note: The table shows whole time equivalent.

Junior Doctors

Mrs. Bridget Prentice: To ask the Secretary of State for Health if she expects to meet the target of 72-hour maximum contracts for junior doctors by 31 December.

Dr. Mawhinney: Returns from regional task forces for the six months to 31 March 1994 are currently being analysed. We will make an announcement in due course.

Ministerial Visits

Ms Primarolo: To ask the Secretary of State for Health if she will list the hospitals that each of her Ministers and she has visited in the last three months where journalists have not been present; and for what percentage of the total number of their hospital visits journalists have not been present.

Mr. Sackville: Ministerial visits to hospitals are not planned on the basis of whether journalists will or will not be present. The Department does not keep records of their attendance on such visits.

Mr. George Henry Dance

Mr. Hinchliffe: To ask the Secretary of State for Health if she will require a report from the director of Berkshire county council social services department on the circumstances of the case of Mr. George Henry Dance.

Mr. Bowis: We have received a report on this case from the Berkshire social services department.

Registered Homes

Mr. Hinchliffe: To ask the Secretary of State for Health what use is made of the annual reports of local authority registration and inspection units.

Mr. Bowis: The purpose of inspection unit annual reports is set out in chapter 5 of "Caring for People—Community Care in the Next Decade and Beyond", copies of which are available in the Library.

Mr. Hinchliffe: To ask the Secretary of State for Health, pursuant to her answer of 26 April, *Official Report*, column *160*, how many entries there were in the national list of cancelled registrations for each year since the Registered Homes Act 1984 came into force.

Mr. Bowis: The number of names reported to the Department for inclusion in the national list of cancelled and refused registrations since 1985 when the Registered Homes Act 1984 came into operation is shown in the table.

	Residential care homes	*Nursing homes*	*Dually registered homes*
1985	2	3	—
1986	16	5	—
1987	28	4	—
1988	54	15	2
1989	44	1	2
1990	54	21	2
1991	74	16	—
1992	38	3	—
1993	34	10	—

Notes:

1. The figures may include some cases where the registration of more than one person was cancelled in respect of the same home.
2. Since 1990 the list has included those cases where an initial request for registration has been refused.

Prescription Charges

Mr. Winnick: To ask the Secretary of State for Health if she will reduce the charge for prescription charges to the same amount in current prices as in May 1979.

Dr. Mawhinney: No.

Guy's Hospital

Mr. Simon Hughes: To ask the Secretary of State for Health if she will give a full reply to the April letter from the chair of the Southwark community health council on the subject of her statement of 10 February as it affects Guy's hospital by 9 May.

Dr. Mawhinney: Yes.

Community Care (Local Government Reorganisation)

Mr. Hinchliffe: To ask the Secretary of State for Health what steps she is taking to ensure that the new authorities established following the review of local government are of appropriate geographical size and population and have sufficient human and financial resources to work effectively with health authorities in the commissioning of community services, provide specialist services within a soundly based, multi-disciplinary framework and secure the cost-effective provision of a wide range of care services within a mixed economy of care.

Mr. Curry: I have been asked to reply.

We will not implement changes to local government structure unless we are satisfied that effective provision can be made for all local authority functions, including personal social services. That provision may include shared arrangements in some cases. The resources available to new authorities will be decided in the same way as for existing authorities.

FOREIGN AND COMMONWEALTH AFFAIRS

Rhinoceros Horn and Ivory

Mr. Alex Carlile: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will engage in discussions with representatives from Hong Kong, Japan and China for the purpose of eliminating the demand for rhinoceros horn and ivory; and if he will make a statement.

Mr. Lennox-Boyd: The United Kingdom works actively through the Convention on International Trade in Endangered Species—CITES—and bilateral contacts to persuade consumer states to stamp out the illegal trade in rhino horn and ivory. The CITES standing committee in March called for further progress in enforcement before its conference in November. The committee particularly commended Hong Kong for its recent efforts.

Mr. Alex Carlile: To ask the Secretary of State for Foreign and Commonwealth Affairs how many representations he has received concerning the slaughter of rhinoceros and elephants for rhinoceros horn and ivory; and if he will make a statement.

Mr. Lennox-Boyd: We receive a great many representations and share public concern about trade in endangered species. We are actively involved in international efforts, through the Convention on International Trade in Endangered Species—CITES—to stamp out this activity.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent requests the Secretary-General of the United Nations has made to the Security Council members about upgrading the United Nations involvement in Rwanda; and what was his response.

Mr. Lennox-Boyd: The United Nations Secretary-General has made no requests to the Security Council about upgrading United Nations involvement in Rwanda. He did present a series of options to the Security Council in his report of 20 April, on the basis of which it adopted Security Council resolution 912.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what contact he has had with the Organisation of African Unity over Rwanda; and what material, financial and diplomatic support he is offering to the OAU for the peace process.

Mr. Lennox-Boyd: We have welcomed the involvement of the Organisation of African Unity and countries of the region in attempts to bring about a ceasefire and advance the peace process. The United Nations Secretary-General is in touch with OAU states about their possible involvement in further international operations in Rwanda. We await the Secretary-General's recommendations in the light of these discussions.

Belize

Mr. Spellar: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 26 April, *Official Report*, column *123*, what steps he is taking to secure the recognition by Guatemala of Belize as a sovereign and independent state.

Mr. Heathcoat-Amory: Guatemala recognised Belize as a sovereign and independent state in September 1991. This was reaffirmed by the new Guatemalan Government in August 1993. We will continue to encourage both countries to work for a full settlement of their territorial dispute.

Conventional Arms Register

Mr. Patrick Thompson: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Government submitted to the United Nations Secretary-General a return from the United Kingdom to the United Nations register of conventional arms; and if he will place a copy of the return in the Library.

Mr. Douglas Hogg: We submitted our return to the UN register covering the calendar year 1993 to the UN Secretary-General on 29 April. A copy has been placed in the Library of the House.

King Charles Street Building

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will reconcile the figures of the estimated total cost of refurbishment of the Foreign and Commonwealth Office building in King Charles street, as given in his answers to the hon. Member for Truro (Mr. Taylor) of 12 April, *Official Report*, column *14*, and to the hon. Member for South Hams on 25 April.

Mr. Goodlad: The figures given in my answer of 25 April were restricted to expenditure totalling £86 million by the Foreign and Commonwealth Office. Prior to 1988 the Property Services Agency—PSA—was responsible for major works. It would be possible to quantify PSA expenditure only at disproportionate cost. The balance of £14 million represents an assessment of works costs based on such evidence as is readily available. It covers essential maintenance works when the Home Office vacated part of the building in 1978 and refurbishment of one part of the former India Office between 1984 and 1986.

Angola

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in the Angola peace talks in Lusaka.

Mr. Lennox-Boyd: At the Lusaka talks, the Government of Angola and UNITA have reached agreement on military issues, the formation and composition of the police and the general principles of the electoral process. They are still discussing national reconciliation, including the issue of UNITA participation in government, upon which they have yet to agree.

HOUSE OF COMMONS

E-mail

Mr. David Shaw: To ask the Lord President of the Council if he will consider introducing a system enabling hon. Members to table written questions by E-mail.

Mr. Newton: Such a change would need to be considered by the appropriate Committees of the House.

Private Members' Bills

Mr. Alfred Morris: To ask the Lord President of the Council what facilities the Office of Parliamentary Counsel offer to hon. Members representing Opposition parties in the drafting of amendments to public Bills which were not originally drafted for the Government.

Mr. Newton: The Office of Parliamentary Counsel does not offer facilities to hon. Members except at the request of Ministers.

Deregulation Orders (Scrutiny)

Sir Peter Emery: To ask the Lord President of the Council when the Government will reply to the fourth report of the Select Committee on Procedure on the parliamentary scrutiny of deregulation orders, and publish their response.

Mr. Newton: Copies of the Government response are now available from the Vote Office.

TREASURY

G10 General Agreement to Borrow

Mr. Cousins: To ask the Chancellor of the Exchequer on how many occasions the G10 general agreement to borrow power has been used in the last 10 years; and what was the United Kingdom contribution on each occasion.

Mr. Nelson: The general arrangements to borrow have not been used in the last 10 years.

Internet

Mr. David Shaw: To ask the Chancellor of the Exchequer what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. Nelson: The Treasury is planning to use the Internet for the exchange of electronic mail.

Press releases issued by the Treasury are distributed by the Central Office of Information through its news distribution service—NDS. The NDS advises that:

(i) Most Government press releases issued electronically via NDS are accessible to users of the Internet via Data-Star Dialog (Europe) or Mead/Lexis/Nexis.

(ii) It is up to the "hosts", i.e. the organisations who hold databases of Government press releases, to negotiate

access via the Internet. Neither the COI nor its Government clients can insist on this, as there are commercial and security implications that only the "hosts" can decide upon.

The use of the Internet is one of a number of options being examined for increasing openness.

Tropical Rainforests

Mr. David Nicholson: To ask the Chancellor of the Exchequer what representations he has received asking that pension and other institutional funds be required to make available to their investors details regarding the identity and work of companies involved in timber exploitation in tropical rainforests.

Mr. Nelson: None. It is for institutions, their auditors and regulators to settle the contents of their annual reports and other information provided to investors, with due regard to legal requirements.

Self-assessment

Mr. Burns: To ask the Chancellor of the Exchequer if he intends to consult on the role of employers in self-assessment as announced in his November 1993 Budget.

Mr. Dorrell: The Inland Revenue is today publishing a consultative document entitled "Self-assessment: what it will mean for employers and employees." The document considers where changes may be necessary or desirable for self-assessment. It makes proposals for employers to give their employees information they will need to complete a self-assessment tax return after the new system has come in.

In designing the proposals the Inland Revenue has aimed to keep any burden on employers to the minimum necessary to enable those employees who receive tax returns after 6 April 1997 to self-assess. The proposals have been discussed with employers' representatives and they are now being set out in the document for wider consultation and comment.

Copies of the consultative document will be placed in the Library of the House of Commons.

Consultants

Mr. Milburn: To ask the Chancellor of the Exchequer, pursuant to his answer of 12 April, *Official Report*, column 46, if he will list the firms of consultants employed by his Department and the number of contracts they have undertaken.

Mr. Nelson *[holding answer 19 April 1994]:* Firms of consultants employed by my Department, including in privatisation contracts, for the period August 1991 to March 1994 are listed. The remaining consultancies were carried out by individuals, academics and academic institutes.

Consultancy firm	*Number*
Price Waterhouse	12
TPF & C	2
BDO Binder Hamlyn	3
Mouchel Management Ltd.	1
Inenco Group	2
Demograft Recruitment Consultants	3
Wyatt Company (UK) Ltd.	3
Touche Ross & Co.	3
Coopers & Lybrand Deloitte	2
Arthur Walton & Partners	1
KPMG	5
Ernst & Young	8
KPG Computer Support	7
PMMS Consulting Group Ltd.	1
Dunnett Shaw and Partners	3
DW Diamond Management Consultants Ltd.	1
Hay Management Consultants	1
Grosvenor Consultancy Services	1
William M. Mercer	2
Montrose	2
Kingsley Lord Ltd.	1
Achilles Consultancy	1
Solid Solutions Associates	3

HOME DEPARTMENT

Lake Windermere

Mr. Pendry: To ask the Secretary of State for the Home Department (1) if he will estimate the cost to public funds of the public inquiry shortly to be held into the proposed byelaws and objections concerning Lake Windermere in the Lake District national park;

(2) what steps his Department is taking to safeguard the position of sport and recreation on Lake Windermere, without recourse to a public inquiry, following the proposal of byelaws seeking to introduce a 10 mph speed limit on Lake Windermere.

Mr. Charles Wardle: We consider that the terms of reference of the public inquiry which my right hon. and learned Friend has ordered to be held into the proposed byelaws should be sufficiently broad to encompass matters such as the practicality of alternative approaches to the management of Lake Windermere advocated by the Sports Council and others. I understand that the council and a number of other sports bodies are due to give oral evidence at the inquiry. It is not possible to estimate the cost of the inquiry at this stage.

Neighbourhood Watch Schemes

Mr. Llwyd: To ask the Secretary of State for the Home Department how many neighbourhood watch schemes there are in operation in *(a)* each country in Wales, *(b)* Wales as a whole and *(c)* England as a whole.

Mr. Charles Wardle: Information on the number of neighbourhood watch schemes is recorded at police level and so it is not possible to attribute schemes to individual Welsh counties. The number of schemes recorded by the police at the end of December 1993 for England and Wales is as follows:

Police Force Area	*Neighbourhood Watch Schemes*
Dyfed—Powys	1,257
Gwent	210
North Wales	2,989
South Wales	1,292
Total Wales	5,748
Total England	124,856

Juvenile Offenders

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department what arrangements he will put in place to assist financially the families of juvenile offenders in secure training centres when visiting their children in the centres.

Mr. Howard: I intend to put in place a scheme which will enable a juvenile offender, on one occasion each week, to receive a visit from immediate family members, foster parents or guardians with the visitor able to claim reimbursement of the cost of that visit. I hope that this will encourage more frequent contacts between families and offenders, thus helping to maintain ties and promoting the involvement of families in offenders' training plans and in their progress in the centre prior to returning to the community.

Police, Peterlee

Mr. Cummings: To ask the Secretary of State for the Home Department (1) how many police constables were deployed in the Peterlee sub-division in each of the last five years;

(2) how many women police officers were deployed in the Peterlee sub-division in each of the last five years.

Mr. Charles Wardle: The deployment of police resources within a force area is a matter for the chief constable. I understand from the chief constable that the Peterlee sub-division was merged with the Seaham sub-division on 1 January 1989 to form the Easington sub-division. The information provided relates to that part of the division made up of the Peterlee area.

Year As at 31 December	*Strength Constables (male and female)*	*Strength Women Officers*
1989	91	10
1990	92	11
1991	98	12
1992	103	13
1993	110	21

Mobile Telephones and Pagers

Mr. Vaz: To ask the Secretary of State for the Home Department how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Mr. Howard: About 1,250 mobile telephones are in use in my Department, including executive agencies. About a dozen are installed in official vehicles. There are about 2,100 pagers. Mobile telephones and pagers are used mainly by staff in Her Majesty's Prison Service and Her Majesty's Immigration Service, who for operational reasons need to maintain immediate contact with their offices or other officials. Annual expenditure is estimated to be about £745,000, excluding capital costs which are variable.

Asylum Seekers and Refugees

Mr. Allen: To ask the Secretary of State for the Home Department, pursuant to his answer of 31 March, *Official Report*, column *943-45*, what were the numbers in each local education authority of *(a)* asylum seekers and refugees, *(b)* children of asylum seekers and refugees, *(c)* unaccompanied children admitted as asylum seekers or refugees and *(d)* children admitted for family reunion reasons, admitted to the United Kingdom for the years (i) 1990-91, (ii) 1991-92, (iii) 1992-93 and (iv) 1993-94, derived from addresses notified to the Immigration and Nationality Department.

Mr. Charles Wardle: This information could be obtained only at disproportionate cost.

Internet

Mr. David Shaw: To ask the Secretary of State for the Home Department what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. Howard: Limited use of the Internet is made by research and development scientists in my Department for communicating with universities and other research organisations. My Department's press notices are passed electronically to the Central Office of Information, through which they are made available to users of the Internet. We have no further plans to use the Internet.

Immigration

Mr. Mudie: To ask the Secretary of State for the Home Department if he will list the carrying companies that have failed to pay expenses incurred in respect of persons detained, or liable to be detained, under the Immigration Acts, the amounts owing, and which amounts are still being pursued.

Mr. Charles Wardle: It is not normal practice to disclose information on the amounts owed in detention expenses by individual carrying companies, nor their payment record. The total amount currently owed to the Immigration Department is £2·7 million. Similar information about the amount due by carriers to police forces and the Prison Service for immigration detention costs is not held centrally and could be obtained only at disproportionate cost.

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many applications for leave to remain in the United Kingdom have been granted in each of the last five years on the basis of a common-law relationship with a British citizen.

Mr. Charles Wardle: The available information is given in the table. Information on cases where the partner was a British citizen is not separately identifiable in these statistics.

Acceptances for settlement[1] on the basis of a common-law relationship with a partner who is settled in the United Kingdom or who is a British citizen.

Year	Number
1989	110
1990	170
1991	310
1992	290
1993	400

[1] On a discretionary basis.

Integrated National Criminal Intelligence Systems

Mr. Mudie: To ask the Secretary of State for the Home Department if he will list in each financial year the amount spent on the development of the integrated national criminal intelligence systems computer project; which private sector firms participated in this project; and what amounts have been paid to them.

Mr. Charles Wardle: The figures, including the amounts paid to private sector firms, are given in the table. The private sector firms participating were Computer Sciences Co. Ltd., Grafton Database Associates Ltd., Hoskyns', PA Consultants, Software AG and World Quality Systems. Individual contract costs are commercially confidential, but the total amount paid to private sector firms was £1·008 million.

Year	£ Thousands
1989-90	173
1990-91	357
1991-92	699
1992-93	218
TOTAL	1,447

Crime Statistics

Mr. Winnick: To ask the Secretary of State for the Home Department when he now expects the crime statistics to be broadly the same as in May 1979.

Mr. Maclean: I will not make predictions on long-term crime statistics. In the meantime, the Government will continue to take vigorous action to tackle crime and protect the public.

Police Complaints Authority

Lady Olga Maitland: To ask the Secretary of State for the Home Department what new appointments have been made to the Police Complaints Authority.

Mr. Howard: Ann Kelly, who served on the British Railways Board up to 1992 with responsibility for promoting equal opportunities, has accepted my invitation to serve as a member of the Police Complaints Authority. She took up her appointment on 18 April.

NATIONAL HERITAGE

Fire Precautions Legislation

Mr. Pendry: To ask the Secretary of State for National Heritage what representations he has received regarding the six bedspace rule in respect of fire precautions legislation.

Mr. Sproat: My Department has received a number of representations on this subject, particularly from tourist accommodation operators with more than six bedspaces. The effect of fire precautions legislation and its enforcement featured strongly in responses to my Department's inquiry into regulatory burdens on the tourism industry. These matters are currently being considered both by the Home Office and by the interdepartmental fire safety scrutiny team, announced by my right hon. Friend the President of the Board of Trade —to whom I have made the tourism industry's concerns known—on 17 January.

Tourism

Mr. Pendry: To ask the Secretary of State for National Heritage what assessment his Department has made of the effect of local government reorganisation on the English regional tourist board structure.

Mr. Sproat: Each of the regional tourist boards—RTBs —is an independent organisation, and their boundaries will not be directly affected by the outcome of the local government review. Local authorities have always been active supporters of the work of the RTBs, and I am sure the RTBs will be keen to co-operate with any new authorities which emerge from the review.

Mr. Pendry: To ask the Secretary of State for National Heritage what are the objectives of the Government's tourism policy.

Mr. Sproat: The objectives of the Government's tourism policy are, as set out in my Department's annual report, to create the conditions which will encourage inward and domestic tourism so that the industry can make its full contribution to the economy and increase opportunities for access to our culture and heritage.

In pursuit of this overall aim my Department seeks to:

—facilitate the work of the British Tourist Authority and the English Tourist Board in developing the tourism product to its full potential and in marketing it to the consumer both overseas and at home; and

—ensure that all parts of Government take full account of the implications of their policies for the tourism industry and that unnecessary barriers to its development are removed.

Mr. Pendry: To ask the Secretary of State for National Heritage when he expects the review of the crown classification system in respect of tourism in England to be completed.

Mr. Sproat: The consultants commissioned by the English tourist board to review the crown classification scheme are due to report to the board at the end of May. My Department will then discuss with the English tourist board its proposals for taking forward the recommendations of the report.

Mr. Pendry: To ask the Secretary of State for National Heritage if he will make a statement on the future of the United Kingdom tourism survey.

Mr. Nigel Griffiths: To ask the Secretary of State for National Heritage what assessment he has made of the impact on non-EC tourist traffic and expenditure in the United Kingdom as a result of implementing EC Commission proposal Com (94) 58 to amend directive 77/388/EEC.

Mr. Sproat: The proposed amendment to directive 77/388/EEC imposes a minimum threshold of 175 ecus

before non-EU visitors can claim a VAT refund. There is some concern within the retail sector that this would have an adverse effect on tourist expenditure. My right hon. Friend the Chancellor of the Exchequer is well aware of these concerns and the Government have made clear their objections to this proposal.

Mr. Sproat: I have asked the English tourist board to review its research activities, including the United Kingdom tourism survey. The aim of this review is to assess whether information is being provided for the industry and for Government in a form that meets their needs. This review is due to be completed in the near future.

Public Library Service

Ms Mowlam: To ask the Secretary of State for National Heritage what assessment he has made of the effect of local government reorganisation on the public library service; and what account he has taken of the views of the chairman of Library and Information Services, Council for England.

Mr. Sproat: In his annual report to Parliament on library matters, published last month in conjunction with that of the Library and Information Services Council, my right hon. Friend responded to the council's concern about the likely effect of local government reorganisation upon existing county library services in the following terms:

"I am well aware of the deep feelings which have been aroused by proposals for change in the structure of local government and have, myself, taken every opportunity to register within Government the importance of ensuring effective future arrangements for the delivery of the public library service, whatever the final outcome of the re-organisation".

Administration Expenditure

Ms Mowlam: To ask the Secretary of State for National Heritage how much of his Department's estimated outturn expenditure on administration for the year 1994-95 will be spent on *(a)* premises, *(b)* publicity and *(c)* salaries.

Mr. Sproat: Estimated expenditure in the three areas is:

	£ Million
Premises	3·5
Publicity	0·1
Salaries	9·1

National Lottery

Ms Mowlam: To ask the Secretary of State for National Heritage (1) how much of the cost for 1994-95 of the Office of the National Lottery will be spent on *(a)* salaries, *(b)* publicity and *(c)* administration;

(2) how many staff are at present employed at the Office of the National Lottery; and how many are likely to be employed once the lottery has begun its operation;

(3) what services of the Office of the National Lottery have been contracted out; to whom and for what purpose.

Mr. Brooke: These are matters for the Director General of the Office of the National Lottery. I shall ask him to write to the hon. Member and place copies of his reply in the Library of the House.

Internet

Mr. David Shaw: To ask the Secretary of State for National Heritage what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. Sproat: My Department's press releases, issued electronically through the Central Office of Information, are accessible to users of the Internet via Data-Star Dialog (Europe) or Mead/Lexis/Nexis. They are also available to subscribers to FT Profile, Reuters Textline and to POLIS.

My Department's press releases are also made available through the COI's fax retrieval service, details of which can be provided by its news distribution service.

Security

Mr. Donohoe: To ask the Secretary of State for National Heritage if he will make a statement on the use of private detective agencies and security companies by his Department.

Mr. Sproat: Since formation in April 1992, my Department and its agencies have not employed any private detective agencies.

Private security firms have been employed and I refer to the answer I gave to the hon. Member for Walsall, South (Mr. George) on 21 April 1994, *Official Report*, column *613*.

British Library

Mr. Waller: To ask the Secretry of State for National Heritage what plans he has for the completion of the British library building at St. Pancras.

Mr. Brooke: Following a competitive tendering exercise, I have agreed to place a contract for the cladding and fitting-out of the final phase of construction with a joint venture consortium comprising Sir Robert McAlpine Ltd. and Haden Young Ltd.

Privatisation (Consultants)

Mr. Milburn: To ask the Secretary of State for National Heritage if he will estimate the cost of employing consultants in connection with privatisation programmes in which his Department has been engaged.

Mr. Sproat *[holding answer 4 May 1994]:* Nil.

TRADE AND INDUSTRY

Single Market

Mr. Gunnell: To ask the President of the Board of Trade on how many occasions advice from the single market compliance unit has led to a United Kingdom company successfully challenging a contract originally awarded to a company based in another member state of the European Union.

Mr. Heseltine: The single market compliance unit and other parts of Government have provided guidance to

many companies on EC public purchasing procedures. Companies do not usually report back to us unless they face subsequent difficulty. We therefore do not know to what extent Government advice has enabled United Kingdom firms successfully to challenge public sector contracts originally awarded to companies from other member states.

Mobile Telephones and Pagers

Mr. Vaz: To ask the President of the Board of Trade how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Mr. Eggar: Records are no longer kept centrally of all uses of mobile telephones, pagers and electronic bleepers. However it is estimated that excluding "next steps" agencies there are some 700 mobile telephones and 480 pagers/bleepers in use in my Department at costs of around £280,000 and £65,000 per annum respectively.

This equipment is in use where the costs can be shown to be justified by improvements in efficiency and effectiveness. This covers a wide range of personnel.

Easington (Ministerial Visit)

Mr. Cummings: To ask the President of the Board of Trade if he will pay a visit to the Easington constituency; and when was the last time he was in that area.

Mr. Heseltine: I have no plans at present to visit the hon. Gentleman's constituency. My last visit to Durham was on 18 September 1992 when I opened the new joint office of the Northern chambers of commerce and I attended the annual dinners of the Teeside and Tyne and Wear chambers in April and October of last year.

Electricity Interconnector

Mr. Spellar: To ask the President of the Board of Trade what is the current capacity of the electricity interconnector with France; what percentage of this capacity is utilised; and what proposals there are for constructing additional capacity to transmit electricity between Britain and continental Europe.

Mr. Eggar: The interconnector with France has a capacity of 2,000 MW. Since it was commissioned in 1986 it has generally been fully utilised. Proposals to construct additional capacity between Britain and continental Europe are a matter for the industry.

Research Establishments

Mr. Meacher: To ask the President of the Board of Trade, pursuant to his answer of 14 April, *Official Report*, columns *251-53*, on research establishments, when he expects to make a further announcement on his plans for contracting out.

Mr. Heseltine: I will make further announcements as and when I am ready to do so.

Exports

Dr. Lynne Jones: To ask the President of the Board of Trade what was the total value of British exports at constant prices in each of the last five years; and what proportion consisted exports of military equipment.

Mr. Heseltine: The value of United Kingdom exports, in constant 1990 prices, is given in the table. Information on exports of military equipment is not available in constant prices. The proportion of total visible exports accounted for by military equipment, in current prices, is given in the table.

Year	*United Kingdom visible exports (£ billion, 1990 prices)*	*Military Equipment[1] as a percentage of total (in current price terms)*
1989	95·8	3·4
1990	101·7	2·8
1991	102·9	2·2
1992	105·2	2·7
1993	108·3	2·1

Source: Her Majesty's Customs and Excise.

Note:

[1] Military equipment is defined, in terms of the Standard International Trade Classification (Revision 3), as aircraft and associated equipment (all tariff headings in division 79 other than those identified as "civil"; and excluding spacecraft and launch vehicles); warships (tariff heading 890600 100) and arms and ammunition (for military purposes) (division 98).

Departmental Sponsorship

Mr. Cousins: To ask the President of the Board of Trade if he will list each current grant, incentive, advice, consultancy, award or other scheme involving either direct or indirect expenditure his Department sponsors together with the date of commencement, and the authority for each such scheme.

Mr. Eggar: The supply estimates for 1994-95 and the DTI's annual report for 1994—both published in March —copies of which are available in the Library of the House, describe in some detail the Department's current schemes involving programme expenditure. The information requested regarding dates of commencement and authority for individual schemes could be obtained only at disproportionate cost.

Arms and Ammunition Exports

Mr. Cousins: To ask the President of the Board of Trade if he will list the controls or licence requirements in respect of the export of arms and ammunition to the counties of central and south America; and how many licences were *(a)* issued and *(b)* applied for and rejected for such countries in the last three years.

Mr. Heseltine: Exports of arms and ammunition to all destinations are controlled under the relevant Export of Goods (Control) Order. Arms and ammunition as defined in the International Munitions List are prefixed "ML" in the orders. Details of the numbers of licences in respect of destinations in south and central America in the last three complete calendar years are as follows.

	1991		1992		1993	
	Issued	Refused	Issued	Refused	Issued	Refused
Mexico	16	0	23	0	9	0
Belize	5	0	1	0	7	0
Guatemala	0	0	1	0	1	0
Honduras	2	0	16	0	11	0
El Salvador	0	0	0	0	0	0
Nicaragua	0	0	0	0	1	0
Costa Rica	0	0	2	0	0	0
Panama	1	0	0	0	0	0
Colo"mbia	12	0	19	0	10	0
Venezuela	18	0	20	0	21	0
Guyana	1	0	2	0	4	0
Surinam	1	0	0	0	0	0
Ecuador	22	0	20	0	17	0
Peru	14	1	15	0	23	0
Brazil	148	0	261	0	595	0
Bolivia	0	0	2	0	6	0
Chile	264	0	303	0	83	0
Paraguay	2	0	2	0	5	0
Argentina	1	3	2	4	0	5
Uruguay	3	0	8	0	4	0

Gas Industry

Mr. Deva: To ask the President of the Board of Trade when he expects to be able to publish the consultative document on opening up the domestic gas market; and if he will make a statement.

Mr. Nigel Griffiths: To ask the President of the Board of Trade if he will publish the consultation document on the future of the United Kingdom gas market.

Mr. Chisholm: To ask the President of the Board of Trade when the consultation paper on regulation of the competitive gas market will be published.

Mr. Eggar: The Director General of Gas Supply and I have today published our joint consultative document, "Competition and Choice in the Gas Market". This outlines an approach to bringing the benefits of competition to the domestic gas supply market, and describes the regulatory arrangements which could be put in place. This is a consultation document, and no decisions have been taken.

Comments are requested on certain issues by the end of June, and on the remainder by the end of July. Copies of the document have been placed in the Library of the House. Further copies are available from the Library at the Office of Gas Supply.

The proposals envisage the separation of the business of gas supply, which is increasingly subject to competition, from gas transportation, which will continue to be substantially a monopoly.

The proposed new licensing framework will allow independent suppliers, as well as the British Gas supply business, to have their gas transported through the pipeline system and supply customers. Regulation on the supply business will gradually be relaxed as the benefits of competition flow, although a number of important conditions, such as debt and disconnection, will be retained indefinitely.

Because of the complexity of the issues and the need to feed back experience as it is gained, the introduction of competition will be phased in carefully. For the first two years, the extent of competition will be limited to 5 per cent. and 10 per cent. of the volume of gas sold.

A new British Gas network code, to be agreed by OFGAS, will ensure that all approved suppliers—including the British Gas supply business—can use the transportation system on a fair and responsible basis. The document envisages that prices charged by the British Gas transportation network will be controlled by a formula.

The document makes it clear that safety will remain paramount. Broadly, the present system for handling gas emergencies will continue, with the British Gas transportation and storage business responsible for providing the emergency service, including making safe any leak on the customer's side of the meter and the first half hour of any repair work associated with a leak. The transportation business would also handle connections to the network. The Health and Safety Commission will make a thorough study of the safety implications of the proposals in the document.

Special considerations apply to the domestic market. they include.

Assurance of Supply

Customers of British Gas at present have a high assurance of supply. We see no reason why the competitive market should not provide a similarly high level of assurance—and the consumer will benefit from the choice provided by competition.

Standards of Service

The document recognises the importance of meeting high standards of service, especially in areas such as debt and disconnection, and services for the elderly and disabled. The document proposes that the same regulatory standards should apply in these areas both to British Gas and its competitors.

Pricing

The principal effect of competition is likely to be overall downward pressure on costs and prices. Competition is a spur to efficiency, innovation and higher standards of service. Within this overall pattern, small price differentials are likely to emerge gradually as relative prices move to reflect costs.

However it will be important to avoid abrupt price movements and a number of proposals are put forward in this area. The document makes clear that:

the present RPI-4 price formula will continue to apply until at least 1997;

the maximum level of standing charge, will continue to be capped at 1986 levels in real terms—at least until 1997;

—OFGAS's proposals on transportation standing charges should help reduce any pressures to raise prices for the average small consumer;

—during the transitional period between 1996 and 1998, it is expected that no British Gas published tariff will increase by more than the rate of inflation, taking one year with another and apart from factors outside the control of the gas supply industry.

Energy Efficiency
The document considers whether it might be reasonable to broaden the director's powers in this area. It also suggests that suppliers should be enabled to sell total energy packages, including both gas and energy saving measures, so that least cost planning can be undertaken by consumers at the level of the individual kitchen.

Comments are requested on the points raised in the document. On certain issues of direct relevance to the preparation of draft legislation—which are marked at the end of each chapter—comments should be received by the end of June 1994. For other issues, comments can be received up to the end of July.

Mr. Nigel Griffiths: To ask the President of the Board of Trade what consideration he has given of the impact on low-income gas consumers of a 2 per cent. premium on gas bills to achieve the Government's energy conservation targets.

Mr. Eggar: The Government are committed to achieving the Rio target and look to energy efficiency programmes devised by the Energy Saving Trust to make a sizeable contribution to meeting the target. Consideration is being given to the means of financing these programmes, including their costs to gas consumers. No decisions have been taken.

Oil Industry

Sir Michael Grylls: To ask the President of the Board of Trade if he will set out his powers in respect of cancelling or refusing licences if an oil company takes over another.

Mr. Heseltine *[holding answer 6 May 1994]:* If an oil company takes over another which has a petroleum licence, this would constitute a change of control of that licensee. A change of control of a licensee might, in certain circumstances, trigger the Secretary of State's power to revoke the licence. If an oil company takes over another company which has applied for a licence, such an application would be treated on its merits. Under the relevant legislation the Secretary of State has power to grant licences to such persons as he thinks fit.

Sir Michael Grylls: To ask the President of the Board of Trade what consultation has taken place with Her Majesty's Government with regard to the continuation of licences when an oil company takes over another.

Mr. Heseltine: Such consultations take place from time to time in relation to developments in the market. I refer the hon. Member to the answer given to him today, which sets out the Secretary of State's powers in the event of a change of control of a licensee.

Coal Industry Privatisation

Mr. Tipping: To ask the President of the Board of Trade, pursuant to his answer of 22 April, *Official Report*, column *708*, if he will now announce a new redundancy scheme for mineworkers; and if he will make a statement.

Mr. Eggar: The operation of British Coal's redundancy arrangements is a matter for the corporation. I understand it is currently discussing with the unions the redundancy arrangements for industrial employees to apply after 30 April.

Mr. Alex Carlile: To ask the President of the Board of Trade if he will introduce a statutory requirement to ensure that the new coal authority must ensure appropriate environmental safeguards and levels of public accountability for the privatised coal industry; and if he will make a statement.

Mr. Heseltine *[holding answer 6 May 1994]:* It will be for the successor companies to discharge their obligations to protect the environment, and for the relevant regulators to enforce these obligations.

Trade Statistics

Mr. Winnick: To ask the President of the Board of Trade what was the balance of trade in manufacturing goods in May 1979; and what it is currently.

Mr. Needham: Information on the balance of trade in manufacturing is no longer readily available on a monthly basis for 1979. In the second quarter of 1979, the United Kingdom had a trade surplus in manufactures worth £1·1 billion. In the last three months to January 1994, the United Kingdom had a deficit of £2·5 billion.

Civil Servants (Business Appointments)

Mr. Milburn: To ask the President of the Board of Trade how many civil servants in his Department and the Department of Energy applied in each year since 1986 through the business appointments system to take up an outside appointment *(a)* as an independent consultant, *(b)* in a firm of consultants and *(c)* in other employment; how many were referred to the Advisory Committee on Business Appointments; and how many were granted.

Mr. Heseltine *[holding answer 3 May 1994]:* The table sets out the information requested. Under the business appointment rules Departments may not withhold approval but they may impose conditions on applicants. They may, for example, impose waiting periods of up to two years before outside employment is taken up.

Year	*Total Applications*	*Independent Consultants*	*Firm of Consultants*	*Others*	*Referred to Advisory Committee*
Department of Trade and Industry					
1986	48	5	5	38	3
1987	83	4	15	64	5
1988	107	23	13	71	3
1989	138	7	13	118	5
1990	168	29	7	132	1
1991	46	6	7	33	2
1992	72	14	25	33	2
1993	51	17	7	27	1

Year	Total Applications	Independent Consultants	Firm of Consultants	Others	Referred to Advisory Committee
1994 (Q1)	34	4	11	19	0
Department of Energy					
1986	1	0	0	1	0
1987	0	0	0	0	0
1988	1	0	0	1	0
1989	2	0	0	2	0
1990	0	0	0	0	0
1991	0	0	0	0	0
1992	1	0	0	1	0

Scott Inquiry

Mr. Byers: To ask the President of the Board of Trade what have been the costs incurred by his office in *(a)* providing legal advice to witnesses appearing before the Scott inquiry, *(b)* drawing up evidence to be submitted to the Scott inquiry, *(c)* officials and legal advisers attending the Scott inquiry and *(d)* any other related costs.

Mr. Needham *[holding answer 6 May 1994]:* The cost to the DTI of providing legal advice to witnesses giving evidence to Lord Justice Scott's inquiry is currently £165,976. Officials and Ministers, whether serving or former, have provided evidence to the inquiry on a personal basis and have not been supervised by the Department. It is not possible, therefore, to estimate the time spent or cost incurred in the provision of such evidence. Serving officials are required to submit evidence and attend the inquiry as invited by Lord Justice Scott as part of their official duties.

The direct central cost of the provision of evidence and information from the DTI to the inquiry is estimated to be £311,219, which represents the cost of the inquiry liaison unit within the DTI and the costs of the attendant registry. The direct costs of the Scott inquiry to date, falling to my department, have been £1,028,000.

WALES

European Regional Fund

Mr. Barry Jones: To ask the Secretary of State for Wales if he will list the moneys received by local authorities in the county of Clwyd from the regional fund of the EU since its inception.

Mr. Gwilym Jones: The total European regional development fund grant aid received by local authorities in Clwyd since 1975 is £48,424,961.

Mr. Wigley: To ask the Secretary of State for Wales what assessment he has made of the regional challenge basis for ERDF funding allocation in England being used as a suitable basis for allocating funds in Wales; and what plans he has to top-slice objective 5b funds in Wales.

Mr. Redwood: I have decided that a proportion of the ERDF allocations in both the objective 2 and 5b areas of Wales will be used to fund projects selected through regional challenge competitions, which I believe will enhance the quality and value for money of grant allocations by stimulating the submission of imaginative regeneration and development proposals from local partnerships.

Meat Hygiene

Mr. Alex Carlile: To ask the Secretary of State for Wales what plans he has to establish a meat hygiene service office in Wales; and if he will make a statement.

Mr. Redwood: Detailed arrangements for the meat hygiene service's organisation are still under consideration.

Farm Workers

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will list the numbers of *(a)* part-time and *(b)* full-time employee workers on Welsh farms for each of the past five years; and if he will make a statement.

Mr. Redwood: The information is given in the following table. The number of seasonal and casual workers is not recorded as either part-time or full-time and is shown separately.

Employees on Farm Holdings in Wales[1]

Year	Part-time[1]	Full-time[2]	Seasonal or Casual
1989	3,674	6,112	8,252
1990	3,983	5,881	8,196
1991	3,912	5,730	8,504
1992	4,021	5,382	8,286
1993	4,052	5,405	7,918

Source: June Agricultural and Horticultural Census

[1] At June each year. Includes estimate for minor holdings. All figures include trainees employed under an official scheme at Agricultural Wages Board rates or above.

[2] Includes all family and hired workers, excluding spouses of farmers, partners and directors.

Students

Mr. Llwyd: To ask the Secretary of State for Wales if he will publish for each county and for Wales as a whole how many students receiving further education receive repayments from the further education access fund; and if he will make a statement.

Sir Wyn Roberts: Access funds are allocated to individual further and higher education institutions. Returns from institutions show that the number of students on further education courses who received payments from the access funds in 1992-93 were:

Institution	Number of students
North East Wales Institute of Higher Education	168
Llandrillo Technical College	178
Welsh College of Horticulture	11

Institution	Number of students
Llysfasi College	8
Carmarthen College of Technology and Art	30
Pembrokeshire College	41
Coleg Ceredigion	27
Welsh Agriculture College	1
Trinity College	—
Gwent Tertiary College	320
Gwent College of Higher Education	16
Gwynedd Technical College	79
Coleg Pencraig	31
Coleg Meirion-Dwyfor	16
Coleg Normal Bangor	—
Merthyr Tydfil College	58
Aberdare College	63
Bridgend College	22
Rhondda College	10
Ystrad Mynach College	104
Pontypridd College	117
Pencoed College	8
University of Glamorgan	—
Coleg Powys	49
Welsh College of Music and Drama	—
Cardiff Institute of Higher Education	11
Coleg Glan Hafren	67
Barry College of FE	67
Swansea Institute of Higher Education	5
Swansea College	15
Gorseinon College	4
Neath College	11
Afan College	11
Coleg Harlech	53

Arable Farming

Dr. Strang: To ask the Secretary of State for Wales what is the latest total paid to farmers in *(a)* arable aid scheme set-aside payments and *(b)* total arable area scheme payments in Wales following the 1993-94 harvest.

Mr. Redwood: Payments made under *(a)* arable aid scheme set aside payments amount to £617,480 and *(b)* arable area total payments of £5,526,385, in the 1992-93 harvest year.

No payments have yet been made in respect of the 1993-94 harvest year.

Dr. Strang: To ask the Secretary of State for Wales how many farms in Wales had arable aid scheme set-aside areas greater than *(a)* 100 hectares and *(b)* 50 hectares in the last available year.

Mr. Redwood: No farms in Wales had arable aid scheme set-aside areas greater than 50 hectares.

Dr. Strang: To ask the Secretary of State for Wales how many farmers in Wales received arable area payments greater than *(a)* £100,000, *(b)* £250,000, *(c)* £500,000 and *(d)* £1,000,000 in the last available year.

Mr. Redwood: No farmers in Wales received payments greater than £100,000.

Dr. Strang: To ask the Secretary of State for Wales how many farms in Wales had hectarages of land under cereals greater than *(a)* 1,000 hectares, *(b)* 500 hectares and *(c)* 250 hectares in the last available year.

Mr. Redwood: Because of the risk of disclosing confidential information it is not possible to answer the question using the size groups given. The information available is for those farms growing over 175 hectares of cereals—excluding maize. There were, according to the June 1993 agricultural census, four of these holdings in Wales.

SOCIAL SECURITY

Consultants

Mrs. Mahon: To ask the Secretary of State for Social Security what percentage of the Information Technology Services Agency's current major software developments are undertaken or managed by private consultants.

Mr. Hague: ITSA currently has 59 major software development projects. The use and combination of consultants, contractors and civil servants vary on each of the projects. In 1993-94, 62·3 per cent. of ITSA's total personnel costs for software development was spent on consultancy/contractors.

Internet

Mr. David Shaw: To ask the Secretary of State for Social Security what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. Hague: The Department's press releases issued electronically through the Central Office of Information are accessible to users of the Internet via Data-Star Dialog (Europe) or Mead/Lexis/Nexis. They are also available to subscribers to FT Profile, Reuters Textline and to POLIS.

The Department's press releases are also made available through the COI's fax retrieval service, details of which can be provided by their news distribution service.

There are no immediate plans to use the Internet. However, this Department is currently undertaking a review of its telecommunications requirements. This includes an evaluation of the services which are available, including Internet, to decide on the most suitable networks to meet its future requirements.

Income Support

Mr. Bradley: To ask the Secretary of State for Social Security to what extent a person with no housing costs, who is on income support, and who moves out of the matrimonial home, is entitled to help with the costs of a new mortgage.

Mr. Burt: From May 1994, persons in receipt of income support with no housing costs who move out of the matrimonial home will not receive help with the interest on a new mortgage for a new home unless it relates to the special needs of a disabled person, the need to provide separate sleeping accommodation for children of different sexes over the age of 10 years, or it is for essential repairs and improvements.

Mr. Dewar: To ask the Secretary of State for Social Security how many income support claimants had deductions from their benefit amounting to *(a)* over 15 per cent. and *(b)* over 20 per cent. of (i) their benefit income and (ii) their total income.

Mr. Burt: The latest available information is in the table.

	Number of cases
Benefit income	
Deductions over 15 per cent. of benefit income	260,000
Deductions over 20 per cent. of benefit income	156,000
Total income	
Deductions over 15 per cent. of total income	244,000
Deductions over 20 per cent. of total income	146,000

Source: Income Support Statistical Enquiry, May 1992.
Notes:
1. The deductions are for direct payments to third parties, Social Fund loan repayments, and overpayment recoveries. The third party deductions include direct payments to lenders of the mortgage interest allowance for which specific amounts are then added to claimants' Income Support.
2. Income does not include Council Tax Benefit or Housing Benefit, because this information is not available.

Mr. Dewar: To ask the Secretary of State for Social Security if he will publish figures on the same basis as series 10 of the income support statistics annual inquiry showing the average total income for each premium group broken down by *(a)* all cases with one or more deductions and *(b)* all cases with more than one deduction.

Mr. Burt: The available figures are in the table. We have no plans to publish them in tables at series 10 in the income support statistical annual inquiry.

Income Support Recipients Cases with Deductions

	Cases with one or more deductions Number of Cases	Average Total Income	Cases with more than one deduction Number of Cases	Average Total Income
Higher Pensioner Premium	23,000	98·07	4,000	99·18
Enhanced Pensioner Premium	4,000	69·01	1,000	60·16
Pensioner Premium	38,000	74·76	10,000	72·12
Severe Disability Premium (Higher Rate)	—	n/a	—	n/a
Severe Disability Premium (Lower Rate)	5,000	144·81	2,000	159·76
Disability Premium	97,000	98·33	35,000	104·57
Lone Parent Premium	422,000	94·69	176,000	96·47
Disabled Child Premium	11,000	183·26	5,000	176·99
Family Premium	605,000	105·78	245,000	106·28
Carer Premium	14,000	147·75	5,000	151·14
No Premium	274,000	48·57	58,000	48·44

Source: Income Support Statistics Annual Enquiry May 1992.
Notes:
1. The deductions are for direct payments to third parties, social fund repayments, and overpayment recoveries.
2. Income does not include housing benefit or council tax benefit because this information is not available.

OVERSEAS DEVELOPMENT

Know-how Fund

Sir Thomas Arnold: To ask the Secretary of State for Foreign and Commonwealth Affairs how many management training projects are currently being supported by the know-how fund in Russia; and if he will place a list of all current know-how fund projects in Russia in the Library.

Mr. Lennox-Boyd: Management training is not in itself a priority area for the know-how fund in Russia. But many of the projects we undertake in energy, small business development, food production and distribution and financial services involve training in applied management. A list of all know-how fund projects is placed in the Library every six months.

Russia

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made as to the amount of international aid to Russia subsequently transferred to Swiss banks; and if he will make a statement.

Mr. Lennox-Boyd: Because the majority of the United Kingdom's support for Russia is closely targeted on specific projects, we are able to ensure that the money is spent as intended. It is not for us to comment on the aid programmes of other countries.

World Bank Programmes, Africa

Sir Thomas Arnold: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effectiveness of World bank structural adjustment programmes in Africa; and if he will make a statement.

Mr. Lennox-Boyd: The recent World bank report "Adjustment in Africa" examined the performance of 29 African countries which drew up adjustment programmes in the 1980s. We endorse its two basic conclusions.

Those countries which consistently implemented comprehensive adjustment policies had achieved better economic performance than those which did not. Economic reform is only part of the effort to secure sustainable growth and poverty reduction in Africa; parallel efforts are also needed to improve governance; basic social services; and infrastructure.

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanism the ODA has whereby Somalis in the United Kingdom with specialist skills could be assisted to return to Somalia to assist in their country's redevelopment; and if he will explore this possibility with the Somali community.

Mr. Lennox-Boyd: Aid funds are available to support rehabilitation programmes in Somalia carried out by non-governmental organisations and UN agencies. Expatriate Somalis can be employed on these programmes.

Mr. Michael: To ask the Secretary of State for Foreign and Commonwealth Affairs how much help, broken down by categories including humanitarian and development aid and other specific categories, has been given in each of the past five years to *(a)* Somalia as a whole and *(b)* Somaliland by (i) the British Government, (ii) the European Union countries, (iii) the European Union, (iv) the United States and (v) other international organisations; and what figures are planned for the current financial year and in each of the next five years in each case.

Mr. Lennox-Boyd *[holding answer 27 April 1994]:* I refer the hon. Member to the answer I gave him on 24 February at columns *399-400* on British aid to Somalia over the five financial years to 1992-93.

Details of other donors' assistance from 1988-1992 are as follows. A breakdown by type of aid and region is not available.

Net Official Development Assistance to Somalia 1988-1992

£ millions

		1988	*1989*	*1990*	*1991*	*1992*
(i)	*European Union Countries*					
	Belguim	0·15	0·18	4·51	0·80	4·33
	Denmark	4·70	3·96	1·19	0·02	0·06
	France	3·76	1·67	1·72	1·26	8·43
	Germany	17·76	15·03	11·69	5·84	15·72
	Ireland	0·22	—	—	0·22	0·00
	Italy	110·72	100·32	62·64	30·96	13·73
	Luxembourg	—	—	0·05	0·03	0·97
	Netherlands	0·07	0·16	0·13	1·38	29·05
	Portugal	—	—	—	—	—
	Spain	—	0·01	5·46	0·01	0·46
(ii)	*European Commission*	8·38	21·50	22·91	20·14	24·50
(iii)	*United States*	12·35	17·08	40·54	3·40	174·33
(iv)	*Other Multilateral Organisations*					
	African Development Fund/Bank	2·02	8·16	10·77	2·79	0·06
	IDA	12·35	27·45	18·02	—	0·00
	International Fund for Agricultural Development	0·95	[1]–0·07	0·86	0·09	0·11
	International Monetary Fund	—	[1]–0·8	—	—	—
	UN Childrens Fund	1·76	1·40	2·05	2·78	16·18
	UN Development Programme	5·44	6·01	4·96	2·13	1·54
	UN Fund for Population Activities	0·47	0·54	0·46	—	n.a.
	UN High Commission for Refugees	19·27	12·08	6·30	3·89	4·67
	UN Technical Assistance	1·03	1·38	0·72	0·81	0·85
	World Food Programme	13·15	12·25	12·12	6·68	36·40
	UN Other	0·92	5·64	1·21	0·37	n.a.
	Arab Funds/Banks	0·43	0·74	0·03	0·12	[1]–1·08

[1]Repayments of official development assistance loan disbursement from previous years are shown as negative figures.

In 1993-94 the United Kingdom committed £5·39 million of bilateral humanitarian assistance to Somalia of which £1·72 million has been committed to the north-west region. We expect to spend about £3 million in assistance to Somalia in 1994-95. In addition we are currently considering a number of proposals to support rehabilitation in the north west.

Since January 1993 the European Commission has funded activities in Somalia equivalent to £44·27 million of which the United Kingdom share is £7·25 million. A breakdown of EC expenditure is as follows:

	Tonnes	*United Kingdom equivalent (£ million)*
Food aid	20,476	4·20
Humanitarian	—	8·05
Rehabilitation	—	32·02

Planning figures for the United Kingdom and other donors beyond the current year are not available.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what contributions have been made *(a)* by Britain and *(b)* other EU countries to the United Nations' humanitarian appeal for Rwanda.

Mr. Lennox-Boyd: The United Nations Department of Humanitarian Affairs launched an appeal for Rwanda on 25 April. Since the start of the current emergency, Britain has provided over £1·1 million of humanitarian assistance and last week my noble friend the Minister for Overseas Development made available a further £2 million for British non-governmental organisations working in the region. Other EU countries and the European Commission have announced nearly £2 million of assistance so far.

Sir Russell Johnston: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his latest estimate of the number of people killed in the civil war in Rwanda.

Mr. Lennox-Boyd: There are estimates that more than 200,000 people may have perished in the recent fighting in Rwanda. It is a horrific and tragic civil war where we will probably never know the true figure of those killed and injured.

Narmada Dam

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about the reasons for the recent sit-in protest in India over the Narmada dam project; what assessment he has made of the implications for local people if the sluice

gates are opened during the coming monsoon; and what action his representative at the World bank is taking in this matter.

Mr. Lennox-Boyd: We have received no reports of a recent sit-in protest over the Narmada dam project. Responsibility for the project rests with the Indian authorities, who have re-affirmed their commitment to the satisfactory linkage between implementation of resettlement and rehabilitation and construction work on the dam. World bank funding of the project ceased when the Indian authorities asked it to cancel the balance of the loan in March 1993.

Commonwealth Development Corporation

Mr. Tom Clarke: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his timetable for legislation concerning the Commonwealth Development Corporation.

Mr. Lennox-Boyd: I refer the hon. Member to the reply to the hon. Member for Darlington (Mr. Milburn) by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs on 3 May at columns *420-21*. The Government's legislative programme for 1994-95 will be announced in the Queen's Speech.

Soft Loans

Mr. Alan Williams: To ask the Secretary of State for Foreign and Commonwealth Affairs on which occasions since 1986 a soft loan has been paid to a body other than a Government; to whom payments were made; when and for what sum; why the payment was not made to the appropriate Government; and which British companies were the major parties to the contract.

Mr. Lennox-Boyd *[holding answer 21 April 1994]:* Soft loans, made by commercial banks and involving Her Majesty's Government paying interest make-up to support the concessional rates offered, have been made direct to a body other than the recipient Government on four occasions since 1986. In all these cases the soft loans were made direct at the request of the recipient Government. Details are given in the table.

COLOMBIA
Title: System X Project.
Borrower: Empresa Nacional de Telecominicaciones de Colombia.
Loan amount: £8·6 million with effect from June 1988.
Lead contractor: Plessey UK Limited.

JORDAN
Title: Walking Draglines.
Borrower: Jordan Phosphate Mining Company Ltd.
Loan amount: £9 million with effect from April 1987.
Lead contractor: Ransomes and Rapier plc.

MALAYSIA
Title: Pergau hydroelectric project.
Borrower: Tenaga Nasional Berhad
Loan amount: £305·443 million with effect from July 1991.
Lead contractor: Balfour Beatty Construction Ltd. and Cementation International Limited.

TURKEY
Title: Ankara Natural Gas Conversion.
Borrower: Electricity, Gas and Omnibus Authority of Ankara.
Loan amount: £68 million with effect from May 1988.
Lead contractor: British Gas plc.

China

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the projects in China which received technical co-operation assistance from Her Majesty's Government in 1992-93 together with the amount allocated to each project and the organisations receiving the funds.

Mr. Lennox-Boyd *[holding answer 3 May 1994]:* Listed are those projects in China which received more than £20,000 of technical co-operation assistance with the expenditure per project in 1992-93 and the organisations involved:

Project Title	*Figures in £s millions*
English Language Teaching Programme (British Council)	1·28
Sino-British Friendship Scholarship Scheme (British Council)	1·37
Technical Co-operation Training Programme (British Council)	2·76
Royal Fellowships Scheme (Royal Society)	0·10
Forestry Project (various)	0·13
Support for projects under the Agricultural Memorandum of Understanding (Ministry of Agriculture, Fisheries and Food)	0·06
Transport Planning Study for Peking (The MVA Consultancy)	0·09
Energy Conservation in Buildings for Peking (Building Research Establishment)	0·10
Water Quality Monitoring study for Chongqing (Binnie and Partners)	0·02
Control of Air Pollution Study for Chongqing (Environmental Resource Management)	0·06
Investment Techniques for Project Appraisal (Crown Agents)	0·18
Shanghai Water Management Study (Mott MacDonald)	0·05
Shanghai Environment Project (Mott MacDonald)	0·95
Computer Management Training for Coal (British Coal)	0·03
Energy Efficiency and Demonstration Project for Taiyuan (Coal Research Establishment)	0·51
Solid Waste Disposal Study for Tianjin (Binnie and Partners)	0·07
Pollution Control Study of the Grand Canal at Wuxi (Watson Hawksley Ltd.)	0·19
Resettlement Studies (The World Bank)	0·06
China Council for International Co-operation on Environment and Development Pricing Policy Working Group (Simon Fraser University, Vancouver)	0·03
Training for Xinhua News Agency (Thomson Foundation)	0·02
Remote Sensing Data Acquisition (Scott Wilson Kirkpatrick)	0·03
Support for projects under Heads of Mission Small Projects Scheme (British Embassy, Peking)	0·04

Mr. Alton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the projects and organisations in China which received aid and trade assistance from Her Majesty's Government together with the amount allocated in each case.

Mr. Lennox-Boyd *[holding answer 3 May 1994]:* Listed are those projects in China which received aid and trade assistance in 1992-93 with the organisations involved and the expenditure per project in 1992-93:

Project title	Figures in £s millions
Urban Traffic Control System for Peking (Plessey Controls Ltd)	0·01
Chongqing Tyre Factory (Dunlop International Projects Ltd)	0·12
Modernisation of Peking Subway (Balfour Beatty Ltd)	1·70
Danyang Aluminium Plant (Davy McKee (Poole) Ltd)	1·82
Cotton Textile Mills (Platt Saco Lowell (UK) Ltd)	0·22
Shanghai Telecommunications (GEC Plessey Telecommunications Ltd)	0·45
Duck Processing Plants (APV Baker Ltd)	1·11
Flour and Feed Mills (Robinson Milling Systems Ltd)	1·00
Pre-stressed Concrete Wire (Marshall Richards Barcro Ltd)	0·68
Dalian Power Station (Gibson Wells Engineering Ltd)	1·40
Pushun Power Station (Gibson Wells Engineering Ltd)	5·11
Training of operators for Yue Yang Power Station (GEC Alsthom)	0·45
Containser ships for COSCO (British Shipbuilders)	1·11
Yue Yang Power Station (GEC Turbine Generators Ltd)	7·38
Bohai Aluminium Plant (Davy McKee (Poole) Ltd)	0·99
Dushanzi Ethylene Complex (Snamprogetti Ltd)	1·45
Urumqi Pure Terephthalic Acid Plant (Foster Wheeler Energy Ltd)	0·48
Urumqi Para-xylene Plant (Babcock contractors Ltd)	0·16
Traffic Study for Peking (The MVA Consultancy)	0·06
Training and advisory Services for Peking Subway (Balfour Beatty Ltd)	0·62

EDUCATION

Grant-maintained Schools

Mr. Dafis: To ask the Secretary of State for Education if he will publish his estimate for the reduction in Government funding of grant-maintained schools for 1994-95 and 1995-96 as a result of new funding rules introduced by the DFE.

Mr. Robin Squire: The Government's expenditure plans provide for the Exchequer funding of grant-maintained schools to increase from £244 million to £446 million net between 1994-95 and 1995-96 reflecting the increase in their number. These plans take account of the announced revisions to the detailed grant regime for GM schools in 1994-95. The plans for 1995-96 and later years will be subject to review in the normal way.

Further Education

Mr. Llwyd: To ask the Secretary of State for Education if he will publish for each county and for England as a whole for the last available year *(a)* the number of students aged 19 years and over receiving further education and *(b)* the estimated proportion of those students aged 19 years and over in further education who are not receiving grants.

Mr. Boswell: The number of students in each LEA in England aged 19 and over who are undertaking further education and the estimated proportion of those students who do not receive an award under section 2 of the Education Act 1962 are shown in the table.

Number of FE students aged 19 and over by Home LEA showing number of students not receiving grants under section 2 of the 1962 Education Act
1991-92

Local education authority	Number of students aged 19 and over	Students aged 19 and over not receiving grants
	Number	Percentage
Corporation of London	243	99
Camden	2,988	100
Greenwich	2,927	96
Hackney	4,659	97
Hammersmith	4,051	98
Islington	3,592	97
Kensington	6,952	98
Lambeth	7,069	98
Lewisham	4,553	96
Southwark	4,344	98
Tower Hamlets	3,145	97
Wandsworth	6,199	n/a
Westminster	4,016	100
Barking	1,686	91
Barnet	12,122	96
Bexley	2,235	88
Brent	7,280	96
Bromley	2,791	95
Croydon	4,562	99
Ealing	6,501	94
Enfield	9,725	98
Haringey	7,456	100
Harrow	9,495	100
Havering	3,560	92
Hillingdon	3,794	100
Hounslow	3,153	100
Kingston upon Thames	1,527	96
Merton	3,223	92
Newham	7,778	95
Redbridge	4,240	100
Richmond upon Thames	15,847	99
Sutton	9,443	98
Waltham Forest	4,629	98
Birmingham	22,722	88
Coventry	8,188	95
Dudley	12,291	98
Sandwell	7,058	91
Solihull	4,818	96
Walsall	5,336	71
Wolverhampton	7,316	100

Numbers of FE students aged 19 and over by Home LEA showing number of students not receiving grants 1991-92

Local Education Authority	Number of students aged 19 and over Number	Percentage of students aged 19 and not receiving grants Percentage
Knowsley	3,783	86
Liverpool	14,498	93
St. Helens	5,356	95
Sefton	8,383	99
Wirral	16,215	97
Bolton	4,546	88
Bury	3,080	83
Manchester	9,595	88
Oldham	2,354	90
Rochdale	5,103	83
Salford	8,151	97
Stockport	4,221	90
Tameside	6,539	96
Trafford	8,025	98
Wigan	8,710	97
Barnsley	4,635	93
Doncaster	11,560	96
Rotherham	10,915	95
Sheffield	22,053	95
Bradford	22,984	96
Calderdale	3,946	97
Kirklees	10,942	90
Leeds	18,059	96
Wakefield	10,476	97
Gateshead	4,725	97
Newcastle-upon-Tyne	4,492	92
North Tyneside	3,664	82
South Tyneside	4,006	94
Sunderland	7,071	93
Avon	30,177	91
Bedfordshire	13,396	93
Berkshire	24,613	100
Buckinghamshire	9,925	99
Cambridgeshire	11,746	99
Cheshire	27,988	95
Cleveland	16,716	99
Cornwall (including I.o.Scilly)	4,579	82
Cumbria	7,596	84
Derbyshire	21,594	94
Devon	16,008	90
Dorset	9,331	85

Numbers of FE Students aged 19 and over by Home LEA showing number of students not receiving grants, 1991-92

Local Education Authority	Number of students aged 19 and over	Percentage of students aged 19+ not receiving grants
Durham	16,533	95
East Sussex	22,461	99
Essex	23,986	93
Gloucestershire	21,649	97
Hampshire	29,696	95
Hereford and Worcester	21,806	99
Hertfordshire	44,767	99
Humberside	19,333	86
Isle of Wight	4,492	95
Kent	14,591	80
Lancashire	61,824	89
Leicestershire	17,012	83
Lincolnshire	8,780	85
Norfolk	9,234	89
North Yorkshire	21,913	92
Northamptonshire	16,492	98
Northumberland	4,030	95
Nottinghamshire	48,840	99
Oxfordshire	14,081	98
Shropshire	18,487	96
Somerset	14,067	95
Staffordshire	27,396	95
Suffolk	20,403	96
Surrey	9,965	94
Warwickshire	14,372	100
West Sussex	7,762	100
Wiltshire	27,764	98
England	1,247,006	95

Note: These tables do not include data for sixth form college students. Sixth form colleges transferred to the new FE sector on 1 April 1993.

History

Mr. Hawksley: To ask the Secretary of State for Education if he will make a statement on the School Curriculum and Assessment Authority's draft views on the history curriculum.

Mr. Robin Squire: My right hon. Friend will be publishing his proposals for a revised history curriculum very shortly. Publication will be followed by a period of public consultation which will last until the end of July.

School Curriculum and Assessment Authority

Mr. Hawksley: To ask the Secretary of State for Education what resources are provided for the School Curriculum and Assessment Authority by his Department; and if he will announce his plans for its future.

Mr. Robin Squire: The authority was established in October 1993, and has a substantial programme of work, focused on the current review of the national curriculum, the national tests, and the scrutiny of public examinations. Its total grant from the Department for 1994-95 is likely to be around £30 million.

Special Educational Needs

Mr. Win Griffiths: To ask the Secretary of State for Education how many children in each local education authority were assessed for statements of special educational needs in each of the last five years; and what proportion of these children received statements.

Mr. Forth: Figures for the years 1988 to 1992 for each local education authority in England have been placed in the Library.

Teachers (Suspensions)

Mr. Nicholas Winterton: To ask the Secretary of State for Education if he will make it his policy to require local education authorities or schools to inform him when teachers are suspended.

Mr. Forth: No. It is for the head teacher or governing body of a school to decide whether suspension is appropriate in the circumstances of each particular case, and my right hon. Friend has no power to intervene in such decisions. A requirement to report all cases in which a teacher is suspended would impose an additional and unnecessary burden on schools. Special schools, and

independent schools approved by my right hon. Friend to cater for pupils with special educational needs, are asked to inform the Department if a member of the school staff is suspended as a result of allegations of child abuse involving pupils at the school because of my right hon. Friend's responsibility for the approval of such schools.

DEFENCE

Commonwealth War Graves Commission

Mr. Mackinlay: To ask the Secretary of State for Defence (1) if he will consult the ex-service organisations before triggering any reduction in the United Kingdom's contribution to the Commonwealth War Graves Commission;

(2) what representations he has had from the Commonwealth War Graves Commission in the light of the proposed reduction in the United Kingdom's contribution to its resources.

Mr. Hanley: The United Kingdom contribution to the Commonwealth War Graves Commission is agreed annually between my Department and the commission. Over the past five years, my Department has increased the funding in cash terms to the commission by some 50 per cent. and this year's reduction in the size of the grant from my Department takes full account of the size of the commission's operating surplus which is carried forward from year to year.

My right hon. and learned Friend the Secretary of State for Defence met representatives of the commission in February. This was one of several occasions on which it was confirmed that there were no plans to cut any projects or commitments as a result of the level of funding agreed for 1994-95. There are no current plans to consult the ex-service organisations in respect of this subject.

Defence Estimates

Dr. Reid: To ask the Secretary of State for Defence what factors account for the differences in the incremental grand totals listed in table 3 of the 1993 "Statement on the Defence Estimates" and the incremental grand total listed in table 4 of the 1994 "Statement on the Defence Estimates" for *(a)* engineer regiments (regular), *(b)* engineer regiments (TA), *(c)* infantry battalions (TA and Royal Irish Home Service), *(d)* transport, tanker and search and rescue aircraft, *(e)* Harrier, *(f)* Nimrod reconnaissance and maritime reconnaissance and *(g)* Tornado F3.

Mr. Hanley *[holding answer 3 May 1994]:* The differences reflect, for the most part, changes in presentation following SDE 93. In detail, the changes arise from:

(a) and *(b)* exclusion of MT 1.24 (Hydrographic and geographic services) from tables 1 to 4, leading to the deliberate omission of 1 Regular and 1 TA Engineer Squadron for survey work (no change in actual force levels);

(c) change in arithmetic rounding conventions used in SDE94 (no change in actual force levels);

(d) exclusion of Hercules, BAe 125 and Tristar In-Use Reserves (IUR) to reflect the conventions used for other RAF aircraft in SDE tables; revised assumptions for Puma Aircraft Establishment following withdrawal from Belize; revised Sea King Wessex mix as the latter is replaced in the search and rescue role; and revised aggregation of Chinook numbers (IUR remain included in the figures, however, as these are declared to NATO);

(e) revised plans for declaration to NATO of new Harrier T10;

(f) exclusion of MT 1.11 (Intelligence Collection) from Tables 1 to 4 of SDE 94;

(g) revised declaration of OCU aircraft to NATO Main Defence Forces.

EMPLOYMENT

Earnings

Mr. Frank Field: To ask the Secretary of State for Employment how many *(a)* male and *(b)* female workers earned below the national insurance threshold for each year over the past 30 years.

Miss Widdecombe *[holding answer 5 May 1994]:* The available information showing the difference between the total work force and numbers of employed people who paid a national insurance contribution is provided in the tables:

Year	*Workforce in Employment in June*	*Number who paid at least one NI contribution*	*Difference*
		(Thousands)	
1962	8,225	8,180	45
1963	8,265	8,190	75
1964	8,444	8,350	94
1965	8,610	8,460	150
1966	8,798	8,530	268
1967	8,688	8,400	288
1968	8,721	8,410	311
1969	8,804	8,430	374
1970	8,839	8,270	569
1971	8,855	8,200	655
1972	8,949	8,250	699
1973	9,320	8,350	970
1974	9,548	8,500	1,048
1975	9,607	N/A	N/A
1976	9,575	9,226	349
1977	9,676	9,159	517
1978	9,780	9,245	535
1979	10,059	9,254	805
1980	10,090	9,509	581
1981	9,775	9,129	646
1982	9,699	8,774	925
1983	9,675	8,687	988
1984	10,061	8,667	1,394
1985	10,275	8,839	1,436
1986	10,418	9,135	1,283
1987	10,787	9,275	1,512
1988	11,222	9,604	1,618
1989	11,671	10,070	1,601
1990	11,873	10,361	1,512
1991	11,663	10,473	1,190
1992	11,577	10,215	1,362

Source:
Employment Department and Department of Social Security
Notes:
Information is not available for 1975
Worforce in employment includes members of Her Majesty's forces, self employed people, and people on government training schemes

Males

(Thousands)

Year	*Workforce in Employment in June*	*Number who paid at least one National Insurance contribution*	*Difference*
1962	16,395	16,600	−205
1963	16,379	16,650	−271
1964	16,488	16,710	−222
1965	16,579	16,760	−181

Year	Workforce in Employment in June	Number who paid at least one National Insurance contribution	Difference
1966	16,546	16,720	−174
1967	16,297	16,630	−333
1968	16,108	16,560	−452
1969	16,040	16,500	−460
1970	15,900	16,380	−480
1971	15,806	16,240	−434
1972	15,688	16,200	−512
1973	15,890	16,120	−230
1974	15,731	16,020	−289
1975	15,576	n/a	n/a
1976	15,372	15,768	−396
1977	15,294	15,666	−372
1978	15,322	15,659	−337
1979	15,420	15,597	−177
1980	15,343	15,711	−368
1981	14,682	15,196	−514
1982	14,322	14,410	−88
1983	14,068	14,363	−295
1984	14,338	14,241	97
1985	14,408	14,178	230
1986	14,290	14,295	−5
1987	14,484	14,302	182
1988	14,907	14,402	505
1989	15,255	14,613	642
1990	15,282	14,656	626
1991	14,591	14,435	156
1992	14,084	13,883	201

Labour Statistics

Mr. Frank Field: To ask the Secretary of State for Employment if he will present in tabular form the size of the working population for each of the last 30 years; and if he will divide this data into male and female workers and further sub-divide the total as to whether these people work full or part time.

Miss Widdecombe *[holding answer 5 May 1994]:* The information requested is provided in the table:

Workforce in employment: Great Britain

Seasonally adjusted *(Thousands)*

	Total	Male all	Male F/T	Male P/T	Female all	Female F/T	Female P/T
1963	24,113	16,015	—	—	8,098	—	—
1964	24,397	16,121	—	—	8,276	—	—
1965	24,643	16,208	—	—	8,435	—	—
1966	24,801	16,181	—	—	8,620	—	—
1967	24,445	15,931	—	—	8,513	—	—
1968	24,288	15,744	—	—	8,545	—	—
1969	24,298	15,675	—	—	8,623	—	—
1970	24,183	15,532	—	—	8,651	—	—
1971	24,097	15,441	—	—	8,656	—	—
1972	24,079	15,326	—	—	8,753	—	—
1973	24,646	15,525	—	—	9,121	—	—
1974	24,707	15,368	—	—	9,339	—	—
1975	24,608	15,215	—	—	9,394	—	—
1976	24,382	15,016	—	—	9,366		
1977	24,401	14,941	—	—	9,459	—	—
1978	24,523	14,969	—	—	9,554	—	—
1979	24,881	15,061	—	—	9,820	—	—
1980	24,838	14,987	—	—	9,850	—	—
1981	23,887	14,345	—	—	9,543	—	—
1982	23,461	13,995	—	—	9,467	—	—
1983	23,178	13,742	—	—	9,436	—	—
1984	23,833	14,012	12,994	1,018	9,822	5,557	4,264
1985	24,107	14,077	13,037	1,040	10,030	5,666	4,364
1986	24,131	13,961	12,873	1,088	10,170	5,692	4,478
1987	24,688	14,152	12,946	1,206	10,536	5,888	4,647
1988	25,529	14,569	13,298	1,271	10,960	6,184	4,776
1989	26,317	14,915	13,538	1,377	11,402	6,385	5,017
1990	26,528	14,933	13,494	1,438	11,595	6,392	5,203
1991	25,613	14,236	12,837	1,399	11,377	6,221	5,156
1992	25,023	13,734	12,310	1,424	11,289	6,114	5,174
1993	24,603	13,372	11,921	1,451	11,232	6,026	5,206

Notes:
1. Information relates to June of each year.
2. Part-time information is not available prior to 1984.
3. There is a discontinuity in the series between 1970 and 1971 due to change of source for the self-employed data.

CHURCH COMMISSIONERS

Suffragan Bishops

Mr. William Powell: To ask the right hon. Member for Selby, as representing the Church Commissioners what was the total sum of money paid out in *(a)* 1992-93 and *(b)* 1993-94 in (i) the salaries and other employment costs, (ii) housing, (iii) transport and (iv) office and on other incidental expenses for suffragan bishops.

Mr. Alison: On a calendar year basis, the total sums provided by the commissioners were as follows:

	1992	1993
Stipends, staff salaries and other employment costs	1,715,911	1,778,383
Housing	101,992	175,883
Transport (including provision of car)	311,376	333,474
Office and other incidental expenses	452,447	498,740
Total	2,581,726	2,786,480

Mr. William Powell: To ask the right hon. Member for Selby, as representing the Church Commissioners for how many suffragan bishops financial responsibility was accepted in *(a)* 1992-93 and *(b)* 1993-94.

Mr. Alison: On a calendar year basis the commissioners contributed towards the salaries, official expenses and housing costs of 65 suffragan bishops in both the calendar years 1992 and 1993.

PRIME MINISTER

Correspondence

Mr. Llew Smith: To ask the Prime Minister, pursuant to his answer to the hon. Member for Newport, West (Mr. Flynn) of 18 April, *Official Report*, column *365*, for what reason no records of correspondence received by his office prior to April 1989 any longer exist.

The Prime Minister: It is not cost-effective to retain full records of all correspondence received by my office. However, from April 1989 onwards brief records of selected correspondence—and from 1992 brief records of all correspondence—have been entered on a computer database.

Internet

Mr. David Shaw: To ask the Prime Minister what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

The Prime Minister: My office's press releases are accessible, through the Central Office of Information, to users of the Internet via Data-Star Dialog (Europe) or Mead/Lexis/Nexis. They are also available to subscribers to FT Profile, Reuters Textline, POLIS and through the Central Office of Information's fax retrieval service.

AGRICULTURE, FISHERIES AND FOOD

Flood Defence Committees

Mr. Clifton-Brown: To ask the Minister of Agriculture, Fisheries and Food when she will select the chairman of the regional flood defence committees.

Mr. Jack: The following have been reappointed as chairmen of regional flood defence committees of the National Rivers Authority in England for three years from 1 July 1994:

Mr. G. C. Manning, OBE (South West); Mr. J. S. Martin, CBE (Anglian); Mr. W. M. Wannop, OBE (North West); and Mr. T. D. Collier (Yorkshire).

The following new appointments have been made:

Mr. J. Dainty, OBE (Severn-Trent); Mrs. J. Venables (Thames); Mr. D. G. L. Monnington (Southern) and Mr. J. P. Hackney (Northumbria).

Consideration is still being given to the chairmanship of the Wessex regional flood defence committee.

Mr. Clifton-Brown: To ask the Minister of Agriculture, Fisheries and Food if she will ensure that farming and landowning interests are adequately represented on the regional flood defence committees.

Mr. Jack: As indicated in the reply to the hon. Member for Glanford and Scunthorpe (Mr. Morley) on 8 March, *Official Report*, columns *195-96*, in making ministerial appointments to these committees, the objective is to reflect a range of interests. Nominations of farmers and landowners will be considered alongside those for other candidates with expertise relevant to the work of the committees.

Drift Nets

Mr. Spellar: To ask the Minister of Agriculture, Fisheries and Food what actions her Department is taking to ensure compliance with the European Union ban on drift nets longer than 2·5 km.

Mr. Jack: At the Fisheries Council on 12 April the Commission tabled a report on the ecological impact of drift netting, together with a proposal. The Council had a first discussion on the issues raised, including a suggestion that a derogation for use of drift nets longer than 2·5 km should be reintroduced. I made clear my firm opposition to this and the importance I attach to taking environmental implications fully into account. The derogation was not renewed. These matters are now being considered by experts.

Fisheries

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food whether the detailed arrangements for Spanish accession were settled at the same time as she approved the principle of the agreement.

Mr. Jack: No.

Arable Farming

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is her latest estimate of *(a)* the total area of cereals grown in the United Kingdom in 1993 and *(b)* the area of land which was set aside under the arable area payments scheme in 1993.

Mrs. Gillian Shephard: The June 1993 agricultural census estimated that a total area of 3,030,900 hectares of cereals—excluding maize—was grown in the United Kingdom in 1993. The total area of land which qualified for set-aside payments under the arable area payments scheme, including land used to grow crops for non-food purposes, was 567,000 hectares.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many farmers in England received arable area payments greater than *(a)* £100,000, *(b)* £250,000, *(c)* £500,000 and *(d)* £1,000,000 in the last available year.

Mrs. Gillian Shephard: I regret that this information could be provided only at disproportionate cost.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many farms in England had arable aid scheme set-aside areas greater than *(a)* 100 hectares and *(b)* 50 hectares in the last available year.

Mrs. Gillian Shephard: In 1993, 204 holdings in England had more than 100 hectares of land set aside under the arable area payments scheme and 1,151 holdings had between 50 and 100 hectares.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food if she will list the rates of set-aside payment under the arable area payments scheme for each region of the United Kingdom for *(a)* the current year and *(b)* 1993.

Mrs. Gillian Shephard: The payment rates per hectare for setting aside land under the arable area payments scheme are as follows. The actual rates paid in 1994 may be reduced if base areas are exceeded and set-aside land which is used to grow sugar beet for industrial purposes does not qualify for any payment.

Region	*1992-93 Actual* £	*1993-94 [2] Projected* £	*[1] 1993-94 [2] Projected* £
England	253	314	220
Wales: LFA	198	175	123
Wales: Non-LFA	198	273	192
Scotland: LFA	205	254	178
Scotland: Non-LFA	236	295	207
Northern Ireland	201	249	175

[1] Voluntary set-aside for which there is no corresponding area of eligible cropped land.

[2] Payment rates are set in european currency units and converted to sterling at the green rate prevailing on 1 July for the year in question. The projected payment rates for 1993-94 have been converted using an exchange rate of 1 ecu/£0·929299 but the actual green rate on 1 July may be higher or lower than this.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what is the latest total paid to farmers in *(a)* arable aid scheme set-aside payments and *(b)* total arable area scheme payments in England following the 1993-94 harvest.

Mrs. Gillian Shephard: The total amount paid to date in England under the arable area payments scheme in respect of the 1992-93 scheme year is just over £681 million, including set-aside payments of £125 million. No payments have yet been made in respect of the 1993-94 scheme year.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many farms in England had hectarages of land under cereals greater than *(a)* 1,000 hectares, *(b)* 500 hectares and *(c)* 250 hectares in the last available year.

Mrs. Gillian Shephard: The number of holdings in England with more than 1,000 hectares of land under cereals—excluding maize—estimated from the June 1993 agricultural census, was four. The number with more than 500 hectares and the number with more than 250 hectares of cereals was 96 and 916 respectively.

Animal Transportation

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food (1) pursuant to her answer to the hon. Member for Dulwich of 13 April, *Official Report*, column *180*, regarding animals unfit for transit if she will list for each consignment *(a)* the country of registration of the haulier and *(b)* the nationality of the driver;

(2) pursuant to her answer to the hon. Member for Dulwich of 13 April, *Official Report*, column *180*, regarding animals unfit for transit what was the place of slaughter for each consignment and how many animals were *(a)* deemed unfit for transit, *(b)* recumbent and *(c)* dead, on arrival at the place of slaughter.

Mr. Soames: The place of slaughter was a slaughterhouse in Birmingham. The other information requested is as follows.

Date of arrival at slaughterhouse	*Country of registration of the haulier*	*Nationality of driver*	*Number of animals deemed unfit at the slaughterhouse for further transport*	*Number of animals dead on arrival at the slaughterhouse*	*Number of recumbent animals at the slaughterhouse*
17 February 1994	Germany	German	0	0	0
8 March 1994	Netherlands	Dutch	0	1	0
9 March 1994	Republic of Ireland	Republic of Ireland	1	1	0
17 March 1994	United Kingdom	British	6	2	6
28 January 1994	Republic of Ireland	Not recorded	1	0	1
15 February 1994	Netherlands	Dutch	2	1	2
8 March 1994	United Kingdom	British	1	0	1
23 March 1994	Republic of Ireland	Not recorded	0	0	0

Cheese Industry

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what support she is giving to the promotion of the British cheese industry.

Mr. Jack *[holding answer 29 April 1994]:* The Ministry of Agriculture, Fisheries and Food supports the promotion of the British cheese industry in several ways. It seeks to ensure that EC legislation does not disadvantage the industry in any way and that the regulatory burden is minimised. It liaises closely with the various cheese associations, which act as a central contact point for cheese makers, wholesalers and retailers. In addition, it ensures that the National Dairy Council, the co-ordinating body for the dairy industry's generic information and promotion activities in England and Wales, is kept fully informed of the availability of EC funds for promotional work.

The Ministry also assists the export of all British food, including cheese, through its support of Food From Britain —FFB—and initiatives such as the continental challenge. Specialist cheese makers can benefit from the FFB speciality food programme which helps small producers to promote and market their products both nationally and internationally.

NORTHERN IRELAND

Appointments

Mr. Matthew Taylor: To ask the Secretary of State for Northern Ireland if he will list each appointment for which a Minister has to approve the appointment or shortlist for the appointment, showing for each appointment *(a)* which Minister exercises the responsibility, *(b)* the salary, if any, attached to the post, *(c)* the term of the appointment and *(d)* the person currently appointed to the post.

Sir John Wheeler: The information is not readily available in the form requested in all NI Departments and could only be provided at disproportionate cost. However, the information that is available has been placed in the Library.

Tree Planting

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will introduce legislation or regulations to require *(a)* neighbour notification and *(b)* consultation with the planning and road service departments of the Department of the Environment, Northern Ireland, prior to approval by the Department of Agriculture, Northern Ireland, in respect of extensive grant-aided tree-planting schemes which will be adjacent to public roads or residential property.

Mr. Tim Smith: I do not consider that legislation or regulations of the type suggested are either necessary or desirable. The Department of Agriculture in Northern Ireland forest service pays particular attention to landscape, conservation and amenity issues both in planning its own planting activities and also in approving grant aid for new private sector planting.

Security

Mr. Donohoe: To ask the Secretary of State for Northern Ireland if he will make a statement on the use of private detective agencies and security companies by his Department.

Sir John Wheeler: The Northern Ireland Departments and the Northern Ireland Office have market-tested a range of services which includes security guarding. Eighteen security guarding companies were employed in Northern Ireland on contracts at a cost of £1,947,000 in 1993-94.

There are currently no contracts for private detective agencies.

Junior Doctors' Hours

Mr. Beggs: To ask the Secretary of State for Northern Ireland what progress has been made in reducing junior doctors' hours in Northern Ireland over the last two years; and if he will make a statement.

Mr. Ancram: Very significant progress has been made towards reducing junior doctors' hours since 1991. Of the 1,013 junior doctors and dentists identified at that time in Northern Ireland, about 500—52 per cent.—were contracted for more than 83 hours a week. Only 19 such posts, less than 2 per cent. of the total, remained at September 1993 when the last survey was completed. It is expected that these will be eliminated very shortly.

Disability Living Allowance

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many people over the age of 60 years receive *(a)* the higher rate and *(b)* the lower rate mobility component of the disability living allowance; and what is the latest estimate of the number of people aged over 60 years entitled to claim the mobility component of disability living allowance who do not do so.

Mr. Ancram: Responsibility for the subject in question has been delegated to the Social Security Agency under its chief executive, Mr. Alec Wylie. I have asked him to arrange for a reply to be given.

Letter from A. Wylie to Mr. Eddie McGrady, dated 6 May 1994:

I have been asked to reply to your recent question concerning the mobility components of Disability Living Allowance.

The numbers of people over the age of 60 years who receive the higher and lower rate mobility components of Disability Living Allowance are 14,743 and 1,911 respectively.

There is no information available on which to estimate the number of people aged over 60 who are entitled to but do not claim the mobility component of Disability Living Allowance.

I hope you will find this reply helpful.

Environmental Protection Agency

Mr. McGrady: To ask the Secretary of State for Northern Ireland what progress he has made towards the establishment of an environmental protection agency; and if he will make a statement.

Mr. Tim Smith: In Northern Ireland most of the functions of the proposed agency in England and Wales are already carried out by the environment service of the Department of the Environment. I will decide whether or not any proposals for change in Northern Ireland should be made when final details of the proposed agency in England and Wales are known and when I have received the results of the prior options study of the environmental service which was announced by the Minister of State, my right hon. Friend the Member for Westminster, North (Sir J. Wheeler), on 18 January 1994.

Training

Mr. McGrady: To ask the Secretary of State for Northern Ireland (1) what is the cost of funding the job training programme in Northern Ireland; and if he will make a statement;

(2) what is the cost of funding the youth training programme in Northern Ireland;

(3) how many people participated in the youth training programme between 1 April 1984 and 31 March 1994; and how many of these have obtained a full-time position.

Mr. Tim Smith: Responsibility for the subject matter in question has been delegated to the Training and Employment Agency under its chief executive, Mr. J. S. Crozier. I have asked him to arrange for a reply to be given.

Letter from J. S. Crozier to Mr. Eddie McGrady, dated 9 May 1994:

The Secretary of State for Northern Ireland has asked me to reply to your questions about the cost of funding the Job Training Programme (JTP) and Youth Training Programme (YTP) and how many people participated in YTP, and entered full time employment.

The cost of funding JTP and YTP in the year ended 31 March 1994 was £21·2 million (estimated) and £47·6 million respectively. The JTP expenditure has been estimated because all of the expenditure in respect of Training Allowances has not yet been charged to vote.

Whilst we have figures showing the numbers of trainees entering employment we cannot say for certain that this was invariably full time employment, although that is likely to have been the position in most cases. In addition a proportion enter further education.

The number of young people engaged in the Youth Training Programme in each of the years since 1984-85 then entering employment or further education is as follows:

	Average Occupancy	*Total Number of Leavers (For whom destination is known)*	*Leavers to Employment*	*Percentage*	*Leavers to F.E.*	*Percentage*	*Total Percentage to Employment or F.E.*
1984-85	7,347	9,117	5,017	55	274	3	58
1985-86	8,081	9,620	5,500	57	289	3	60
1986-87	8,659	10,271	5,686	55	411	4	59
1987-88	8,778	10,509	5,787	55	525	5	60
1988-89	8,881	10,232	6,428	63	512	5	67
1989-90	9,818	10,914	6,767	62	655	6	68
1990-91	12,914	8,768	4,223	48	1,228	14	62
1991-92	15,688	12,675	5,754	45	2,662	21	66
1992-93	13,725	12,090	6,672	55	1,334	11	66
1993-94	[1]12,510	10,565	5,911	55	1,260	11	66

[1] Includes jobskills pilots.

In addition, during the years 1985 to 1990, YTP workscheme was a major element of second year provision in the Youth Training Programme. Workscheme offered employers financial and other assistance to encourage the employment and training of 17 year olds. Surveys indicated that the majority of young people in YTP Workscheme continued in employment beyond the grant aided year. The average numbers in employment with training under Workscheme was:

Average occupancy	*Number*
1984-85	1,428
1985-86	1,713
1986-87	3,951
1987-88	2,641
1988-89	4,307
1989-90	2,411
1990-91	911
1991-92	4

The Training and Employment Agency has been reviewing its training programme and you may be aware that since September 1992 we have been piloting a completely new programme which if approved by Ministers would replace both YTP and JTP. It is designed to enhance quality and outcomes for participants partly through better performance in the achievement of qualifications.

I hope that you find this helpful.

Community Care

Mr. McGrady: To ask the Secretary of State for Northern Ireland what advice the Department of Health and Social Services has given to health boards on consultation with users and carers in producing local purchasing plans for community care; and if he will make a statement.

Mr. Ancram: The need to involve users and their carers in the planning and delivery of community services is a continuous theme in a broad range of advice and guidance issued since March 1990 by the Department of Health and Social Services to health and social services boards.

In March 1991 the Department issued guidance on commissioning and purchasing and asked boards to seek to involve service users, carers and other relevant bodies in determining service specifications, and to set out the terms and conditions of service users' involvement. The guidance also required boards to consult individual clients and their carers when planning to purchase services to meet their assessed needs.

In October 1993 the chief executive of the HPSS management executive issued further guidance to boards requiring them to consult widely with their residents, their health and social services councils and other interested parties in developing their plans for purchasing community care.

In addition the Department's social services inspectorate has brought to boards' attention official and other relevant publications and reports covering good practice in community care including the participation of users and carers. In February 1994 the social services inspectorate informed boards of a further publication in the Department of Health study series "Implementing Community Care" entitled "Informing Users and Carers" about empowering users and carers through disseminating information.

Invalidity Benefit

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many invalidity benefit awards for people in the constituency of South Down have been *(a)* reviewed, *(b)* disallowed and *(c)* reinstated on appeal in each of the last 12 months.

Mr. Ancram: Responsibility for the subject in question has been delegated to the Social Security Agency under its chief executive, Mr. Alec Wylie. I have asked him to arrange for a reply to be given.

Letter from A. Wylie to Mr. Eddie McGrady, dated 6 May 1994:

I have been asked to reply to your recent parliamentary question on the number of Invalidity Benefit awards that have been reviewed, disallowed and reinstated on appeal in each of the last 12 months within your constituency.

I am sorry that the information you have requested cannot be provided for your constituency as Invalidity Benefit is

administered centrally for the whole of Northern Ireland and separate statistics are not maintained for specific areas. However, I have provided in the table below details of the total number of Invalidity Benefit claims in Northern Ireland which have been reviewed, disallowed and reinstated on appeal during the 1993-94 financial year, which I hope you will find helpful.

Month	*Reviewed*	*Disallowed*	*Re-instated on appeal*
April 1993	109	406	59
May 1993	122	483	60
June 1993	150	657	93
July 1993	122	692	74
August 1993	123	844	74
September 1993	108	840	103
October 1993	151	970	125
November 1993	103	395	127
December 1993	169	316	127
January 1994	274	374	138
February 1994	247	312	Not yet available
March 1994	280	386	Not yet available

Cattle Exports

Mr. Morley: To ask the Secretary of State for Northern Ireland (1) what steps he plans to take to ensure that United Kingdom cattle are not exported illegally to the Republic of Ireland; and if he will make a statement;

(2) what evidence he has that cattle are being exported illegally from the United Kingdom to the Republic of Ireland; and if he will make a statement.

Mr. Ancram: There is no firm evidence of large-scale illegal movement of cattle from the United Kingdom to the Republic of Ireland. Where evidence is produced, this is thoroughly investigated. In a number of instances action has been taken by the Department of Agriculture for Northern Ireland and the Republic of Ireland authorities in respect of cattle which were suspected of having or had been illegally exported. There is continuing co-operation and exchange of information between the relevant authorities on both sides of the border.

Anglo-Irish Secretariat

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many *(a)* complaints and *(b)* contacts have been made to the Anglo-Irish Secretariat in each of the last three years and the current year until the latest available date; and if he will list the sources, by name of organisation, of the complaints and show how such complaints are categorised and the number in each category, and the areas of Northern Ireland from which complaints originated by district council or other convenient administrative area or by parliamentary constituency.

Sir Patrick Mayhew: Under the Anglo-Irish Agreement the Irish Government have the right to put forward views and proposals on matters relating to Northern Ireland within the field of activity of the intergovernmental conference. These views and proposals are conveyed to the British Government through the Anglo-Irish Secretariat in its role of servicing the conference. The details of these exchanges remain confidential between the two Governments.

Whincroft Way (Fire Safety)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what was the extent of fire bomb damage last week at Whincroft way, the Braniel in the borough of Castlereagh; what provision there is for fire escapes from all floors above ground level at Whincroft way; and if he will make a statement about fire safety at Whincroft way.

Mr. Tim Smith: This is a matter for the Northern Ireland Housing Executive, but I have been advised by the chief executive that 17 Whincroft way, a ground floor flat, was extensively damaged and that two upper floor maisonettes received superficial damage. All floors above ground level are accessed by a staircase and walkway, both constructed in concrete, which also provide a means of escape.

Arable Farming

Dr. Strang: To ask the Secretary of State for Northern Ireland how many farmers in Northern Ireland had arable aid scheme set-aside areas greater than *(a)* 100 hectares and *(b)* 50 hectares in the last available year.

Mr. Ancram: None.

Dr. Strang: To ask the Secretary of State for Northern Ireland what is the latest total paid to farmers in *(a)* arable aid scheme set-aside payments and *(b)* total arable area scheme payments in Northern Ireland following the 1993-94 harvest.

Mr. Ancram: The latest total paid to farmers in Northern Ireland following the 1993 harvest for arable aid scheme set-aside payments is £243,086 and for arable area scheme payments, including crops and set-aside, is £4,007,244.

Dr. Strang: To ask the Secretary of State for Northern Ireland how many farmers in Northern Ireland had hectarages of land under cereals greater than *(a)* 1,000 hectares, *(b)* 500 hectares and *(c)* 250 hectares in the last available year.

Mr. Ancram: None.

Dr. Strang: To ask the Secretary of State for Northern Ireland how many farmers in Northern Ireland received arable area payments greater than *(a)* £100,000, *(b)* £250,000, *(c)* £500,000 and *(d)* £1,000,000 in the last available year.

Mr. Ancram: None.

SCOTLAND

Forestry Commission

Mr. Morley: To ask the Secretary of State for Scotland what plans the Government have to publish *(a)* recommendations made by the forestry review group and *(b)* a Government decision as regards the future of the Forestry Commission before 9 June.

Sir Hector Monro: My right hon. Friend plans to make an announcement during the summer about our conclusions from the review and to publish a document which would form the basis of consultation on our preferred options. There are no plans to publish any further material arising from the forestry review group.

Mr. Morley: To ask the Secretary of State for Scotland if he will make a statement on measures currently being undertaken by the Forestry Commission for the preservation of butterflies.

Sir Hector Monro *[holding answer 6 May 1994]:* The Forestry Commission undertakes a wide range of practical forest management work to protect and enhance the value of its woodlands for wildlife; this includes widening forest rides, creating glades and open spaces, and managing coppice to make suitable butterfly habitats. Examples of specific projects include work to encourage the re-introduction of the Chequered Skipper into England, creation of a butterfly garden in Chambers wood in Lincolnshire and a butterfly reserve in Coed Allt Fedw in Ceredigion, ride management in Sandlings forest in Suffolk to provide a habitat for Silver-studded Blue butterflies, protection of mire habitat in Kielder forest in Northumberland to encourage the large Heath butterfly and the removal of conifers in South Scotland to protect the Green Hairstreak and Scotch Argus. In addition, the commission manages several sites of special scientific interest which are particularly important for butterflies.

The commission also encourages private owners to establish and manage woodlands in a way which will benefit all types of wildlife, including butterflies. The commission has published guidance to woodland managers on how to enhance forest rides for the benefit of butterflies and the plants which support them.

Scottish Enterprise

Mr. Worthington: To ask the Secretary of State for Scotland what guidelines he has laid down for Scottish Enterprise about when local enterprise companies may take steps to provide serviced sites.

Mr. Stewart: The strategic and policy guidance which my right hon. Friend has set for Scottish Enterprise makes it clear that the objective should be to ensure that the formation and expansion of business in its area is not artificially constrained by a lack of suitable sites and premises.

In pursuing this objective, Scottish Enterprise is required to concentrate on facilitating private development and encouraging the private sector to take an increasingly active part in the provision and management of industrial property, thus promoting a normal and self-sustaining industrial property market.

Within that broad strategic and policy framework, Scottish Enterprise and the local enterprise companies have discretion to operate subject to certain detailed scheme rules and delegated authorities.

Mr. Worthington: To ask the Secretary of State for Scotland if he will make it his policy to encourage Scottish Enterprise and the local enterprise companies to take a more proactive role on industrial site development to prepare for any increasing demand.

Mr. Stewart: My right hon. Friend has already made clear, in his strategic and policy guidance to Scottish Enterprise, the need to ensure that the formation and expansion of business is not constrained by a lack of suitable sites or premises. In particular, in setting out strategic guidance for the operation of the network in 1994-95, he acknowledged that, with the essential elements of economic recovery now in place, the Scottish Enterprise network would be keen to translate the opportunities which the recovery will bring into sustainable growth, jobs and competitiveness in Scotland.

Scottish Enterprise and its local enterprise companies have also been given substantial budgets, and broad-ranging and flexible powers, to allow them to respond to market demands and opportunities. They are well placed to do so, although they are not, of course, alone in having a contribution to make in this area.

Mr. Worthington: To ask the Secretary of State for Scotland what assessment he has made of the adequacy of the information he receives about the operation of local enterprise companies; and what plans he has to increase the information available to him.

Mr. Stewart *[holding answer 22 April 1994]:* The operation of local enterprise companies is a matter for Scottish Enterprise and Highlands and Islands Enterprise. The enterprise bodies are required to agree with local enterprise companies the monitoring information to be collected in order to ensure that activities and services in the network as a whole are delivered satisfactorily.

I am satisfied that these information requirements are subject to regular review and that periodic reports are provided showing progress towards the enterprise bodies' objectives and priorities.

Skye Bridge

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what plans he has to conduct a survey in respect of otters and winter low vegetation levels on the lines of that recommended by the Skye bridge environmental impact assessment and the public local inquiry; and if he will make a statement.

Lord James Douglas-Hamilton: Surveys of the otter habitat have been carried out by the Vincent Wildlife Trust both during winter, when vegetation levels are at their lowest, and after the line of the construction corridor was set out on the ground. The results of these surveys were incorporated in the booklet "Skye Bridge Crossing, Additional Information" which contains supplementary information on various matters in connection with the bridge. This information was made available to the regional district and community councils earlier this year.

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what further steps he has taken since publishing his response to the recommendations of the public local inquiry into the Skye bridge to consult Scottish Natural Heritage and the National Trust for Scotland over otter protection, with particular reference to the subsequent monitoring of measures by the Vincent Wildlife Trust; and if he will make a statement.

Lord James Douglas-Hamilton: Consultation has been ongoing with both Scottish Natural Heritage—SNH and the Vincent Wildlife Trust—VWT—on the details of the measures for the protection of otters. These measures include the construction of barriers, tunnels, replacement otter holts and fresh water grooming pools. The National Trust for Scotland, through its local representative, has also visited the site and is aware of these measures. Arrangements are in place for further visits. Consultations will continue with SNH, the statutory body responsible for the protection of the environment, and VWT to ensure the

measures incorporated are to their satisfaction. Thereafter, it is SNH's and the VWT's intention to monitor their effectiveness once the bridge is open to traffic.

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what representations he has received on the compliance with regulation 16 of the Environmental Assessments (Scotland) Regulations 1988 of his original advertisements in respect of 23 October 1991 compulsory purchase orders and road orders relating to the Skye bridge; and if he will make a statement.

Lord James Douglas-Hamilton: A representation was made at the public local inquiry held into the bridge that regulation 16 of the Environmental Assessment (Scotland) Regulations 1988 was applicable and had not been complied with. This was considered by the reporter who in her report reached the view that there was no basis in the relevant legislation to support the representation. The Secretary of State agreed with those views and rejected the representation.

Arable Farming

Dr. Strang: To ask the Secretary of State for Scotland what is the latest total paid to farmers in *(a)* arable aid scheme set-aside payments and *(b)* total arable area scheme payments in Scotland following the 1993-94 harvest.

Sir Hector Monro: To date, about £15·5 million of aid has been paid in Scotland in respect of the set-aside element of the 1993 arable area payments scheme—AAPS—claims. Total AAPS aid payments, to date, amount to £90·6 million.

Dr. Strang: To ask the Secretary of State for Scotland how many farms in Scotland had arable aid scheme set-aside areas greater than *(a)* 100 hectares and *(b)* 50 hectares in the last available year.

Sir Hector Monro: Under the 1993 arable area payments scheme, 17 farms in Scotland had set-aside areas greater than 100 hectares, and a further 128 farms had set-aside areas of between 50 and 100 hectares.

Dr. Strang: To ask the Secretary of State for Scotland how many farmers in Scotland received arable area payments greater than *(a)* £100,000, *(b)* £250,000, *(c)* £500,000 and *(d)* £1,000,000 in the last available year.

Sir Hector Monro: Under the 1993 arable area payments scheme, 45 payments of more than £100,000 have been made to Scottish farmers, with a further two payments of between £250,000 and £500,000. No payments in excess of £500,000 have been made.

Dr. Strang: To ask the Secretary of State for Scotland how many farms in Scotland had hectarages of land under cereals greater than *(a)* 1,000 hectares, *(b)* 500 hectares and *(c)* 250 hectares in the last available year.

Sir Hector Monro: The numbers of farms recorded in the June 1993 agricultural census of main holdings with cereals area greater than 500 hectares, or greater than 250 hectares were five and 50, respectively. There were fewer than five farms with greater than 1,000 hectares of cereals; to avoid disclosure, the number is not published.

Eastwood District Council

Mr. McMaster: To ask the Secretary of State for Scotland if he will list all appointments within his Department's responsibility which are currently held by Councillor Ian Hutchison of Eastwood district council and any changes in this list within the past year; and if he will make a statement.

Mr. Lang *[holding answer 29 April 1994]:* Of the bodies listed in the Cabinet Office publication "Public Bodies 1993" as being sponsored by the Scottish Office, Councillor Hutchison is a member of the Historic Buildings Council for Scotland. He was first appointed on 1 December 1983 and was last reappointed from 1 December 1992 until 30 November 1995. A copy of "Public Bodies 1993" is available in the Library of the House.

Deer (Tuberculosis)

Mr. Morley: To ask the Secretary of State for Scotland if he will list by region, the number of cases of tuberculosis in deer in each year since 1985.

Sir Hector Monro *[holding answer 6 May 1994]:* The information requested is set out in the table.

Year	*Number of cases*	*Region*
1985-88	0	—
1989	2	Dumfries and Galloway
1990	0	—
1991	0	—
1992	1	Strathclyde
1993	0	—
1994	1	Strathclyde

Local Government Finance

Mr. Worthington: To ask the Secretary of State for Scotland what has been the allocation of capital resources to each regional or islands council by service; what percentage of the Scottish population is represented by each council's population; and what has been that council's share of the capital allocation as a percentage of the regional council allocation of capital for each service for each of the last 10 years.

Mr. Stewart *[holding answer 6 May 1994]:* The information requested is too lengthy to print in the *Official Report*. I shall therefore arrange for a copy to be sent to the hon. Member and for copies to be placed in the House Libraries. The allocations listed are net allocations as announced prior to the start of each year in question. These allocations are, however, not the only source of funding available to local authorities. They can be enhanced by the use of capital receipts, which now include grants from the European regional development fund, the use of revenue for capital purposes and by private sector contributions. The ability of authorities to fund capital expenditure from these other sources is central to the approach that the Secretary of State takes in the distribution of resources among authorities. His controls are over all local authority expenditure and not just over the element he distributes by way of capital allocations.

NHS Estate

Mr. Spellar: To ask the Secretary of State for Scotland what studies he has commissioned regarding estate management and property maintenance in the NHS in Scotland.

Mr. Stewart *[holding answer 6 May 1994]:* Estate management and property maintenance in the NHS in Scotland is monitored on a continuous basis by the NHS management executive and studies relating to particular aspects are undertaken as required. This work is supported by a computerised data profile which assists the monitoring of performance targets, and informs consideration of the estate maintenance and investment requirements suggested by regular property condition surveys.

Quarries

Mr. McMaster: To ask the Secretary of State for Scotland if he will make a statement on his policy relating to the development of quarries within the urban area of the central Scotland conurbation.

Mr. Stewart *[holding answer 29 April 1994]:* Planning policies for mineral working in Scotland are set out in the recently published "National Planning Policy Guideline on Land for Mineral Working". No specific mention is made of quarries in the urban areas of the central Scotland conurbation; they are therefore covered by the general policies established in the guidelines. It is for planning authorities now to reflect those policies in their specific structure and local plans.

TRANSPORT

Roads Programme

2. **Mr. Lester:** To ask the Secretary of State for Transport what changes he expects to the time of completion of strategic routes as a result of his prioritisation of the roads programme.

Mr. MacGregor: The recent roads review I announced to the House in March puts the programme in a realistic order of priority, and focuses resources on essential schemes on strategic routes and bypasses. Delivery of the strategic route schemes will be speeded up as a consequence of no longer taking forward all schemes with the same effort and at the same pace.

16. **Mr. Waterson:** To ask the Secretary of State for Transport what reaction he has received to his recent statement on prioritisation of the roads programme.

Mr. MacGregor: The reaction to the review of the roads programme has shown the widespread support across the country for the prioritisation and more efficient management we have undertaken, and for the dropping of projects, such as the M12 and the A5 to Stansted section of the east-west route, which had serious environmental difficulties and for which alternative improved routes were available on existing corridors.

Air Services (Liberalisation)

17. **Lady Olga Maitland:** To ask the Secretary of State for Transport what further progress he has made towards liberalisation of transatlantic air routes.

Mr. McGregor: The United States has still not returned to the negotiating table. I have continued to signal my willingness to continue talks, both on the liberalisation package as a whole and on more limited interim exchanges of new rights.

Mr. Davidson: To ask the Secretary of State for Transport what is the policy of the United States Government in respect of United Kingdom based airlines bidding for contracts to fly *(a)* United States mail and *(b)* military personnel in and out of the United States; what negotiations he has held with the United States authorities on the subject; and if he will make a statement.

Mr. Norris: United Kingdom airlines are prevented from carrying the vast bulk of United States mail carried by air. They are also prevented from competing with United States airlines on an equal footing for the carriage of the remaining small percentage of United States mail. United Kingdom airlines are also prevented from carrying United States Government-financed passengers and property. These restrictions on United Kingdom airlines' ability to compete on equal terms with United States airlines are one of the issues the United Kingdom has raiseed in the current air services liberalisation negotiations between the United Kingdom and the United States. The United Kingdom is seeking the right for UK-designated airlines to compete without discrimination on ground of nationality for such business.

Motorways

19. **Sir Thomas Arnold:** To ask the Secretary of State for Transport if he will make a further statement about the condition of United Kingdom motorways.

Mr. Key: I have just published the report on the 1993 national road maintenance condition survey, which indicates that the previously noted deterioration in the condition of motorways in England and Wales has been arrested.

Public Transport

18. **Mr. Bryan Davies:** To ask the Secretary of State for Transport what steps he is taking to increase the use of public transport in urban areas.

Mr. Freeman: We are encouraging the use of public transport through our policies of deregulation, privatisation and competition. We are making resources available to local authorities for investment in public transport improvements: these range from the major light rail projects in Manchester and Sheffield to bus priority measures across the country. We have said that we will not build new roads to assist car commuting into town centres. We have introduced the package approach, which invites local authorities to develop balanced transport strategies for their areas and we have published planning policy guidance note 13, which encourages the location of new development where it can be served by public transport.

20. **Mr. Mackinlay:** To ask the Secretary of State for Transport what measures he proposes to promote public transport integration and reductions in cost to the passenger.

Mr. Freeman: Deregulating public transport and increasing opportunities for the private sector represent the best policies for improving services to the passenger. We are pursuing a range of measures along these lines.

London Lorry Ban

21. **Mr. Duncan Smith:** To ask the Secretary of State for Transport what is his estimate of the cost of enforcing the permit system attached to the London lorry ban.

Mr. Norris: Based on the projected budget of the London boroughs transport scheme for 1994-95, the estimated cost of enforcing the permit system is approximately £400,000. If permits are abolished, the savings made can be used to enhance enforcement of the ban.

Midland Metro

22. **Dr. Lynne Jones:** To ask the Secretary of State for Transport if he will make it his policy that the necessary public finances be made available for the Midland Metro line 1 project before March 1996.

Mr. Freeman: The case for grant will be given careful consideration when the necessary funds are available.

Traffic Calming

23. **Mr. French:** To ask the Secretary of State for Transport what representations he has received about the design of traffic-calming measures.

Mr. Key: We consulted widely before making the traffic-calming regulations last year. The design of individual schemes is for local highway authorities, but my Department conducts research and gives advice.

London Underground

24. **Mr. Carrington:** To ask the Secretary of State for Transport when he plans to meet the chairman of London Transport to discuss improvements to the London underground.

Mr. Norris: My right hon. Friend the Secretary of State and I regularly meet the chairman of London Transport to discuss a wide range of issues relating to the London underground.

29. **Mr. Cohen:** To ask the Secretary of State for Transport how much is the current year's investment by his Department in the London underground.

Mr. Norris: The Government provides a block grant to London Transport (LT) as a whole; they do not allocate a specific amount to the underground. This year's grant to LT will be £373 million, to which LT will be able to add a substantial sum from sale of the London Bus companies. LT are currently budgeting to invest £423 million in London underground this year.

Great West Rail Line

25. **Mr. Simon Coombs:** To ask the Secretary of State for Transport when he next expects to discuss the electrification of the Great West rail line with the chairman of the Railtrack authority.

Mr. Freeman: My right hon. Friend has regular meetings with Mr. Robert Horton, the chairman of Railtrack, to discuss a wide range of issues. These include the opportunities for investment in response to the commercial requirements of Railtrack's customers.

Investment (East London)

26. **Mr. Simon Hughes:** To ask the Secretary of State for Transport if he will make a statement about the impact on east London of his public transport investment plans; and if he will make a statement.

Mr. Norris: The Government's plans for substantial public transport investment in east London will improve travel and employment opportunities for local people and will support new development in the area.

Rail Privatisation

27. **Sir Teddy Taylor:** To ask the Secretary of State for Transport what progress has been made over privatisation, with particular reference to the Fenchurch Street line; and if he will make a statement.

Mr. Freeman: On 21 April the director of Passenger Rail Franchising published the programme for the sale of the 25 franchises that will be created from the national British Rail passenger rail network. The London, Tilbury and Southend franchise, comprising the line from Fenchurch Street, is in the first group of franchises which will be sold in 1995. It has already started shadow running as a separate operating unit with British Rail.

28. **Mr. Harris:** To ask the Secretary of State for Transport what assessment he has made of the benefit to passengers from the privatisation of the railways.

Mr. Freeman: The involvement of the private sector in taking responsibility for provision of passenger services will bring additional capital into the railway industry above that provided by the taxpayer and will also introduce new management skills and innovation aimed at meeting more fully the demands of the passenger.

Ms Quin: To ask the Secretary of State for Transport what measures are being taken to maintain lightly used rail services.

Mr. Freeman: The Government are committed to supporting socially necessary passenger services through subsidy. There is no reason why privatisation should cause any reduction of services.

Ms Quin: To ask the Secretary of State for Transport whether passengers holding discount tickets on a particular service will be able to use alternative services following privatisation in the event of a cancellation or termination of a train.

Mr. Freeman: The scope of interavailability for discount tickets is being considered by the Franchising Director. The question whether these would be valid on alternative services in the event of disruption is likely, as now, to depend on the circumstances of the case.

Ms Quin: To ask the Secretary of State for Transport how many micro-franchises he estimates will be created during rail privatisation; and what benefits this will bring.

Mr. Freeman: The Franchising Director is responsible for the sale of franchises. I understand that it is too early to estimate how many micro-franchises might be created. A micro-franchise may offer benefits through the provision of clearly focused services, targeted on a relatively discrete market, where the route involved is substantially self-contained.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the salaries and principal conditions from 1 April of *(a)* the chairman of British Rail, *(b)* the chairman of Railtrack, *(c)* the Rail Regulator and *(d)* the Franchising Director; and if he will list the percentage increase of their salaries over the 1993-94 rates.

Mr. Freeman: I refer the hon. Member to the answer I gave to the hon. Member for Cunninghame, North (Mr. Wilson) on 15 April *Official Report*, column *333*. The 1994-95 salary rates for *(a)* and *(b)* have yet to be determined but the salaries for *(c)* and *(d)* have been increased by 2·75 per cent. with effect from 1 April 1994. Accordingly the salary for Mr. John Swift QC is now £128,440 and that for Mr. Roger Salmon is £102,750.

Ms Quin: To ask the Secretary of State for Transport if the Supersaver ticket will remain, after privatisation, interavailable on all trains.

Mr. Freeman: Supersaver is the brand name of a discount ticket offered by BR, and it will be for the train operators to decide whether this name is maintained. The Franchising Director is considering whether the scope of mandatory interavailability should be widened to include such tickets.

Barking to Gospel Oak Line

30. **Mr. Corbyn:** To ask the Secretary of State for Transport what meetings he has had with Railtrack to discuss the Barking to Gospel Oak line.

Mr. Freeman: My right hon. Friend the Secretary of State for Transport holds regular meetings with Railtrack to discuss a wide range of topics. They have not specifically discussed the Barking to Gospel Oak line.

Bus Companies

Mr. David Evans: To ask the Secretary of State for Transport what progress has been made on the sale by municipal authorities of their bus companies.

Mr. MacGregor: Very good progress has been made. Twenty-eight local authority bus companies have now been sold: and they include the seven largest.

Ships' Officers

Mr. Austin Mitchell: To ask the Secretary of State for Transport if he will make a statement on the timing of his announcement of changes to the officer nationality requirements for United Kingdom vessels in relation to the consultation period on these proposals; and what consideration he will give to submissions received since his announcement.

Mr. Norris: Consultation on the proposal to relax the officer nationality requirements for United Kingdom vessels will be completed by the end of May. Careful consideration will be given to the representations made. My right hon. Friend expects the new arrangements to be in place by the autumn of this year.

Vehicle Inspectorate

Mrs. Dunwoody: To ask the Secretary of State for Transport what changes he has made to his requirements for efficiency savings by the Vehicle Inspectorate.

Mr. Key: My right hon. Friend announced on 29 April that the Vehicle Inspectorate is required to achieve an efficiency improvement of 5 per cent. this year as measured by the agency's aggregate cost efficiency index.

Mrs. Dunwoody: To ask the Secretary of State for Transport what effect efficiency savings imposed by his Department have had on recruitment by the Vehicle Inspectorate; and what assessment he has made on the effect on road safety.

Mr. Key: Recruitment to the Vehicle Inspectorate is a matter for the agency's chief executive, but I am advised that it was on a very limited scale in 1993-94 and that the position is likely to be similar this year. The targets set by my right hon. Friend for the agency last year and those he announced last month for 1994-95 imply, as well as efficiency gains, an improvement in the quality of service which can only contribute to road safety.

Transport Research Laboratory

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the individuals and organisations consulted by the consultants who carried out the privatisation review of the Transport Research Laboratory.

Mr. Key: The consultants KPMG Peat Marwick consulted a wide range of organisations and individuals in studying the options for privatisation of the Transport Research Laboratory and their feasibility. It is not my Department's normal practice to publish the names of those involved in such consultations.

Internet

Mr. David Shaw: To ask the Secretary of State for Transport what plans his Department has *(a)* to utilise the Internet *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. Norris: My Department's press releases issued electronically through the Central Office of Information are accessible to users of the Internet via Data-Star Dialog (Europe) or Mead/Lexis/Nexis. They are also available to subscribers to FT Profile, Reuters Textline and POLIS.

My Department's press releases are also made available through the COI's fax retrieval service, details of which can be provided by its news distribution service.

I have no further plans to use the Internet.

Departmental Running Costs

Mrs. Dunwoody: To ask the Secretary of State for Transport what is his target for cuts in the running costs of his Department; when he will make an announcement on the details of such cuts; and if he will make a statement.

Mr. MacGregor: I have set my Department a requirement to make a 20 per cent. improvement in efficiency with the target of achieving it over the two years beginning 1 April 1994. Agency chief executives and senior managers elsewhere in the Department will be preparing proposals on how they might secure such an improvement in efficiency in their areas of responsibility.

Roundabout Safety

Mr. French: To ask the Secretary of State for Transport what action his Department has taken as a result of the findings of Transport Research Laboratory report 1120; and what plans his Department has to carry out further studies into safety at roundabouts.

Mr. Key: The question which is related to safety at roundabouts is an operational matter for the Highways Agency. I have asked the chief executive, Mr. Lawrie Haynes to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Douglas French, dated 6 May 1994:

The Minister for Roads and Traffic, Mr. Robert Key, has asked me to write to you in reply to your recent Parliamentary question regarding further studies into safety at roundabouts.

The findings of the TRL study report LR1120 have been incorporated into the Departmental Standard for the geometric design of roundabouts TD16/84 and TA42/84 and in TRL's computer program for roundabout design ARCADY/3. A fundamental review of the geometric design of roundabouts was undertaken in 1990 and this led to the revised Standard TD16/93. Whilst continuing to embrace the findings of the earlier TRL study, Report LR1120, the new Standard has adopted additional measures to improve safety for all road users, like amended entry path curvature requirements to ensure adequate deflection on entry, and revised visibility requirements.

Concerning further studies into safety, the Highways Agency closely monitors accidents occurring at all Trunk Road junctions, including roundabouts. The accident statistics show that roundabouts are still one of the safest forms of road junction, excluding those comprising flyovers or underpasses and have remained fairly constant over the last 15 years.

The Highways Agency is, of course, committed to ensuring the safety of the whole of the Trunk Road network and contributing towards the Government's target for reductions in road traffic accidents. In order to maximise the benefits from the limited research resources that are available you will appreciate the need to target future safety studies towards those areas where the greatest contribution towards safety can be made. I therefore have no plans at present to undertake further studies into safety at roundabouts but of course will keep the issue under review.

Dorchester West to Castle Cary Line

Mr. Wilson: To ask the Secretary of State for Transport if he will make a statement on the future prospects for the Dorchester West to Castle Cary line, and on the current arrangements for its maintenance.

Mr. Freeman: I am not aware of any proposals to suggest the future of the line between Dorchester West and Castle Cary is in doubt. The line is inspected, maintained and renewed to meet both present and anticipated future traffic.

European Passenger Services

Mr. Dicks: To ask the Secretary of State for Transport what progress has been made in transferring British Rail's subsidiary, European Passenger Services Ltd., into Government ownership; and if he will make a statement.

Mr. MacGregor: European Passenger Services has today transferred from British Rail into direct Government ownership. This will allow the company to prepare for privatisation while completing preparations to launch its international services this summer. Jim Butler, the new chairman of EPS, and his board will be working to ensure the success of these services in the months ahead. This marks another important milestone on route to the completion of the new channel tunnel rail link.

A299

Mr. Gale: To ask the Secretary of State for Transport when, following the submission of the inspector's report he expects to be able to make an announcement concerning the routeing of the centre section of the A299 Thanet Way dual carriageway.

Mr. Key: The inspector's report into the A299 Thanet Way dual carriageway was received by the Secretary of State for Transport on 27 April 1994. It is not possible at this time to predict when the decision will be announced but consideration of the report is currently under way and is being given the highest priority.

Driving Tests

Mr. Don Foster: To ask the Secretary of State for Transport what plans he has to change the practical element of the driving test.

Mr. Key: There are no plans to change the practical element of the driving test, but a separate theory test will be introduced by July 1996.

Mr. Don Foster: To ask the Secretary of State for Transport what are the criteria for deciding on the closure of driving test centres; and what plans he has to restrict driving tests to larger towns.

Mr. Key: Responsibility for the subject of the question has been delegated to the Driving Standards Agency under its chief executive, Dr. Ford. I have asked him to arrange for a reply to be given.

Letter from S. J. Ford to Mr. Don Foster, dated 6 May 1994.

The Secretary of State has asked me to reply to the questions you have raised about the criteria used when deciding on the closure of driving test centres and whether there are plans to restrict driving tests to larger towns.

The 1994-1995 Business Plan for the Driving Standards Agency explains that the review of the DSA test centre estate will continue with the aim of maintaining a list of possible centres for rationalisation. This might include a range of options from re-siting, merger with another centre or closure. Each test centre will be assessed against the following criteria:—

(i) the number of satisfactory test routes, including an assessment of the proportion of routes which include higher speed roads;

(ii) the quality of facilities for customers, including the provision of toilets and off-road parking;

(iii) financial efficiency, including rent, maintenance and energy costs, compared to equivalent costs at an alternative centre; and

(iv) demand for tests at the centre and its proximity to other test centres, including the capacity of neighbouring test centres to meet the existing level of transferred demand and cope with a possible increase.

There are no proposals to restrict driving tests to larger towns.

It is not practicable for DSA to provide a test centre in every town in Britain, and the Agency must review its network by applying its criteria as even-handedly as possible across the country as a whole.

A26

Mr. Simon Hughes: To ask the Secretary of State for Transport what assessment he has made of the economic importance of Newhaven to the local economy of east Sussex in formulating his trunk road improvement plans; and what plans he has to extend the A26 to Newhaven port by the construction of a new route from the southern terminal of the A26 to the quayside.

Mr. Key: The economic importance of Newhaven is reflected in the Department's cost benefit analysis which is applied to all proposed schemes. The primary purpose of the recent review of the road programme was to establish priorities to concentrate effort and resources on the most urgently needed schemes, and produce a clear set of objectives and targets. Cost benefit was one of the three main criteria applied on a national basis.

There are currently no plans to extend the A26 to Newhaven port.

Minicabs

Mr. Alex Carlile: To ask the Secretary of State for Transport how many *(a)* arrests and *(b)* convictions there have been for illegal plying for hire by minicab drivers for each of the last eight years; and if he will make a statement.

Mr. Norris *[holding answer 6 May 1994]:* Illegal plying for hire of itself is not an offence for which people are arrested. Information on the number of convictions for illegal plying for hire by minicab drivers is not available. The police do not keep information on crimes broken down by the alleged occupation of the criminal.

The present law prohibiting plying for hire by cars not licensed as taxis dates back to the middle of the last century. In its present form it is not easy to enforce. Modernisation is clearly a priority.

"Plying for hire" should not be confused with touting, although in practice taxi touts are normally associated with illegal plying for hire. I hope we can deal with the problem of touts through the Criminal Justice and Public Order Bill, at present under consideration in another place.

DUCHY OF LANCASTER

Open Government

40. **Mr. Mackinlay:** To ask the Chancellor of the Duchy of Lancaster whether he proposes to introduce legislation in this parliamentary Session to promote and increase open government.

Mr. Waldegrave: The Government's new code of practice on access to Government information came into force at the beginning of April. We will introduce legislation on access to personal records and health and safety information as soon as the parliamentary timetable allows.

Citizens Charter

41. **Mrs. Roche:** To ask the Chancellor of the Duchy of Lancaster what research his Department has carried out to find out how many people know of their rights under the citizens charter.

Mr. David Davis: It is for each public service provider to consult its users in line with the principles of the citizens charter and to provide information to users about the standards of service that they are entitled to expect. Published surveys reveal that seven out of 10 people are aware of the citizens charter.

Mr. Harry Greenway: To ask the Chancellor of the Duchy of Lancaster what steps he is taking to republicise the contents of all charters; and if he will make a statement.

Mr. David Davis: The provision of information is an important principle of the citizens charter. To accompany "The Citizen's Charter Second Report" a free guide called "The Citizen's Charter Report Back 1994" was published which highlighted the good progress already made and set out future commitments, as well as full details about how to obtain further information on individual services and charters. The guide has been made widely available around the country and is also published in six other languages, on audio cassette in large print and braille. Copies of the second report and the free guide were placed in the Library of the House. In addition, individual Departments, agencies and other organisations are responsible for ensuring that the standards and other information set out in their charters are made widely available to their customers.

Science and Technology

42. **Mr. Luff:** To ask the Chancellor of the Duchy of Lancaster what steps he is taking to progress initiatives that will improve public understanding of science following the national week of science and technology.

Mr. Waldegrave: SET[7] was a great success. Planning has begun for next year's national week of science, engineering and technology. At the same time the Office of Science and Technology is continuing to support a number of initiatives to encourage greater understanding and appreciation of science and engineering, especially in our schools but also among the general public.

43. **Mr. Knapman:** To ask the Chancellor of the Duchy of Lancaster what progress his Department has made in achieving the original objectives of the science White Paper.

Mr. Waldegrave: We have made an excellent progress. The first forward look of Government-funded science and technology was published last month; this provides a clear and up-to-date survey of the research and development scene, and sets out strategic objectives for the next five to 10 years. The new research council structure came into being on 1 April. The technology foresight programme is well under way; and the week of special events to promote public understanding was described by *New Scientist* as "a staggering success".

Parliamentary Questions

Mr. McMaster: To ask the Chancellor of the Duchy of Lancaster how many parliamentary questions to his Department have not been answered because of disproportionate costs or because the information requested was not held centrally over the last five years; how many could be answered now due to computerisation and/or more effective operational systems; and if he will list each such question along with the name and constituency of the hon. Member who tabled it.

Mr. Waldegrave: Since my Department was established in May 1992 there have been 48 parliamentary questions where the answer given by my Department included a reference to part or all the information being available only at disproportionate cost or because the information requested was not held centrally. Details of these questions can be obtained from the POLIS database, access to which is available in the Library.

The remainder of the question could itself be answered only at disproportionate cost.

Internet

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. Waldegrave: My Department's press releases issued electronically through the Central Office of Information are accessible to users of the Internet via Data-Staff Dialog (Europe) or Mead/Lexis/Nexis. They are also available to subscribers to FT Profile, Reuters Textline and to POLIS.

My Department's press releases are also made available through the COI's fax retrieval service, details of which can be provided by its new distribution service.

I have no further plans to use the Internet.

Disablement Quotas

Mr. Spellar: To ask the Chancellor of the Duchy of Lancaster which Government Departments meet the quota requirements for the employment of people with disabilities and which do not.

Mr. David Davis: Information held centrally does not include some smaller Departments and agencies. Of those for which information is available, at 1 July 1993 there were five which met the 3 per cent. quota for the employment of people with disabilities. These are as follows: Department of Education; Employment Group; Intervention Board for Agricultural Produce; the Office of the Paymaster General and Registers of Scotland.

Overall, 1·5 per cent. of civil service staff are registered disabled, compared with 0·8 per cent. in the public sector generally and 0·7 per cent. in the private sector. Like many other employers, civil service departments also employ many staff with disabilities who have chosen not to register.

ENVIRONMENT

Eland House

Mr. Spellar: To ask the Secretary of State for the Environment how many British firms were included on the tender list for the cladding contract for Eland house.

Sir George Young: The redevelopment of Eland house is being undertaken by Land Securities plc. The Department has signed an agreement to take a 25-year lease with a 15-year break provision. The sourcing of the building's cladding is therefore a matter for the company and not for the Department.

I understand, however, that Land Securities plc is anxious to maximise the United Kingdom content of the building within its commercial and legal constraints. The company is a founder member of the Construction Procurement Group established by leading specifiers in the industry and supported by my Department to work with suppliers of building products in enhancing their competitiveness. I am pleased to say that they have agreed to make Eland house one of the early case studies for the group.

Recycling

Mr. McAllion: To ask the Secretary of State for the Environment what civil service-wide co-ordination exists in the recycling of waste materials in order to maximise efficient use of resources and value for money.

Mr. Atkins: Government Departments now have environmental strategies in place and are preparing, or have prepared, action plans to implement them. These strategies set out the policy of each Department for the use of its own resources and are designed to ensure that full account is taken of the needs of the environment. They cover a wide variety of issues including recycling, and are co-ordinated by a committee of green Ministers drawn from the major Departments.

London Docklands

Mr. Sheerman: To ask the Secretary of State for the Environment what areas of grassed space open to the public exists in the London Docklands development area.

Sir George Young: Some 382 acres of grassed area are open to the public in the London Docklands urban development area.

Mr. Sheerman: To ask the Secretary of State for the Environment what percentage of land area in the London Docklands development area is public open space.

Sir George Young: Some 11·25 per cent. of land in the London Docklands urban development area is public open space.

Rural Housing

Mr. Patchett: To ask the Secretary of State for the Environment what action Her Majesty's Government are taking to ensure affordable housing in rural areas; what statistical information he has of rural housing need; if he will publish it; and if he will make a statement.

Sir George Young: We provide funding through the Housing Corporation's annual approved development programme for new social housing in rural and non-rural areas. In rural areas—defined as settlements with a population of 3,000 or less—the ADP has approved funds through the corporation's rural programme for more than 6,000 new units between 1989-90 and 1992-93; and some 2,200 units in 1993-94—exceeding the Government's target by some 19 per cent. In 1994-95 the corporation aims to approve a further 1,850 new units.

In addition, the Rural Development Commission provides support for the work of the Rural Housing Trust to assist the setting up and support of rural housing associations, and for other measures which facilitate the supply of social housing in rural areas.

The resources for the ADP are distributed each year in accordance with my Department's housing needs index. The index is calculated for all local authority districts, and the individual scores are published annually by the Housing Corporation.

My Department does not specifically compile information on rural housing need. However, we are currently carrying out research into the nature and causes of housing need in rural England with the aim of identifying possible solutions. We expect the results to be published in due course.

Security

Mr. Donohoe: To ask the Secretary of State for the Environment if he will make a statement on the use of private detective agencies and security companies by his Department.

Mr. Gummer: In line with Government policy, my Department employs security companies in situations where this can be shown to provide best value for money. There has been no requirement so far to engage private detective agencies.

Rio Agreement

Mr. Robert Banks: To ask the Secretary of State for the Environment what is the total amount of financial aid provided in the implementation of agenda 21 of the Rio agreement; and if he will make a statement.

Mr. Atkins: Chapter 33, paragraph 13 of agenda 21 said that, in general, financing for the implementation of agenda 21 should come from countries' own public and private sectors. In the case of developing countries, it was accepted that foreign aid would continue to be required. The United Kingdom has a substantial overseas aid programme.

Council House Sales

Mr. Cox: To ask the Secretary of State for the Environment how many local authority-owned properties have been sold by each of the London borough councils in each of the last five years.

Sir George Young: Tables showing the available information on total council house sales for each English local authority for every financial year since 1980 and a cumulative total to December 1993 are in the Library.

Mr. Tipping: To ask the Secretary of State for the Environment what is his most recent estimate of accumulated capital receipts from the sale of council houses for each district council in Nottinghamshire.

Sir George Young *[holding answer 3 May 1994]:* The total discounted values of all council dwellings sold in Nottinghamshire between April 1980 and December 1993, as reported by local authorities, are in the table. No estimates have been made for those periods where data have not been supplied by a local authority or were incomplete. Actual cash receipts for the period will depend on the extent to which sales had been financed by loans from the authorities.

Nottinghamshire
Discounted value of all sales

Local authority	*£ million*
Ashfield	36·7
Bassetlaw	32·1
Broxtowe	29·6
Gedling	34·8
Mansfield	30·9
Newark and Sherwood	28·5
Nottingham	106·3
Rushcliffe	21·8

Telecommunication Masts

Mr. Walden: To ask the Secretary of State for the Environment what are the planning constraints on the erection of telecomunication masts.

Mr. Baldry: A planning application is required for the erection of masts above 15 m and for all masts in protected areas such as conservation areas and areas of outstanding natural beauty.

A general planning permission is granted for the erection of masts of up to 15 m in height, under the Town and Country Planning General Development Order 1988. However, local planning authorities do have powers to intervene in such cases to require the approval of the siting and appearance of a proposed mast if they consider it would seriously threaten amenity.

Tenancies (Consultation Paper)

Mr. Battle: To ask the Secretary of State for the Environment (1) how many additional staff his Department has taken on to deal with the responses to the consultation paper "Access to Local Authority and Housing Association Tenancies";

(2) how many staff are dealing with responses to his Department's consultation paper "Access to Local Authority and Housing Association Tenancies";

(3) how many of the responses to his Department's consultation paper "Access to Local Authority and Housing Association Tenancies" have been from hon. and right hon. Members.

Sir George Young: Of the 10 members of the Department's homelessness policy division whose work is associated with the responses to the consultation paper "Access to Local Authority and Housing Association Tenancies", four were taken on specifically to handle the volume of responses, which include over 500 communications from right hon. and hon. Members, most of which were forwarding letters from their constituents.

Limehouse Link Tunnel

Ms Gordon: To ask the Secretary of State for the Environment for what reasons the Limehouse link tunnel is to be closed between 5 May and 10 May; what repairs are due to be undertaken; and what is the estimated cost of these repairs.

Sir George Young: The eastbound sliproad of the Limehouse link tunnel is to be closed to improve drainage. This remedial work is covered under the contractor's liability warranty. The cost is not known.

The main route from The Highway to Aspen way and the royal docks will remain open.

Dry Stone Walls

Mr. Clifton-Brown: To ask the Secretary of State for the Environment if he will set out the circumstances in which the demolition of dry stone walls requires planning permission.

Mr. Baldry: In general, planning permission is required for the demolition of any gate, fence, or wall, including dry stone walls. But in particular cases, it is for the local planning authority to decide whether demolition is sufficiently minor or immaterial to fall outside planning control.

Internet

Mr. David Shaw: To ask the Secretary of State for the Environment what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. Baldry: Press releases from my Department are already available on the Internet via commercial database hosts used by the Central Office of Information. There are some technical features, however, which currently make wider use of Internet impractical, although we are planning various improvements in electronic information exchange.

Reservoirs

Mr. William O'Brien: To ask the Secretary of State for the Environment what is his estimate of additional staffing requirements of the National Rivers Authority if the responsibility for administration of the Reservoirs Act 1975 is transferred to the authority.

Mr. Atkins: This would depend on the arrangements that the National Rivers Authority chose to make and on the extent to which—like some of the local authorities currently responsible—it chose to employ consultants to do the work. Since there would be a merger of the two separate existing registers of large, raised reservoirs and of impounding licences, less staff effort overall should be needed.

Mr. William O'Brien: To ask the Secretary of State for the Environment what plans he has to change the administration of the Reservoirs Act 1975; and if he will make a statement.

Mr. Atkins: As described in "Deregulation: Cutting Red Tape", the Government have proposed to merge in England and Wales the two separate existing registers of large, raised reservoirs—the responsibility, under the Reservoirs Act 1975, of certain local authorities—and of impounding licences—the responsibility, under the Water Resources Act 1991, of the National Rivers Authority—in view of the substantial overlap between the two registers.

Mr. William O'Brien: To ask the Secretary of State for the Environment if he will list those local authorities which he considers to have been neglectful in carrying out their duties under the Reservoirs Act 1975.

Mr. Atkins: I have no reason to think that any local authority has been ineffective in carrying out its functions under the Reservoirs Act 1975: however, over 10 per cent. of the authorities concerned have still not sent to my Department the report on the previous two years statutorily required to be made by 1 April 1993.

Mr. William O'Brien: To ask the Secretary of State for the Environment what is the estimated cost to local authorities of carrying out their duties under the Reservoirs Act 1975.

Mr. Atkins: When the Reservoirs Act 1975 was implemented in 1985, the additional current expenditure by local authorities was described as insignificant. No subsequent estimate has been made.

Mr. William O'Brien: To ask the Secretary of State for the Environment if he will list the number of cases in each local authority where enforcement under the Reservoirs Act 1975 has been carried out in each of the past five years.

Mr. Atkins: Reports are required every two years: the number of enforcement actions reported in England has been:

	Number
1987-89	14
1989-91	10
1991-93	[1]3

[1] In the reports so far received.

Public Works Tenders

Mr. Clifton-Brown: To ask the Secretary of State for the Environment what steps his Department is taking to ensure that when tenders for public work are invited by local authorities that they are in realistic commercial terms and without unnecessary contingent liabilities.

Mr. Curry: Local authority tendering procedures are governed by European rules and United Kingdom law as well as authorities' own standing orders. Authorities make their own decisions on the way in which they invite tenders, subject to the law and to financial propriety. They have a fiduciary duty to their taxpayers to operate effectively and efficiently and to secure the best value for money in the discharge of their functions. They must also justify their actions to the independent auditor appointed by the Audit Commission to check their accounts.

In the case of work subject to compulsory competitive tendering, authorities are under a specific statutory duty not to act in any way which may restrict, distort or prevent competition. My Department has issued guidance on the fair conduct of CCT, and has statutory power to take action against authorities acting in an anti-competitive way.

Local Authority Housing

Mr. Winnick: To ask the Secretary of State for the Environment if he will state the number of local authority housing starts for 1977-78 and the number of such starts so far in 1993-94.

Sir George Young: Housing associations are now the main providers of new social housing. Local authorities' primary housing tasks are the efficient management of their own stock of dwellings and enabling other organisations to provide new housing.

Local authorities in England started 78,580 dwellings during the financial year 1977-78. Provisional figures show that they started some 570 dwellings during the first 11 months of the financial year 1993-94. Provisional figures for the full financial year 1993-94 will be published by my Department on 10 May 1994.

Energy Saving Trust

Mr. Nigel Griffiths: To ask the Secretary of State for the Environment what steps he is taking to improve funding for the Energy Saving Trust's conservation projects.

Mr. Atkins: Funding for schemes sponsored by the Energy Saving Trust comes from a variety of sources. The

Director General of Gas Supply has questioned the suitability of the trust's schemes for funding from one of these sources, the so-called E factor levy on gas consumers. In the light of these reservations and of future changes in the gas and electricity industries, an inter-departmental working group of officials is looking at alternative options for the longer term.

Bathing Water

Mr. Steen: To ask the Secretary of State for the Environment if a fiche d'impact was prepared on the proposal for a Council directive concerning the quality of bathing water 94C 112/03, COM (94) 36 final-94/0006 (SYN), submitted by the Commission on 29 March; and if he will make a statement.

Mr. Atkins: In the financial statement attached to the proposal, the Commission states that, on balance, the burden on member states will be reduced. The Government will be making their own assessment of the cost implications for the United Kingdom of the proposal.

Council Tax

Mr. Burden: To ask the Secretary of State for the Environment how many of the outstanding council tax banding appeals have been scheduled for a hearing.

Mr. Curry: Around 45,000 appeals had been listed for hearing—but not yet heard—at valuation tribunals in England by the end of March. We expect, however, that the great majority of cases will be settled by agreement between the Valuation Office Agency and the taxpayer without the need for a formal tribunal hearing and decision.

Privatisation (Consultants)

Mr. Milburn: To ask the Secretary of State for the Environment if he will estimate the cost of employing consultants in connection with privatisation programmes in which his Department has been engaged since 1980.

Mr. Gummer *[holding answer 4 May 1994]:* The information requested is not held centrally by my Department and is obtainable only at disproportionate cost.

Written Answers to Questions

Tuesday 10 May 1994

LORD CHANCELLOR'S DEPARTMENT

Immigration Appeals

Mr. Simon Hughes: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the average length of time it takes from an application being made to the Immigration Appellate Authority to the date of the determination; and if he will make a statement.

Mr. John M. Taylor: Once an application is made to the Immigration Appellate Authority, it is for the parties to signify when they are ready for hearing. The time taken to reach this stage varies between two and eight months. The [illegible]t available hearing date at each of the IAA's centres as at May 1994 is set out in the table.

Centre	*Long appointment*	*Short appointment*
Hatton Cross, West London	9 September 1994	27 July 1994
Thanet House, London	10 July 1994	1 June 1994
Birmingham	18 August 1994	17 August 1994
Manchester	17 August 1994	17 August 1994
Leeds	1 July 1994	21 June 1994
Glasgow	July 1994	30 June 1994

Once the case has been heard, the adjudicator's determination normally issues to the parties within six to eight weeks.

HOME DEPARTMENT

Private Security Firms

Mrs. Roche: To ask the Secretary of State for the Home Department how many private security firms were employed by his Department in *(a)* 1979, *(b)* 1985 and *(c)* the last year for which figures are available; and in each of these years (i) which sections of his Department employed these firms, (ii) which firms they were, (iii) what was the job for which they were employed and (iv) what was the value of the contract in each case.

Mr. Howard: I regret that there is no central record of information of private security firms employed by my Department. I refer the hon. Member to the reply to the hon. Member for Walsall, South (Mr. George) on Tuesday 26 April, *Official Report*, column *98*, for available information in respect of security companies employed by my Department.

Victim Support

Mr. Michael: To ask the Secretary of State for the Home Department what are his specific proposals in regard to his promise of specific action to help families of murder victims which he announced in news release No. 76/94 on 20 April.

Mr. Maclean: Our specific proposals were set out in the news release to which the hon. Member has referred. A copy is in the Library of the House.

Prisons Ombudsman

Mrs. Roche: To ask the Secretary of State for the Home Department, pursuant to his answer of 27 April, *Official Report*, columns *183-84*, if he will publish the name of the executive search agency used to recruit the prisons ombudsman, and the amount of money that they were paid for this.

Mr. Peter Lloyd: The executive search agency used to recruit the prisons ombudsman was Coopers and Lybrand Executive Resourcing, it was paid £20,332.

Electronic Tagging

Mr. Bradley: To ask the Secretary of State for the Home Department what plans he has to introduce pilot schemes on electronic tagging this year.

Mr. Maclean: The Criminal Justice and Public Order Bill includes provision for the introduction of electronically monitored curfew orders in selected areas; and the explanatory and financial memorandum to the Bill explained the intention to conduct pilot trials accordingly. Subject to parliamentary approval of this provision, I propose to make curfew orders available to the courts on a pilot basis, starting in the new year. Manchester is one of three areas in which such trials might take place.

European Elections

Ms Walley: To ask the Secretary of State for the Home Department if he will give full details of the arrangements he has made for publicising the new arrangements affecting those eligible to vote at the European elections in June; and if he will make a statement.

Mr. Peter Lloyd: I refer the hon. Member to the reply given to a question tabled by the hon. Member for Chesham and Amersham (Mrs. Gillan) on 25 February, *Official Report*, columns *508-9*. All the measures noted in that reply have now been completed.

Police Training

Mr. Cox: To ask the Secretary of State for the Home Department if he will list the countries and the number of police officers from each of those countries—from which police officers are being trained by police authorities at the present time in England and Wales.

Mr. Charles Wardle: Information of this nature is not held centrally and could be obtained only at disproportionate cost.

Asylum Applications (Poland)

Mrs. Roche: To ask the Secretary of State for the Home Department how many people from Poland have applied for political asylum since 1 April 1993.

Mr. Charles Wardle: In the period 1 April 1993 to 31 March 1994, 86 nationals of Poland, excluding dependants, applied for asylum in the United Kingdom.

Secure Training Centres, North Wales

Mr. Llwyd: To ask the Secretary of State for the Home Department how many of the new secure training centres for persistent juvenile offenders are to be located in north Wales.

Mr. Maclean: No secure training centres are to be located in north Wales.

Prison Births

Mr. Alex Carlile: To ask the Secretary of State for the Home Department how many babies were born in prisons in England and Wales in each year since 1987; how many of the mothers were handcuffed at the time of giving birth; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mr. Alex Carlile, dated 10 May 1994:

Births to women serving prison sentences in each year since 1987.

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking how many babies were born in prisons in England and Wales in each year since 1987; how many of the mothers were handcuffed at the time of giving birth.

The annual reports on the work of the Prison Service until 1991-92 record the number of women temporarily removed to outside hospital for delivery and returning to establishments afterwards. Figures are now published in the annual report of the Director of Health Care for Prisoners. The figures are:

	Number
1987-88	75
1988-89	63
1989-90	74
1990-91	65
1991-92	56
1992-93	29

In addition there were three deliveries within Prison Service establishments:

	Number
1987-88	1
1988-89	2

We are aware of only one birth to date during which the mother was handcuffed.

Police, Peterlee

Mr. Cummings: To ask the Secretary of State for the Home Department how many special constables were deployed in the Peterlee sub-division in each of the last five years.

Mr. Charles Wardle: The information requested is set out in the table:

Year	*Number*
1989	22
1990	30
1991	37
1992	41
1993	40

Immigration (Exceptional Leave to Remain)

Mr. Gerrard: To ask the Secretary of State for the Home Department in how many cases in each of the last five years, including the current year to date, an application for renewal of exceptional leave to remain in the United Kingdom has been refused; and how many of these refusals were after one year's exceptional leave and how many were after four years.

Mr. Charles Wardle: Precise figures are not available, but in each of the four years 1990-93, the number of asylum applicants refused an extension of exceptional leave does not exceed a figure of the order of 15. Provisional information for the first quarter of 1994 indicates a similar annual level in 1994 to date.

The available information suggests that the majority of the refusals were after one year with exceptional leave.

Prison Statistics

Mr. Llwyd: To ask the Secretary of State for the Home Department how many prisoners are currently being held in police cells in the north Wales police force area; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mr. Elfyn Llwyd, dated 10 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about how many prisoners are currently being held in police cells in the North Wales police force area.

No prisoners are currently being held in police cells in the North Wales area.

Cardiff Prison

Mr. Llwyd: To ask the Secretary of State for the Home Department what plans he has to reduce overcrowding at Cardiff prison; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mr. Elfyn Llwyd, dated 10 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about Cardiff prison.

The certified normal accommodation for Cardiff prison is 253. On 5 May 1994 311 prisoners were held at Cardiff. This was 29 fewer than Cardiff's operational capacity of 340. Operational capacity is the total number of prisoners which an establishment can hold without serious risk to good order, security and the proper running of the planned regime.

Enabling work has recently commenced at Cardiff Prison in connection with the construction of new accommodation. The new wing, which is scheduled for completion in mid-1996, will provide 196 additional places.

Prison Service Agency

Mr. Hoyle: To ask the Secretary of State for the Home Department what members of senior prison service personnel working in the Prison Service Agency received bonus payments in 1993.

Mr. Howard: Eight senior members of the Prison Service received bonus payments linked to performance in 1993.

Staff Transfers

Mr. Mudie: To ask the Secretary of State for the Home Department if he will list the individuals and amounts paid in 1992-93 to compensate staff for the decline in house prices following transfer in public interest, with the original place of work and the new place of work which qualified each individual to the compensation.

Mr. Howard: The numbers of staff concerned and the total sums paid by way of advances of salary and special payments were given in reply to a question tabled by the hon. Member for Truro (Mr. Taylor) on 25 February, *Official Report*, column *507*. It would not be appropriate to provide details of the financial affairs of named individuals.

HOUSE OF COMMONS

Statutory Instruments

Mr. Steen: To ask the Lord President of the Council, pursuant to his answer of 8 March, *Official Report*, column *127*, if he will list the general and local statutory instruments made since 1 November 1993 up to the end of February according to the Ministries responsible for them.

Mr. Newton: Further disagregation of the information given in my answer of 8 March could be achieved only at disproportionate cost.

TRADE AND INDUSTRY

Internet

Mr. David Shaw: To ask the President of the Board of Trade what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. Eggar: The Department uses Internet to exchange information electronically with the European Commission, industry, and academic bodies involved in research. It does not use Internet as a way of putting information in the public domain, and has no plans to do so.

Cross-channel Electricity Interconnector

Mr. Spellar: To ask the President of the Board of Trade, pursuant to his answer of 4 May, *Official Report*, column *512*, what proposals the electricity industry has made to his Department for expanding the capacity of the cross-channel electricity interconnector.

Mr. Eggar: None.

Atomic Energy Authority

Mr. Cousins: To ask the President of the Board of Trade how many people in whole time equivalents were employed at the Atomic Energy Authority, distinguishing the police force from other employees, in each of the last three years and at April 1994.

Mr. Eggar: The information is as follows:

Date	*AEA constabulary*	*Other AEA*	*Total*
31 March 1991	587	9,056	9,643
31 March 1992	538	8,630	9,168
31 March 1993	528	7,494	8,022
31 March 1994	491	7,057	7,548

(Part-timers counted as half).

Cellular Phone Networks

Mr. French: To ask the President of the Board of Trade what representations he has received concerning the practice of cellular networks of charging callers for connection to their network when the recipient is unable to take the call; and if he will make a statement.

Mr. McLoughlin: I have received no representations concerning charges made by operators for recorded messages, but I understand that the Director General of Telecommunications has received some. The Office of Telecommunications is exploring with the network operators how the level of customer satisfaction with recorded message services can be improved.

Steel Industry

Mr. John Morris: To ask the President of the Board of Trade on what occasion the European Council of Ministers last discussed the steel industry; and if he will make a statement.

Mr. Sainsbury: I refer the right hon. and learned Gentleman to the reply given to my hon. Friends the Members for Basildon (Mr. Amess) and for Colchester, North (Mr. Jenkin) on 29 April, *Official Report*, columns *348-49*.

Spirits

Mr. Nicholls: To ask the President of the Board of Trade what legislative changes he intends to propose to amend the quantities in which spirits may be sold for consumption on licensed premises.

Mr. McLoughlin: My noble Friend Lord Strathclyde has today laid before Parliament the Weights and Measures (Intoxicating Liquor) (Amendment) Order 1994 and the Measuring Equipment (Capacity Measures) (Amendment) Regulations 1994. The order has been laid for approval by resolution of each House of Parliament. The regulations have been made before laying and are subject to the negative resolution procedure.

Current legislation provides that gin, rum, vodka and whisky may be served in a quantity of $\frac{1}{4}$ gill, $\frac{1}{5}$ gill, $\frac{1}{6}$ gill or 25 ml and that the three imperial quantities be phased out by the end of this year. The new legislation will allow a second metric quantity of 35 ml and thereby allow those

licensees—principally in Scotland—who, at present, sell spirits in either ¼ or ½ gill to continue to serve a more generous measure.

Nuclear Installations (Policing)

Mr. Mackinlay: To ask the President of the Board of Trade what arrangements are made for the policing of the thermal oxide reprocessing plant and related installations.

Mr. Eggar *[holding answer 9 May 1994]:* THORP and related installations are part of British Nuclear Fuels plc's Sellafield site and the policing arrangements that apply to the Sellafield site also apply to THORP.

Mr. Mackinlay: To ask the President of the Board of Trade if it is his policy to maintain the Atomic Energy Authority police as a public body under public control in the event of the privatisation of establishments that the force currently polices.

Mr. Eggar *[holding answer 9 May 1994]:* I refer the hon. Member to the answer I gave to my hon. Friend the hon. Member for Wantage (Mr. Jackson) on 17 February 1994, *Official Report,* columns *922-24.*

Mr. Mackinlay: To ask the President of the Board of Trade what matters, subject to the Blelloch inquiry into the Ministry of Defence Police, also relate to the future structure and complement of the Atomic Energy Authority police.

Mr. Eggar *[holding answer 9 May 1994]:* The Blelloch inquiry is concerned solely with the Ministry of Defence police and is not due to publish its full report until June 1994. Until my Department has received and studied the report I am not in a position to comment on any possible implications there might be for the Atomic Energy Authority constabulary.

Mr. Mackinlay: To ask the President of the Board of Trade what arrangements are made for the policing of UK Nirex Ltd.

Mr. Eggar *[holding answer 9 May 1994]:* No specific policing arrangements are applied to UK Nirex Ltd.

Newspapers

Mr. Madden: To ask the President of the Board of Trade when he proposes to announce further proposals concerning the supply of newspapers; what representations he has received on his Department's final inquiry up to 31 March; and if he will make a statement.

Mr. Neil Hamilton *[holding answer 9 May 1994]:* The Monopolies and Mergers Commission report on the supply of national newspapers in England and Wales identified certain practices of wholesalers as operating against the public interest. I have therefore proposed making a statutory order prohibiting these practices. A wide range of views has been received during the period for submission of written representations on the proposed order, which ended on 31 March. My officials are now holding a final series of meetings with representative parties from the industry to discuss their representations, both on the order and on the possible alternative of an industry code of practice backed by statutory undertakings. I hope to announce my final decision as soon as possible, once I have had an opportunity to consider the outcome of the consultation process.

PRIME MINISTER

ANZAC Day

Mr. Cummings: To ask the Prime Minister, pursuant to the answer to the right hon. Member for Manchester, Wythenshawe (Mr. Morris) of 28 April, *Official Report,* column *244,* if he will consider the banning of traffic in Whitehall during the period of time taken on ANZAC day for the laying of wreaths and the silent tribute.

The Prime Minister: Under the terms of the sessional orders, the Commissioner of Police of the Metropolis is required, during the Session of Parliament, to keep the streets leading to and from the Houses of Parliament free and open. Any proposal to amend the sessional orders would be a matter for this House and another place.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 10 May.

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 10 May.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

Privatisation (Consultants)

Mr. Milburn: To ask the Prime Minister if he will estimate the cost of employing consultants in connection with privatisation programmes in which the Cabinet Office has been engaged since 1980.

The Prime Minister *[holding answer 4 May 1994]:* The Cabinet Office has undertaken no privatisation since 1980 and consequently has incurred no expenditure on consultants in connection with it.

Scott Inquiry

Mr. Byers: To ask the Prime Minister what have been the costs incurred by his office in *(a)* providing legal advice to witnesses appearing before the Scott inquiry, *(b)* drawing up evidence to be submitted to the Scott inquiry, *(c)* officials and legal advisers attending the Scott inquiry and *(d)* any other related costs.

The Prime Minister *[holding answer 6 May 1994]:* The costs under *(a)* to *(c)* are unquantifiable. No legal or other help was provided from outside the Government. The costs therefore consisted in the time of myself and Sir Robin Butler, who appeared as witnesses, and of the officials who gave support as part of their normal duties.

Under *(d),* the cost of the Cabinet Office liaison unit since December 1992, including the cost of supplying documents from 10 Downing street and the Cabinet Office to the inquiry, has been approximately £230,000.

OVERSEAS DEVELOPMENT ADMINISTRATION

Ethiopia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the extent of drought problems in Ethiopia; and what is being done by the Government and the European Union to combat these problems.

Mr. Lennox-Boyd: More than 6 million people are estimated to be at risk from drought. 1994 emergency food aid needs are now estimated at nearly 800,000 tonnes. Since October 1993, Britain has committed 30,000 tonnes of bilateral food aid to Ethiopia; 15,000 tonnes has already been delivered and a further 4,000 tonnes will arrive this month. The European Commission has also earmarked 130,000 tonnes; 50,000 tonnes will arrive this month. My noble Friend the Minister for Overseas Development wrote to major donors in March highlighting Ethiopia's needs and urging an early response.

Sudan

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs which United Nations or aid organisations are now visiting or operating from Dilling and Kadugli in Sudan; and what information has been gathered from their work about conditions in the Nuba mountains.

Mr. Lennox-Boyd: The United Nations Children's Fund have established a small base at Kadugli, supplemented by short-term visits. World Food Programme has limited access via El Obeid for its food aid programme. The Food and Agriculture Organisation seeds programme in Kordofan plans to include Kadugli.

The Save the Children Fund (USA), CARE International and FAR—Fellowship for African Relief—have mandates agreed with the Government of Sudan which cover Dillinge and Kadugli but specific projects have yet to be implemented.

A United Nations agencies assessment mission in February reported food aid needs around Kadugli and Dillinge of around 300 tonnes per month for about 25,000 people. Non-food needs included drinking water, supplementary feeding, blankets, medicines and education facilities. A recent nutrition survey of children in the indigenous population and displaced camps indicated worsening levels of malnutrition of up to 19 per cent. UNICEF and WFP are urgently seeking to address these needs.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received on the reservations of the Sudan People's Liberation Army about signing a draft agreement in Nairobi with the Sudanese Government for the distribution of humanitarian aid; and what assessment he has made of the effect of these proposals on international aid agencies, with particular reference to British based agencies.

Mr. Lennox-Boyd: We understand that the SPLA raised a number of objections to four of the five proposed relief routes which pass through territory controlled by its forces. Talks between the parties are still continuing and a United Nations Operation Lifeline Sudan statement is expected next week.

International aid agencies, including British-based agencies, have reported no major effects on their relief operations as a result of the current talks. They are continuing to press to maintain and improve access to areas in need, although land routes are now being affected by the onset of the rainy season. We will continue to monitor the situation closely.

Bakassi Peninsula

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy on the national identity of the Bakassi peninsula; and when he last had discussions on this with the Governments of Nigeria and Cameroon.

Mr. Lennox-Boyd: It is a matter of great concern that there should be a dispute between two countries with which we maintain close relations. We have urged both the Nigerian and Cameroonian authorities to seek a peaceful solution but made it clear that we take no position on the claims of either side.

The subject was raised most recently during our high commissioner's farewell call on the Nigerian Head of State on 26 April, and with Cameroon when special envoy Ironi called on my noble friend Baroness Chalker of Wallasey on 28 March.

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the projects receiving humanitarian and development aid from the Overseas Development Administration and European Union in Somalia; and how this is distributed between the various regions of Somalia.

Mr. Lennox-Boyd: Information on humanitarian assistance projects funded by Britain since January 1993 and by the European Commission during 1993, showing implementing agencies and regions assisted, has been placed in the libraries of both Houses. The United Kingdom information includes food aid. Britain's bilateral development programme to Somalia was suspended in 1991.

In 1993 the European Commission also provided 33,000 tonnes of food aid worth £14 million and funded rehabilitation projects worth £2·3 million across Somalia. A new European Commission rehabilitation programme for Somalia worth nearly £30 million was approved in December 1993. Specific project proposals are currently under preparation.

Information on projects funded by other EU member states is not available.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimate of the number of refugees from Rwanda who are now in Tanzania.

Mr. Lennox-Boyd: According to the office of the United Nations High Commissioner for Refugees, some 50,000 Rwandese refugees have remained in Tanzania following flows into that country over many years beginning in the 1950s. Some 20,000 more arrived following the events of early April and an estimated

250,000 crossed the border over a 24-hour period around 28 April. Since then, UNHCR workers report—as of 9 May—that a further 150-200 people have arrived by boat each day. Owing to the number of refugees and their emergency needs, UNHCR has not yet undertaken a comprehensive registration exercise.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance is being given by the Government and the European Union to assist Tanzania to cope with refugees from Rwanda.

Mr. Lennox-Boyd: Since 6 April 1994, Britain has committed £3·35 million bilaterally of humanitarian assistance for Rwandan refugees in the region, of which £1·75 million is for those in Tanzania. Other EU countries and the European Commission have announced nearly £2 million-worth of assistance so far for Rwandan refugees in the region, including Tanzania.

EU Development Ministers discussed the situation in Rwanda on 6 May and have asked political directors to consider, at their meeting today, the possibility of an EU mission to the countries bordering Rwanda to examine the problems caused by the flows of refugees.

HOUSE OF COMMONS COMMISSION

Members' Smoking Room

Mr. Alex Carlile: To ask the right hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission, what assessment he has made of the new shift hours and arrangements for staff in the Members' Smoking Room from 11 July; and if he will make a statement.

Mr. Beith: In accordance with established practice I shall ask the Director of Catering Services to write to the hon. Member.

Mr. Alex Carlile: To ask the Chairman of the Catering Committee, what changes are proposed in the hours of opening of the Members' Smoking Room; and if he will make a statement.

Mr. Colin Shepherd: The Catering Committee has agreed to endorse the proposal made by the Refreshment Department that the Members' Smoking Room should continue to open at 11 am and should normally close 15 minutes after the rising of the House, rather than one hour after the rising of the House as at present. If the House rises after midnight, the Smoking Room will close when the House adjourns. This change reflects the pattern of usage experienced over a considerable period of time, but will be subject to further review as necessary.

Unfair Dismissal Proceedings

Mr. Cummings: To ask the right hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission how many personnel and in which departments within the Palace of Westminster have taken the House authorities to an industrial tribunal for unfair dismissal; and how many cases have been won and at what cost to the Exchequer in each year since 1989.

Mr. Beith: I refer the hon. Member to the reply given to the hon. Member for Paisley, South (Mr. McMaster) on 14 April *Official Report*, column 259 which describes the one case since 1989 concerning a member of staff of the House.

FOREIGN AND COMMONWEALTH AFFAIRS

Falklands

Mr. Sheerby: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he visited the minefields during his recent visit to the Falkland islands and what is his assessment of the practicability of the mines being removed by current technology.

Mr. Heathcoat-Amory: My right hon. Friend the Foreign Secretary did not visit a minefield during his visit.

Following the Argentine offer to pay for mine clearance, we are still looking at the practical aspects to see if the means exist to clear the mines to an acceptable level.

EC Directives

Mr. Duncan Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs which European Community countries have been fined for not complying with directives or regulations and have not yet paid the fine.

Mr. Heathcoat-Amory: There have not yet been instances of member states being fined for failure to comply with European Community directives or regulations. The power of the European Court of Justice to impose such fines is a new one, introduced in the Maastricht treaty following a British initiative.

Consultants

Mr. Milburn: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 3 May, *Official Report*, column *427*, which firm of consultants was joined by a civil servant from his Department in 1990; and how many contracts they have undertaken for his Department.

Mr. Goodlad: In 1990 a retired civil servant from my Department joined Market Access International as an independent consultant. Neither the diplomatic wing nor the Overseas Development Administration has awarded any contracts above £10,000 to this firm since 1990. No central records are kept for contracts below £10,000.

Belize

Mr. Davidson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have taken place between the United Kingdom and *(a)* the United States and *(b)* Mexico on guaranteeing the territorial integrity of Belize.

Mr. Heathcoat-Amory: We have made it clear to the Belize Government that we stand ready to participate in any consultations that they may request on Belize's future security, and that we are prepared to play our part in any consultations that would lead to an appropriate response should the security of Belize be threatened in the future. It would not be right for me to comment on any discussions with other countries.

Gibraltar

Mr. David Young: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what arrangements have been made in the forthcoming European elections for the people of Gibraltar to be represented in the European Parliament.

(2) if he will make a statement on the electoral representation of the people of Gibraltar in the European Community.

Mr. Heathcoat-Amory: Annexe II of the EC Act on direct elections of 1976 limits to the United Kingdom itself the franchise for elections to the European Parliament. It follows that Gibraltar will not be formally represented in the new European Parliament.

Mr. David Young: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Ministry of Defence and the Government of Gibraltar on the effect of proposed cuts in military and defence personnel in Gibraltar.

Mr. Heathcoat-Amory: There are frequent and close consultations at ministerial and official levels with the MOD and the Government of Gibraltar. We are conscious of Gibraltar's economic difficulties and of the need to develop alternatives to the MOD presence. We have therefore established a joint economic forum with a remit to explore the possibilities. It met for the first time on 15 March, and included FCO, MOD and Government of Gibraltar representatives.

HEALTH

NHS Estate

Mr. Gordon Prentice: To ask the Secretary of State for Health when the NHS estate code was last revised; and what plans she has to update it.

Mr. Sackville: The latest revision of the estate code series of documents was published in October 1993. These were, "Strategic Asset Management", "Estate Investment Planning", "Analysis of Estate Performance" and "Asset Maintenance". Copies of the documents will be placed in the Library.

Detailed guidance of this kind frequently requires updating and supplementary advice is issued from time to time for that purpose.

Further documents are planned to be issued later this year on:

NHS Trust Property Management
Listed Buildings
Environments for Quality Care.

Old Peoples Homes

Mr. Robert Banks: To ask the Secretary of State for Health what is the number of *(a)* old peoples homes in the ownership of North Yorkshire county council, *(b)* people which can be accommodated in these homes, *(c)* places occupied and *(d)* shared bedrooms; and what was the cost for each resident in each of the last three years.

Mr. Bowis: The information available centrally is shown in the table. Information is not available centrally to enable the costs of residential placements in local authority homes situated within North Yorkshire to be calculated.

North Yorkshire: Local authority staffed residential homes for elderly people,[1] places, and residents

	As at 31 March		
	1991	1992	1993
Number of homes	46	42	41
Number of places	1,823	1,612	1,546
Number of residents	1,566	1,371	1,296
Places not in single rooms	657	442	366

[1] Includes homes primarily for elderly or elderly, mentally infirm people.

GP Fundholders

Ms Primarolo: To ask the Secretary of State for Health what was the total percentage of savings in 1991-92 of general practitioner fundholders used for *(a)* clearing waiting lists, *(b)* providing equipment and *(c)* improving practice premises.

Dr. Mawhinney: Regional health authorities are responsible for the general practitioner fundholding scheme in their areas, including ensuring that efficiency savings are used to improve services for patients.

Mortality Trends

Ms Corston: To ask the Secretary of State for Health what are the trends in mortality of the 10 per cent. and 20 per cent. of most deprived and most prosperous electoral wards for the latest 10 years for which information is available.

Mr. Sackville: This information could be provided only at disproportionate cost.

Health Survey

Ms Corston: To ask the Secretary of State for Health, pursuant to her answer to the hon. Member for Birkenhead (Mr. Field) of 18 April, *Official Report*, column *399*, if she proposes to invite the social surveys division of the Office of Population Censuses and Surveys to include income and socio-economic status questions in the 1994 and 1995 health surveys for England.

Mr. Sackville: The 1994 health survey for England has been running continuously since January and, as in previous years, is collecting information relating to a range of socio-economic indicators such as social class, employment, housing, marital status, household type and ethnic group. These indicators currently meet data needs within the limited space available for such questions.

The 1994 and 1995 surveys are being carried out by Social and Community Planning Research in conjunction with University college, London.

Counselling

Mr. Spellar: To ask the Secretary of State for Health how much the national health service has spent on counselling in each of the last three years.

Mr. Bowis: The cost of counselling of staff on patients is not calculated separately on a national basis.

Medical Negligence

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 28 March, *Official Report*, column *600*, if she will now publish the information on medical negligence claims for 1992-93.

Dr. Mawhinney: The available information supplied by national health service bodies on the number of cases settled and on the total costs of damages awarded together with legal costs is shown in the table. The information is incomplete because not all NHS bodies have submitted returns.

1992-93

Region	Cases	Cost £
Northern	344	3,395,500
Yorkshire	49	1,720,000
Trent	105	2,952,700
East Anglian	37	3,294,700
North West Thames	183	6,209,500
North East Thames	76	1,624,200
South East Thames	117	5,714,042
South West Thames	64	2,542,700
Wessex	72	681,100
Oxford	113	917,100
South Western	56	3,517,300
West Midlands	165	3,660,700
Mersey	192	3,621,900
North Western	160	4,456,600
Special Health Authorities	5	752,100

Nurses

Ms Primarolo: To ask the Secretary of State for Health how many district nurses, community psychiatric nurses, health visitors and hospital nurses there were in Birmingham in each of the last 10 years.

Mr. Sackville: The information available is shown in the table.

District nurses, health visitors, community psychiatric nursing and hospital nursing and midwives in central, north, south east and west Birmingham DHA areas at 30 September 1983 to 1992
Whole-time equivalents

	District nurses	Health visitors	Community psychiatric nursing	Hospital nurses and midwives	Practice nurses (Birmingham FHSA at 1 October)
1983	160	190	20	9,740	39
1984	160	190	20	9,680	[4]36
1985	190	200	40	9,750	62
1986	190	220	50	9,550	44
1987	180	230	70	9,630	50
1988	180	220	70	9,490	68
1989	210	220	80	9,550	86
1990	220	220	90	9,500	123
1991	220	220	90	9,660	140
1992	210	210	90	9,660	177

Notes:
1. Figures are rounded to the nearest ten.
2. Agency nurses are excluded.
3. In 1992 there were approximately 18,300 project 2000 nurses in England.
[4] At 1 July.

Surgical Patients (Follow-up and After-care)

Sir Dudley Smith: To ask the Secretary of State for Health what assessment she has made of whether hospital trusts that manage area hospitals are fulfilling their responsibilities over follow-up monitoring and necessary after-care of patients who have undergone surgery.

Mr. Sackville: None. It is for individual health authorities and, where relevant, general practitioner fundholders, who purchase health care, to ensure they have effective arrangements in place to monitor health services in accordance with the terms of contracts, including monitoring the adequacy of out-patient clinics, and patients' progress following surgery, and the provision of community services to meet the needs of discharged patients.

Mrs. Bridget Prentice: To ask the Secretary of State for Health how many junior doctors are contracted for more than 83 hours per week in each hospital in each of London's regional health authorities; and how many have regularly worked more than 83 hours per week since 1 January 1993.

Dr. Mawhinney: At 31 March 1994, the number of junior doctors and dentists in London regional health authorities, contracted to work for more than an average of 83 hours a week, was reported to be:

	Number
North East Thames	0
North West Thames	1
South East Thames	5
South West Thames	4
Total	10

Information on individual hospitals and on hours of work is not available centrally.

NHS Pensioner Agency

Mr. Lidington: To ask the Secretary of State for Health if she will list the key business targets for the National Health Service Pensions Agency for 1994-95.

Mr. Sackville: I am pleased to announce that I have approved the National Health Service Pensions Agency key business targets for 1994-95. These challenging targets covering customer service are shown in the table.

Key Customer Service Targets

Product and Clearance Standard	Proposed Target Percentage	Increase on 1993-94 Achievement Percentage
Pension Awards		
Within 4 weeks of receiving application from employer	95	—
Within 8 weeks of receiving application from employer	[1]99	—

Product and Clearance Standard	Proposed Target Percentage	Increase on 1993-94 Achievement Percentage
Pension Estimates (Practitioner)		reduction of timescale by 16 per cent.
Within 5 weeks of receiving request	80	reduction of percentage cleared by 13 per cent.
Within 8 weeks of receiving request	[1]99	+1
Pension Estimates (Non-Practitioner)		
Within 4 weeks of receiving request	95	+2
Within 8 weeks of receiving request	[1]99	—
Transfer Payments		
Within 8 weeks of receiving application	[1]99	—
Transfer Estimates		
Within 8 weeks of receiving application	[1]99	+27
Correspondence		
Cleared within 4 weeks	100	+2

[1] Achievement not within total control of Agency, 100 per cent. target is considered unattainable.

Efficiency Gains
Ensure that the Agency's expenditure is contained within agreed running costs and other cash limits and deliver at least 5 per cent. efficiency gains by 31 March 1995.

GP Lists

Mr. Davidson: To ask the Secretary of State for Health what evidence she has of the age of a patient being taken into account by a general practitioner or a general practitioner practice when determining whether to accept a new patient on to their lists; and if she will make a statement.

Dr. Mawhinney: None.

Hospital Closures, Birmingham

Mr. Burden: To ask the Secretary of State for Health (1) if she will list the individuals and organisations which submitted written objections to the closure of the Royal orthopaedic hospital in Birmingham *(a)* during the West Midlands regional health authority's formal consultation on the proposed closure during 1992 and *(b)* prior to her decision of February 1993 to approve the closure;

(2) if she will list the individuals and organisations which submitted written objections to the closure of the accident and emergency unit in Birmingham during *(a)* the West Midlands regional health authority's formal consultation on the proposed closure during 1992 and *(b)* prior to her decision of February 1993 to approve the closure;

(3) on what date in February 1993 she agreed the closure of the accident and emergency unit in Birmingham;

(4) on what date in February 1993 she agreed the closure of the Royal orthopaedic hospital in Birmingham.

Mr. Sackville: South Birmingham health authority was responsible for consulting on the proposal to close the Birmingham accident hospital and the Royal orthopaedic hospital and the consequential transfer of services elsewhere within the South Birmingham acute unit. In seeking the agreement to the reconfiguration proposals, South Birmingham health authority prepared a paper analysing responses to the consultation exercise for the board of the west midlands regional health authority.

This was considered at a meeting held in November 1992. The hon. Member may wish to contact Mr. Bryan Baker, Chairman of the West Midlands regional health authority, for specific details.

We have received a number of letters from various organisations about the closure of the Birmingham accident and Royal orthopaedic hospitals. In October 1992, a petition was received by the Department opposing the closure of the Royal orthopaedic hospital.

The Department of Health agreed the closure of these hospitals on 1 February 1993.

Residential Care and Nursing Homes

Mr. Hinchliffe: To ask the Secretary of State for Health what is the status of the letter dated 24 March sent by Tom Luce of her Department to inspection unit managers on the regulation of residential care and nursing homes.

Mr. Bowis: Consultative.

Mr. Hinchliffe: To ask the Secretary of State for Health if she will make available the latest figures on the cost of registering and inspecting residential care and nursing homes for each local authority in England.

Mr. Bowis: The information is not available in the detail requested. Local authorities have provided returns showing their gross costs of registering and inspecting residential care homes run by private or voluntary organisations under the Registered Homes Act 1984 in 1991-92—the latest year for which data are available. The data do not cover children's homes. Local authorities do not register or inspect nursing homes. Local authorities do not provide separate returns on the cost of inspecting local authority-run homes.

Costs of registering and inspecting residential care homes run by private or voluntary organisations

Costs in 1991-92 in £'000s

Local authority	Cost
Avon	380
Bedfordshire	56
Berkshire	230
Buckinghamshire	132
Cambridgeshire	280
Cheshire	347
Cleveland	150
Cornwall	[1]—
Cumbria	122
Derbyshire	144
Devon	743
Dorset	250
Durham	151
East Sussex	[1]—
Essex	869
Gloucestershire	140
Hampshire	589
Hereford and Worcester	241
Hertfordshire	174
Humberside	227
Isle of Wight	210
Kent	533
Lancaster	725
Leicester	226
Lincolnshire	153

Local authority	Cost
Norfolk	377
Northamptonshire	168
Northumberland	15
Doncaster	110
Rotherham	33
Sheffield	60
Gateshead	71
Newcastle	129
North Tyneside	76
South Tyneside	54
Sunderland	143
Birmingham	371
Coventry	135
Dudley	[1]
Sandwell	111
Solihull	[1]
Walsall	[1]
Wolverhampton	127
Bradford	187
Calderdale	42
Kirklees	89
Leeds	311
Wakefield	24
City of London	[1]
Camden	52
Greenwich	[1]
Hackney	142
Hammersmith and Fulham	20
Islington	45
Kensington and Chelsea	32
Lambeth	[1]
North Yorkshire	311
Nottinghamshire	[1]
Oxfordshire	159
Shropshire	161
Somerset	222
Staffordshire	177
Suffolk	203
Surrey	[1]
Warwickshire	[1]
West Sussex	323
Wiltshire	302
Isles of Scilly	[1]
Bolton	79
Bury	47
Manchester	166
Oldham	153
Rochdale	60
Salford	193
Stockport	97
Tameside	127
Trafford	[1]
Wigan	[1]
Knowsley	[1]
Liverpool	170
St. Helens	63
Sefton	[1]
Wirral	208
Barnsley	[1]
Lewisham	137
Southwark	93
Tower Hamlets	[1]
Wandsworth	35
Westminster	[1]
Barking and Dagenham	6
Barnet	85
Bexley	[1]
Brent	75
Bromley	59
Croydon	261
Ealing	103
Enfield	131
Haringey	144
Harrow	162
Havering	144
Hillingdon	5
Hounslow	90
Kingston-upon-Thames	71
Merton	60
Newham	132
Redbridge	103
Richmond-upon-Thames	22
Sutton	23
Waltham Forest	70

[1] No information provided.

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what is the average cost of a tribunal under the Registered Homes Act 1984; and what is its average duration;

(2) what provision is made to compensate local authorities for the cost of tribunals under the Registered Homes Act 1984.

Mr. Bowis: The average duration of Registered Homes tribunal cases in 1992 and 1993 was just over four days. Information which would show the average cost of such hearings is not available centrally. However costs to local authorities in relation to such appeals are included in the cost of their duties under the Registered Homes Act 1984 reported to the Department. The level of fees payable by home owners will therefore take into account the cost involved.

Mr. Hinchliffe: To ask the Secretary of State for Health what proposals she has to modify the requirement for the inspection of residential care and nursing homes, except small homes, at least twice a year.

Mr. Bowis: We have at present no specific proposals. We shall consult more widely if we decide to bring forward proposals to improve existing arrangements, while retaining safeguards for vulnerable residents.

Health System

Mr. Campbell-Savours: To ask the Secretary of State for Health, pursuant to his oral answer to the hon. Member for Derbyshire, North-East (Mr. Barnes) of 22 March, *Official Report*, column 125, what evidence has been drawn to his attention within the NHS of the existence of a two-tier health system.

Dr. Mawhinney: None.

Chiropody Services

Mr. Hinchliffe: To ask the Secretary of State for Health what is her policy in respect of the treatment by national health service chiropodists of the residents of independent sector residential and nursing homes.

Mr. Bowis: It is the responsibility of the national health service to provide chiropody to people who need it irrespective of where they live.

NATIONAL HERITAGE

National Lottery

Mr. Kilfoyle: To ask the Secretary of State for National Heritage (1) what consideration he has given to the potential conflict of interest created by the appointment of Mr. Gummer as chairman of the Arts Council national lottery advisory panel, in the light of the appointment of Shandwick Communications as advisers to a bidder for the national lottery franchise;

(2) if he will seek information on which bidders for the national lottery franchise are advised by companies in which Mr. Gummer, chairman of the Arts Council national lottery advisory panel, has a financial interest.

Mr. Brooke: Mr. Gummer is a chairman and chief executive of Shandwick Communications, a public relations company which is advising one of the companies that have applied to run the National Lottery.

The operation of the lottery and the distribution of lottery funds are entirely separate and distinct functions. The successful applicant to run the lottery will have no function in the distribution of lottery funds; the Arts Council, supported by its national lottery advisory panel, as a distributor of the national lottery proceeds, will play no part in the running of the national lottery. There is therefore no real or potential conflict of interest.

Mr. Kilfoyle: To ask the Secretary of State for National Heritage what instructions he has given to the Director-General of the Office of the national lottery to disqualify bids from companies where there is prima facie evidence of conflicts of interest involving their directors or advisers.

Mr. Brooke: None. The Director General of Oflot has a statutory duty under section 4 of the National Lottery etc. Act 1993 to ensure fitness and propriety in the running of the national lottery and must take account of any matters he deems appropriate to fulfil that duty.

In addition, section 5(4) of the Act states that the Director General of Oflot shall not grant a licence to run the lottery unless he is satisfied that the applicant is a fit and proper body, and section 6(4) states that he should not grant a licence to a body to promote a lottery that forms part of the national lottery unless he is satisfied that the applicant is a fit and proper body.

Motor Sports Promotion

Mr. Barron: To ask the Secretary of State for National Heritage, pursuant to his answer of 19 April, *Official Report*, column *425*, what is his estimate of the amounts spent in the United Kingdom on motor sports advertising and promotion.

Mr. Brooke: These figures are not available. The sponsorship figures provided under the terms of the current voluntary agreement do not include the international sponsorship of motor racing which benefits this country.

Sports Sponsorship (Tobacco Companies)

Mr. Barron: To ask the Secretary of State for National Heritage, pursuant to his answer of 19 April, *Official Report*, column *425*, what was the maximum amount in cash terms of allowable expenditure on sports sponsorship by tobacco manufacturers under the terms of the voluntary agreement in each of the years given in the table; and what are his projections of the maximum amounts allowable for the next five years.

Mr. Brooke: The maximum expenditure by tobacco manufacturers on sports sponsorship allowed under the current voluntary agreement is based on the expenditure in 1985-86, increased in line with inflation. The values, rounded to the nearest £1,000, are as follows:

	£
1985-86	8,252,000
1986-87	8,582,000
1987-88	8,881,000
1988-89	9,580,000
1989-90	10,357,000
1990-91	11,210,000
1991-92	11,662,000

No projections have been made for the next five years.

Mr. Barron: To ask the Secretary of State for National Heritage, pursuant to his answer of 19 April, *Official Report*, column *425*, if he will publish the full returns submitted to his Department by the tobacco manufacturers.

Mr. Brooke: The full returns, submitted on behalf of the Tobacco Advisory Council, are as follows:

Year	*Fees to organisers/ governing bodies* £	*Costs of advertising/ promotional material* £
1985-86	5,635,000	2,617,000
1986-87	5,887,000	1,812,000
1987-88	5,523,000	388,000
1988-89	5,004,000	325,000
1989-90	6,596,000	657,000
1990-91	6,878,000	752,000
1991-92	8,294,000	687,000

Mr. Barron: To ask the Secretary of State for National Heritage, pursuant to his answer of 19 April, *Official Report*, column *425*, what definition of expenditure on sports sponsorship the Government use when requiring tobacco manufacturers to provide information under the terms of the voluntary agreement.

Mr. Brooke: Paragraph 7 of the voluntary agreement clearly defines the information that tobacco manufacturers are required to provide. A list of recognised sporting activities is at appendix 2 to the agreement. Any doubts over the interpretation of the voluntary agreement would be resolved between the tobacco industry and the Minister for Sport.

Mr. Barron: To ask the Secretary of State for National Heritage, pursuant to his answer of 19 April, *Official Report*, column *425*, what is his estimate of the total expenditure on sports sponsorship in the United Kingdom for each of the years listed in his table.

Mr. Brooke: Estimates of the overall size of the sports sponsorship market are as follows:

	£ million
1985	128
1986	146
1987	164
1988	182
1989	200
1990	223
1991	238
1992	239

Mr. Barron: To ask the Secretary of State for National Heritage, pursuant to his answer of 19 April, *Official*

Report, column *425*, what verification the Government require of the returns submitted by tobacco manufacturers under the terms of the voluntary agreement.

Mr. Brooke: The figures from the tobacco manufacturers are verified by their own auditors, and the aggregate figures are supplied by a firm of chartered accountants.

St. Ethelburga's Church

Mr. Lidington: To ask the Secretary of State for National Heritage what plans he has to meet the Bishop of London to discuss the future of St. Ethelburga's church, Bishopsgate; and if he will make a statement.

Mr. Brooke: I am always happy to meet the bishop, but it is for the diocese to consider the various options for St. Ethelburga's and put forward proposals in due course. Any firm proposals would be likely to involve a need for a faculty or planning permission, or both.

Pub Theatres

Mr. Cummings: To ask the Secretary of State for National Heritage if he will make a statement on the funding of pub theatres.

Mr. Brooke: Over the past 20 years, pub theatres have added a new and lively dimension to theatre life in London and elsewhere. They have an important role to play in the encouragement of new writing for the theatre. The funding of the theatres is a matter for the Arts Council and the regional arts boards. I understand that the London arts board provides support to the work that takes place in some pub venues, for example this year the King's Head in Islington will receive £38,222, and £15,352 is being allocated to the Gate in Notting Hill.

British Jazz

Mr. Flynn: To ask the Secretary of State for National Heritage how much has been spent on the promotion of British jazz in each of the last 10 years; and how much his Department expects to spend on the promotion of British jazz in the next two years.

Mr. Brooke: Central Government funding of the arts is channelled through the national Arts Councils and, in England, the 10 regional arts boards. It is for these bodies to determine the allocation of funds between the various art forms, including jazz. I understand that, overall, some £850,000 was spent on jazz in England in 1992-93. This is the most recent available figure. Comparable figures for earlier years are not held centrally. Future spending on jazz will reflect the outcome of a national review of jazz funding which has just been launched by the Arts Council of England.

SCOTLAND

Scottish Court Service

Mr. Raymond S. Robertson: To ask the Secretary of State for Scotland what plans he has to implement his decision to establish the Scottish Court Service as an executive agency.

Mr. Lang: I have decided that the Scottish Court Service will be established as an executive agency under the "next steps" initiative, with a vesting day of 3 April 1995. Arrangements are now being made to recruit a chief executive for the agency, and advertisements will appear in the national press in the course of this week.

Police Authorities

Mr. Worthington: To ask the Secretary of State for Scotland if he will make it his policy that each local authority should be represented on the new police authorities covering its area.

Lord James Douglas-Hamilton: Yes. Following reorganisation of local government in Scotland the new councils will be the police authority for their area. Where there will be a joint police board for a combined police area, each constituent authority will be represented on the joint board.

Police

Mr. Worthington: To ask the Secretary of State for Scotland what Scottish Office guidelines there are about what percentage of a police force may be employed in specialist branches such as CID and CIB.

Lord James Douglas-Hamilton: There are no guidelines. The deployment of staff within forces is an operational matter for chief constables.

Bills (Prompt Payment)

Mr. Worthington: To ask the Secretary of State for Scotland what is his policy on the prompt payment of bills by the Scottish Office.

Mr. Lang: My Department's policy regarding the prompt payment of bills is that the timing of payments should be in accordance with contract terms and conditions. Where there is no contractual provision or other understanding or accepted practice governing the timing of payment, the policy is to pay within 30 days of receipt of goods or services or the presentation of a valid invoice or similar demand for payment, whichever is the later.

My Department carries out annual checks of payment performance and the results for the last three financial years, set out as follows, show a steady improvement in the percentage of payments made early or on time.

Year	*Percentage of payments paid early or on-time*
1991-92	82
1992-93	85
1993-94	89

Internet

Mr. David Shaw: To ask the Secretary of State for Scotland what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information to which the public may wish to have access and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. Lang: My Department has very recently begun to evaluate the use of the Internet for the exchange of

scientific and research information. News releases are sent electronically to the Central Office of Information for inclusion in on-line databases which are accessible to users of the Internet. There are no plans at present for further use of the Internet.

Monklands District Council

Mr. Norman Hogg: To ask the Secretary of State for Scotland, pursuant to his answer of 19 April, *Official Report*, column *481-82*, if he will list those outside Monklands district council to whom the Parliamentary Under-Secretary of State has written seeking evidence about alleged corruption of Monklands district council.

Mr. Stewart: None of the Scottish Office Parliamentary Under-Secretaries of State—in their capacity as Scottish Office Ministers—has written to anyone seeking evidence concerning the alleged corruption at Monklands district council.

Prisoners

Mr. Worthington: To ask the Secretary of State for Scotland (1) how many people aged *(a)* between 15 and 17 years, *(b)* between 18 and 21 years and *(c)* 22 years and over were received into Scottish Prison Service establishments in each of the past four years;

(2) if he will list the number of people received into Scottish Prison Service establishments for each of the past four years by type of prisoner and length of sentence;

(3) how many untried and convicted unsentenced prisoners were received into Scottish Prison Service establishments over each of the past four years; and if he will break down the figure by age, sex, type of custody and outcome of court proceedings;

(4) how many people were received into Scottish prison establishments in default of a fine over each of the past 10 years.

Lord James Douglas-Hamilton *[holding answer 5 May 1994]:* Responsibility for the subject of these questions has been delegated to the Scottish Prison Service under its chief executive, Mr. E. W. Frizzell. I have asked him to arrange for a reply to be given.

Letter from E. W. Frizzell to Mr. Tony Worthington, dated 10 May 1994:

Lord James Douglas-Hamilton has asked me to reply to your Questions about the number and type of prisoners received into Scottish penal establishments. This reply deals with Questions 110, 113, 116 and 121. The available information is given in the tables below.

PQ110: The number of persons aged 15-17 years, 18-21 years and 22 years and over who were received into Scottish penal establishments in each of the past four years.

Table 1: Remand receptions (Note 1)

	1990	1991	1992	1993
Young offender	7,066	4,750	4,641	4,487
Adult	8,102	8,377	8,905	8,925

Table 2: Sentenced receptions (Note 2)

	1990	1991	1992	1993
Age				
15-17	961	856	975	957
18-21	4,850	4,559	5,325	5,373
22 and over	11,320	12,809	13,665	15,827

PQ 113: The number of people received into Scottish penal establishments in each of the past four years by type of prisoner and length of sentence.

Table 3: Adult receptions by sentence length (Note 2)

	1990	1991	1992	1993
Less than 6 months	10,353	11,777	12,338	14,149
More than 6 months but less than 18 months	1,595	1,686	1,937	2,192
More than 18 months but less than 4 years	490	476	491	639
4 years and over (including life)	318	354	420	461

Table 4: Young offender receptions by sentence length (Note 2)

	1990	1991	1992	1993
Less than 6 months	3,511	3,080	3,725	3,549
More than 6 months but less than 18 months	656	652	791	821
More than 18 months but less than 4 years	147	144	179	261
4 years and over (including life)	61	75	84	85

PQ 116: The number of untried and convicted unsentenced prisoners received into Scottish penal establishments over each of the past four years' categorised by age, sex, type of custody and outcome of court proceedings.

Table 5: Adult remand receptions to Scottish penal establishments by sex (Notes 2 and 3)

	1990	1991	1992	1993
Untried:				
Male	7,171	7,471	7,973	7,831
Female	560	553	543	632
Convicted awaiting sentence				
Male	355	339	319	385
Female	16	14	70	77

Table 6: Young offender remand receptions to Scottish penal establishments by sex (Notes 1 and 3)

	1990	1991	1992	1993
Untried:				
Male	4,857	3,433	3,414	3,305
Female	237	184	187	185
Convicted awaiting sentence				
Male	1,940	1,117	1,016	957
Female	32	16	24	40

PQ 123: The number of people received into Scottish penal establishments in default of a fine over each of the past 10 years.

Table 7: Fine defaulter receptions to Scottish penal establishments (Note 2)

	Number
1984	8,883
1985	11,564
1986	10,626
1987	10,983
1988	9,714
1989	9,154
1990	6,835
1991	7,909

	Number
1992	8,339
1993	9,657

Notes:
1. Only limited information is collected centrally in relation to the detail of remand receptions. The system does not provide an individual's age or details on the outcome of court proceedings of those previously remanded. Young offenders are those aged under 21 on reception.
2. Sentenced receptions do not equate to "persons received". For example, where a person has several custodial sentences imposed on him by one court in one day this is counted as one reception. However, where custodial sentences are imposed on a person by two or more courts in one day, two receptions are recorded. Also, if a person is reconvicted while serving a custodial sentence and a further custodial sentence is imposed, this is also regarded as a separate reception.
3. The split between 'untried' and 'convicted awaiting sentence' should be treated with some caution because of variations in the information collected by some establishments.
4. The 1993 figures are provisional and may be subject to revision.

Advertising

Mr. Matthew Taylor: To ask the Secretary of State for Scotland, pursuant to his answer of 17 February, *Official Report*, columns *949-50*, how many copies of the further and higher education charter have been requested; how many responses were made to the drugs and solvent misuse hotline and how many booklets were issued; what was the response to the national continence week telephone helpline; and how many follow-up inquiries have been received to the Offshore Europe exhibition and the Europartenariat Scotland.

Mr. Lang *[holding answer 5 May 1994]:* The details are:

Further and Higher Education Charter

Fifty-eight thousand nine hundred and thirty copies of the Further and Higher Education Charter have been issued so far.

Drugs and Solvent Misuse

Following the campaign this year, 2,635 calls were made to Drugline Scotland, and 3,032 requests were made for booklets.

National Continence Week

As a result of the publicity for National Continence Week, during March 1994 472 calls were received from members of the public, carers and health professionals by the national helpline. This was 250 per cent. of the normal monthly average. An increase in the number of calls received has continued throughout April.

Offshore Europe Exhibition

It is not always possible to relate specific company contacts to particular elements of The Scottish Office Industry Department's marketing programme. But at Offshore Europe officials responded to 420 requests for assistance and in addition directed a number of enquirers to other business support organisations.

Europartenariat Scotland

The success of Europartenariat Scotland is still being evaluated and enquiries arising from the event continue. Over 5,600 meetings with the 350 Scottish host companies took place during the event and Scottish Trade International, together with Local Enterprise Companies, is working closely with the Scottish host companies to assess the number of deals and agreements arising from those meetings and the other contacts made during Europartenariat Scotland. The organisation of the event has been highly praised and those involved are often approached for advice in running similar events in the rest of the United Kingdom and throughout Europe.

Medical Consultants

Mrs. Fyfe: To ask the Secretary of State for Scotland what is the number of medical consultants per head of population.

Mr. Stewart *[holding answer 28 April 1994]:* There were 4·6 whole-time equivalent medical consultants per 10,000 population at 30 September 1993, the latest date for which information is available; this figure is provisional.

NHS Computer Services

Mrs. Fyfe: To ask the Secretary of state for Scotland (1) what conclusions he has reached at this stage in his review of computer services in the NHS;

(2) what is the scope of his review of computer services in the NHS;

(3) when he expects to complete his review of computer services in the NHS;

(4) which individuals and bodies he is consulting for his review of computer services in the NHS.

Mr. Stewart *[holding answer 9 May 1994]:* A group representing health boards and NHS trusts has been established to take forward the review of computer services in the NHS in Scotland. It is expected that the group will make recommendations to the chief executive by the end of June 1994. The scope of the review encompasses computer operations and applications sofware support and development. The group will be consulting with NHS trusts and health boards.

Mrs. Fyfe: To ask the Secretary of State for Scotland which health boards have sought assistance from computer consultants in the past five years; for what length of time; at what cost in each case; and with what improvements in efficiency on savings as a result.

Mr. Stewart *[holding answer 9 May 1994]:* This information is not held centrally.

Mrs. Fyfe: To ask the Secretary of State for Scotland what is the current value of investment in software for computer services in the NHS.

Mr. Stewart *[holding answer 9 May 1994]:* In 1994-95 approximately £28 million was made available from central funds to assist health boards and NHS trusts in the purchase and development of computer hardware and software. In addition, health boards and trusts are able to make investments from their own resources but information is not held centrally on the value of such investments.

Ambulance Service

Mrs. Fyfe: To ask the Secretary of State for Scotland what are his future plans for the Scottish ambulance service; and what scope his policy includes for *(a)* market testing or *(b)* privatisation.

Mr. Stewart *[holding answer 9 May 1994]:* The Scottish ambulance service has prepared an application for NHS trust status which will be considered following the process of public consultation.

From 1 April 1995, subject to existing contractual arrangements with the Scottish ambulance service, health boards and NHS trusts may invite other suppliers to tender for the provision of non-emergency patient transport services. There are no plans to seek provision of accident and emergency services from suppliers other than the Scottish ambulance service.

Common Services Agency

Mrs. Fyfe: To ask the Secretary of State for Scotland (1) if he will make it his policy to keep the Common Services Agency's building division within the public sector;

(2) what discussions he has had with the Common Services Agency's board on future plans for the Common Services Agency's building division;

(3) if he will estimate the costs and savings that would result from privatisation of the Common Services Agency's building division;

(4) what plans he has for the future of the work force in the Common Services Agency's building division;

(5) what consultations he has had, or is planning to have, with those who are clients of the Common Services Agency's building division.

Mr. Stewart *[holding answer 9 May 1994]:* My right hon. Friend the Secretary of State for Scotland announced on 25 March his agreement in principle that the opportunity should be taken to invite tenders for a management buy-out or from the private sector to take over the building division of the Common Services Agency. There has been no change in this position.

The board of the Common Services Agency has given regular consideration to the building division and its future. The board is taking forward the proposals for privatisation of the division. It is not possible to quantify the benefits to the NHS until the tender process has been completed and bids evaluated. The Common Services Agency will invite tenders for the division as a going concern. Staffing is therefore a matter for the successful tenderer.

The building division of the Common Services Agency has been fee earning and competing with private firms for NHS work for the past three years. It is not necessary to consult NHS clients who will continue to be able to obtain the appropriate service from the successful tenderer or from another commercial source.

Privatisation (Consultants)

Mr. Milburn: To ask the Secretary of State for Scotland if he will estimate the cost of employing consultants in connection with privatisation programmes in which his Department has been engaged since 1980.

Mr. Lang *[holding answer 4 May 1994]:* As recorded in the relevant National Audit Office reports my Department paid advisers fees of £19·6 million and £0·4 million respectively for services in connection with the sale of the Scottish Electricity companies and the Scottish Bus Group. The proceeds of the sales came to well over £3 billion.

WALES

Palace Close, Flint

Mr. Hanson: To ask the Secretary of State for Wales, pursuant to his answer of 11 January, *Official Report*, column 96, (1) what response his officials have received from the National House Building Council with regard to complaints about inspections of properties at Palace close, Flint;

(2) if he will meet residents of Palace close, Flint, to discuss their concerns about the performance of the National House Building Council with regard to inspection of their properties;

(3) if he will instigate an investigation into building control inspection with regard to properties at Palace close, Flint, Clwyd;

(4) when a report was submitted to his Department from Clwyd fire service in relation to building regulation 1985 schedule 1 with regard to properties at Palace close, Flint.

Mr. Gwilym Jones: My right hon. Friend has no powers to supervise or regulate an approved inspector in the discharge of its functions in relation to individual cases and he has not commissioned a report from the Clwyd fire service.

NHBC Building Control Services Ltd. has a statutory duty under regulation 10 of the Building (Approved Inspectors etc.) Regulations 1985 to ensure that all work inspected by them as approved inspectors conforms with the building regulations. NHBC has assured me that they have every intention of doing everything necessary to discharge that duty. The Building Act 1984 provides for reference to the courts where an approved inspector has acted improperly. In cases of dispute, home owners have recourse to conciliation and independent arbitration procedures under NHBC warranty arrangements, but this is entirely a matter for the NHBC.

In all these circumstances a meeting would not be appropriate.

Special Educational Need

Mr. Win Griffiths: To ask the Secretary of State for Wales how many children in each local education authority were assessed for statements of special educational need in each of the last five years; and what proportion of those children received statements.

Sir Wyn Roberts: Full information on assessments is not collected centrally. The number of pupils who received a statement of special education needs for the first time in each local education authority and the number assessed but not issued with a statement are shown in the table.

	Number of pupils for whom statements of special educational needs were made for the first time[1]					*Number of pupils who were assessed but not issued with a statement*[2]	
	1988	*1989*	*1990*	*1991*	*1992*	*1991*	*1992*
Clwyd	213	264	318	251	251	10	25
Dyfed	121	193	225	272	397	22	7
Gwent	463	338	402	480	497	1	2
Gwynedd	99	133	130	205	178	12	31
Mid Glamorgan	643	543	490	545	583	36	60
Powys	30	78	120	134	55	7	7
South Glamorgan	174	243	184	215	274	28	29
West Glamorgan	304	307	358	354	415	87	55

[1]The numbers of pupils for whom statements were made for the first time may include a number of pupils receiving statements who had been assessed during the previous calendar year and exclude a number who while having been assessed, are awaiting receipt of their statement.
[2]Prior to 1991 this information was not collected.

Mobile Telephones and Pagers

Mr. Vaz: To ask the Secretary of State for Wales how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Mr. Redwood: My Department has in operation 123 portable telephones, 21 pagers and electronic bleepers and two car telephones. The running costs of the equipment in 1993-94 were £24,429. Portable communication systems have been made available for use by Ministers, senior officials and others who are regularly engaged in official business away from the office and need to maintain contact with the Department and/or other organisations. Eighty one of the portable telephones are held specifically for issue on a temporary basis to officials who might need them while on official business and while working or travelling in areas where standard telephones may not be readily available.

Land Authority for Wales

Mr. Alex Carlile: To ask the Secretary of State for Wales (1) if he will list the occasions when the Land Authority for Wales has used its compulsory purchase powers in the last five years; and if he will make a statement;

(2) if he will list the applications for compulsory purchase currently being pursued by the Land Authority for Wales; and if he will make a statement.

Mr. Redwood: The compulsory purchase orders made by the land authority since 1988 are given in the table:

Land Authority for Wales (Land at Mostyn Street, Llandudno) Compulsory Purchase Order 1988.
Land Authority for Wales (Queen Street/Working Street, Cardiff) Compulsory Purchase Order 1988.
Land Authority for Wales (Greyfriars Redevelopment, Carmarthen) Compulsory Purchase Order 1988.
Land Authority for Wales (Castle Park Redevelopment, Caerphilly) Compulsory Purchase Order 1989.
Land Authority for Wales (Land at Ynys-y-Plwm, Llantrisant) Compulsory Purchase Order 1991.
Land Authority for Wales (Land at North Pentwyn) Compulsory Purchaster Order 1992.
Land Authority for Wales (Land off Tyn-y-Bryn Road, Tonyrefail) Compulsory Purchase Order 1992.
Land Authority for Wales (Land at Maes-y-Bryn/Tyn-y-Gwern, North Pentwyn) Compulsory Purchase Order 1993.
Land Authority for Wales (Land adjacent to Broad Close, Pontypridd Road, Barry) Compulsory Purchases Order 1994.
Land Authority for Wales (Lion Street and Bethel Square, Brecon) Compulsory Purchases Order 1993.
Land Authority for Wales (Land to the South West of West Terrace, Penarth) Compulsory Purchase Order 1993.
Land Authority for Wales (Cefn Hirgoed, Bridgend and Bridgend Northern Distributor Road) Compulsory Purchase Order 1994.

The last three are subject to confirmation.

Lamb Losses

Mr. Llwyd: To ask the Secretary of State for Wales what figures are available for financial losses to farmers resulting from extreme weather conditions during the 1993-94 lambing season.

Mr. Redwood: None. Farm income data are derived from the farm business survey which collects data on a March to February financial year basis. Provisional income figures for 1994-95 will not be available until the autumn.

Housing Finance

Mr. Dafis: To ask the Secretary of State for Wales what was the amount of housing revenue account subsidy for 1992-93 and 1994-95 for each district council and for Wales as a whole, in constant prices, indicating the percentage change in each case.

Mr. Gwilym Jones: The amount of housing revenue account subsidy claimed by local authorities in constant (1994-95) prices is given where available in the table:

Housing Revenue Account Subsidy

Local Authority	*1992-93 (at 1994-95 prices) (a)* £	*1994-95 (Current prices) (b)* £	*Percentage Change*
Aberconwy	1,701,197	1,685,231	-0·9
Alyn and Deeside	2,706,548	2,749,532	1·6
Arfon	3,159,987	2,877,908	-8·9
Blaenau Gwent	11,571,250	11,111,674	-4·0
Brecknock	767,778	707,901	-7·8
Cardiff	20,818,346	21,600,204	3·8
Carmarthen	2,698,949	2,176,051	-19·4
Ceredigion	2,035,634	1,744,286	-14·3
Colwyn	2,265,533	2,218,740	-2·1
Cynon Valley	5,312,351	4,752,984	-10·5
Delyn	3,887,413	*	*
Dinefwr	1,338,639	897,071	-33·0
Dwyfor	902,725	928,694	2·9
Glyndwr	888,939	653,273	-26·5
Islwyn	5,765,274	5,588,479	-3·1
Llanelli	7,564,489	8,194,581	8·3
Lliw Valley	4,626,932	3,690,814	-20·2
Meirionnydd	1,139,356	980,299	-14·0
Merthyr Tydfil	7,376,127	7,789,436	5·6
Monmouth	4,069,340	3,609,593	-11·3
Montgomeryshire	715,718	*	*
Neath	5,128,501	5,431,585	5·9

Local Authority	1992-93 (at 1994-95 prices) (a) £	1994-95 (Current prices) (b) £	Percentage Change
Newport	12,074,472	10,413,293	-13·8
Ogwr	8,260,628	7,315,393	-11·4
Port Talbot	5,100,295	5,179,763	1·6
Preseli Pembrokeshire	2,959,354	2,918,254	-1·4
Radnorshire	596,482	432,666	-27·5
Rhondda	9,259,418	8,350,844	-9·8
Rhuddlan	1,422,069	1,609,798	13·2
Rhymney Valley	11,687,268	11,482,000	-1·8
South Pembrokeshire	1,763,496	1,444,414	-18·1
Swansea	17,205,861	18,102,741	5·2
Taff Ely	7,450,938	6,757,252	-9·3
Torfaen	14,085,751	12,500,222	-11·3
Vale of Glamorgan	4,027,592	3,304,096	-18·0
Wrexham Maelor	7,514,704	7,472,127	-0·6
Ynys Mon	4,630,014	4,383,832	-5·3
WALES	204,479,369	*	*

(a) Audit Final Subsidy Claims for 1992-93.
(b) First Advance Subsidy Claims for 1994-95 except for Delyn and Montgomeryshire which have not been received.

Conservation

Mr. Nicholls: To ask the Secretary of State for Wales how many proposed Ramsar sites there are in Wales.

Mr. Gwilym Jones: There are six proposed Ramsar sites in Wales, the details of which are shown:

Site Name	County
1. Carmarthen Bay	Dyfed
2. Cors Fochno and Dyfi (extension of existing boundary)	Gwynedd, Powys, Dyfed
3. Corsydd Mon/Llyn	Gwynedd
4. Midland Meres and Mosses[1]	Clwyd, Cheshire, Shropshire, Stafford
5. Migneint and Cwm Hesgyn	Gwynedd
6. Lower Severn Estuary[1]	South Glamorgan, Gwent, Somerset, Avon, Gloucester

[1]Cross border site

Prescriptions

Mr. Gareth Wardell: To ask the Secretary of State for Wales how many prescriptions were dispensed, and how many were exempt from charges, for each year since 1988.

Mr. Gwilym Jones: The information requested is given in the table.

Number of prescriptions dispensed

Thousands

Year	Total	[1]Number exempt
1988-89	28,840	23,443
1989-90	29,366	24,510
1990-91	30,033	25,219
1991-92	31,634	26,786
1992-93	32,888	28,042

[1]Includes pre-paid certificates.

Llanelli

Mr. Denzil Davies: To ask the Secretary of State for Wales when he expects to receive the inspector's report of the public inquiry he held in Llanelli in November 1993 into aspects of the proposals to redevelop the town centre of Llanelli.

Mr. Gwilym Jones: The inspector's report is expected to be submitted for consideration in June 1994.

Asthma

Mr. Ron Davies: To ask the Secretary of State for Wales, pursuant to his answer to the hon. Member for Islington, South and Finsbury (Mr. Smith) of 25 April, *Official Report*, column *52*, when he expects to be able to give the figures for asthma cases in Mid-Glamorgan and West Glamorgan district health authorities for the years 1991-92, and 1992-93; and if he will publish them as soon as possible after they are available to him.

Mr. Redwood: The information for 1991-92 and 1992-93 given in the answer of 25 April to the hon. Member for Islington, South and Finsbury (Mr. Smith) was based on data supplied by hospitals for the patient episode database for Wales, and for those districts for which the information is sufficiently complete. Data for some hospitals in Mid Glamorgan and West Glamorgan for these years are not yet sufficiently complete. Summary information from the database will be published once more complete information is received from the hospitals concerned.

Hospital Beds

Mr. Ron Davies: To ask the Secretary of State for Wales how many patients in NHS hospitals in Wales have had to wait longer than four hours for a bed if admitted to a ward following an assessment or treatment in a casualty department during the last five years; and if he will list the hospitals in which the incidents occured.

Mr. Redwood: This information is not held centrally, though a recent review of performance indicates that patients in Wales can generally expect to wait between 25 minutes and four hours for a bed following assessment or treatment in a casualty department.

I want the NHS in Wales to do better than this and in the summer I will announce a new patients charter standard covering performance in this area. Performance against this standard will be monitored quarterly.

Health Authorities

Mr. Ainger: To ask the Secretary of State for Wales what was the total cash allocation for health authorities in Wales in *(a)* 1992-93 and *(b)* 1993-94.

Mr. Gwilym Jones: The total cash allocations to health authorities in Wales in these years were as follows:

	£ million
1992-93	1,470,438
1993-94	1,400,863

The figures for 1993-94 are not comparable to those for 1992-93 because of several changes, in particular capital resourses were made available to NHS trusts which in 1993-94 increased to 14 in number. Training costs of professions allied to medicine were allocated to the newly created education and purchasing unit of the Welsh Health Common Services Authority, and resources were transferred from health authorities allocations to GP fundholders.

Welsh Jazz

Mr. Flynn: To ask the Secretary of State for Wales how much has been spent on the promotion of jazz in Wales in each of the last 10 years; and how much his Department expects to spend on the promotion of jazz in Wales in the next two years.

Sir Wyn Roberts: This information is not held centrally. The funding of music and other art forms is a matter for the Arts Council of Wales, previously the Welsh Arts Council.

European Regional Funding

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will give details of the allocation of European regional development fund funding to each district council in Wales during 1992-93; and what account was taken of this funding in the allocation of capital charges SSA for each district council in 1993-94.

Mr. Gwilym Jones: A total of £46·5 million of ERDF money was allocated to district councils in Wales under the structural funds programmes which spanned the years 1992-93. Details of allocations to individual authorities are given in the following table.

European regional development fund grants received by councils in 1992 and 1993 were not taken into account in calculating standard spending assessments in 1993-94. They were taken into account in calculating SSAs for 1994-95.

ERDF funding provided to Welsh district councils between 1992-93

	£
Industrial South Wales OP 1992-93	
Rhymney Valley District Council	338,725
Dinefwr Borough Council	384,750
LLanelli Borough Council	2,310,411
Blaenau Gwent Borough Council	184,516
Islwyn Borough Council	1,703,400
Monmouth Borough Council	37,836
Newport Borough Council	1,284,195
Torfaen Borough Council	1,670,682
Cynon Valley Borough Council	428,500
Ogwr Borough Council	27,500
Rhondda Borough Council	873,450
Taff Ely Borough Council	122,500
Cardiff City Council	82,134
Vale of Glamorgan Borough Council	336,300
Port Talbot Borough Council	69,151
Lliw Valley Borough Council	40,000
Swansea City Council	3,292,910
RECHAR OP	
Rhymney Valley District Council	56,250
Carmarthen District Council	56,250
Dinefwr Borough Council	475,213
Llanelli Borough Council	757,820
Blaenau Gwent Borough Council	2,770,682
Islwyn Borough Council	1,072,492
Torfaen Borough Council	1,435,660
Cynon Valley Borough Council	1,642,086
Merthyr Tydfil Borough Council	160,984
Ogwr Borough Council	1,402,832
Rhondda Borough Council	1,531,216
Taff Ely Borough Council	350,290
Brecknock Borough Council	102,694
Port Talbot Borough Council	331,868
Lliw Valley Borough Council	320,060
Neath Borough Council	1,650,797
Dyfed, Gwynedd, Powys OP 1992-93	
Carmarthen District Council	445,800
Ceredigion District Council	407,063
Preseli Pembs District Council	531,250
South Pembs District Council	1,300,681
Dwyfor District Council	1,559,102
Meirionnydd District Council	151,290
Montgomeryshire District Council	1,103,500
Radnorshire District Council	162,500
Dinefwr Borough Council	111,838
Arfon Borough Council	2,416,214
Ynys Mon Borough Council	5,274
Brecknock Borough Council	1,776,500
Clwyd OP 1992-93	
Alyn and Deeside District Council	142,400
Colwyn Borough Council	171,200
Delyn Borough Council	1,474,534
Rhuddlan Borough Council	6,051,070
Wrexham Maelor Borough Council	1,444,025
Total	46,558,395

Statutory Sick Pay

Mr. Ainger: To ask the Secretary of State for Wales what provision was made in the cash allocation for health authorities in Wales in 1993-94 for the change in regulations governing statutory sick pay announced in the Budget in November 1993.

Mr. Gwilym Jones: There has been no specific provision. Overall authorities in Wales have benefited from increases in their discretionary allocations—2·2 per cent. in 1993-94 and 2·8 per cent. in 1994-95. These cash increases, together with the efficiency savings that authorities have been required to achieve in their contacts with service providers, should have been more than sufficient to meet all pay and non-pay cost increases. Patient activity is expected to increase by more than 4 per cent. in the current financial year.

Local Government

Mr. Alex Carlile: To ask the Secretary of State for Wales on what date his predecessor sent the draft White Paper, "Local Government in Wales—a Charter for the Future", to other members of the Cabinet seeking their agreement to its publication; and if he will make a statement.

Mr. Redwood: It is not the practice to give details of internal discussions on policy formulation.

Grant-maintained Schools

Mr. Dafis: To ask the Secretary of State for Wales if he will publish his estimate of total funding for grant-maintained schools for each county and for Wales as a whole for each financial year between 1993-94 and 1996-97; and if he will make a statement on the likely decrease in funding in consequence of new funding rules on the lines of those introduced by the Department for Education in England.

Sir Wyn Roberts *[holding answer 9 May 1994]:* The details for 1993-94 and 1994-95 are given in the following table. Funding for the grant-maintained sector in 1995-96 and 1996-97 has yet to be decided.

	[1] *1993-94 Provisional outturn*	[1] *1994-95 Estimated outturn*
Clwyd	8,569,012	10,575,910
Dyfed	0	0
Gwent	4,659,396	5,898,099
Gwynedd	451,675	729,767
Mid Glamorgan	0	0
Powys	72,909	167,415
South Glamorgan	4,200,692	9,722,275
West Glamorgan	3,352,253	2,911,750
WALES	21,305,937	30,005,216

[1] This covers annual maintenance grant, special purpose grants, and capital grants.

Decisions on funding in England do not apply to grant-maintained schools in Wales.

Students

Mr. Llwyd: To ask the Secretary of State for Wales if he will publish for each county and for Wales as a whole for the last available year *(a)* the number of students aged 19 years and over who are receiving further education and *(b)* the estimated proportion of those students aged 19 years and over in further education who are not receiving grants.

Sir Wyn Roberts *[holding answer 9 May 1994]:* The latest information on awards received under section 2 of the Education Act 1962 is for 1991-92. The table gives the number of students aged 19 and over who were on further education courses at colleges in Wales, by their county of usual residence, the number of people aged 19 and over receiving awards from each local authority and the difference between these numbers expressed as a percentage of student numbers. The number of students receiving awards includes some studying outside Wales and therefore not included in the student totals.

Welsh students aged 19 and over on Further Education courses in Wales, 1991-92

County of usual residence	*Student numbers (a)*	*Award numbers*	*Students less awards as percentage of students*
Clwyd	5,481	1,498	73
Dyfed	4,945	1,246	75
Gwent	8,460	65	99
Gwynedd	3,992	346	91
Mid Glamorgan	9,999	1,303	87
Powys	2,620	345	87
South Glamorgan	5,349	218	96
West Glamorgan	8,972	429	95
Wales	49,818	5,450	89

(a) Covers students at further and higher education colleges and includes those of unstated age. Excludes students studying outside Wales.

EDUCATION

Grant-maintained Schools

Mr. Jack Thompson: To ask the Secretary of State for Education if he will list the schools in the counties of Northumberland, Cumbria, Durham, Cleveland and the metropolitan boroughs of Newcastle, Gateshead, North Tyneside, South Tyneside and Sunderland who have obtained grant-maintained status or have applied for grant-maintained status.

Mr. Robin Squire: The information requested is as follows:

LEA	*School*	*Grant-maintained status*
Cumbria	Queen Elizabeth Grammar School	Operating
Cumbria	Kirkbie Kendal School	Operating
Cumbria	St. Aidan's High School	Operating
Cumbria	Hayton CE Grant-Maintained School	Operating
Cumbria	Trinity School, Carlisle	Operating
Cumbria	Scotby CE Grant-Maintained Primary School	Operating
Cumbria	The Queen Katherine School	Operating
Cumbria	Appleby Grammar School	Operating
Cumbria	Harraby School	Operating
Cumbria	Dallam School	Operating
Cumbria	Kirkby Stephen Grammar School	Operating
Cumbria	Parkview School	Operating
Cumbria	Warwick Bridge (GM) Primary School	Operating
Cumbria	Cartmel Priory CE School	Operating
Cumbria	Brampton Junior School	Operating
Cumbria	St. Paul's CE Junior School	Operating
Cumbria	Broughton Primary School	Operating
Cumbria	Eaglesfield Paddle CE Primary School	Operating

LEA	School	Grant-maintained status
Cumbria	Askam Primary School	Operating
Cumbria	Dearham Grant-Maintained Primary School	Operating
Cumbria	Queen Elizabeth School	Operating
Cumbria	Flookburgh (CE GM) Primary School	Operating
Cumbria	Heversham CE Primary School	Operating
Cumbria	Gilsland CE Primary School (Grant Maintained)	Operating
Cumbria	Ireleth St. Peter's CE GM Primary School	Operating
Cumbria	Bowness-On-Solway Primary School	Operating
Cumbria	Appleby Primary School	Operating
Cumbria	Dalton St. Mary's CE Primary School	Operating
Cumbria	Hallbankgate (Grant-Maintained) Primary School	Operating
Cumbria	William Howard School	Operating
Cumbria	Caldew School	Operating
Cumbria	Eden School	Rejected
Cumbria	Fir Ends School	Proposals published
Cumbria	Orton CE Primary School	Proposals published
North Tyneside	Wellfield Middle School (Grant Maintained)	Operating
North Tyneside	Ralph Gardner High School	Rejected
North Tyneside	Monkseaton Village First School	Rejected
Northumberland	Astley High School	Operating

Mrs. Ann Taylor: To ask the Secretary of State for Education how many *(a)* primary and *(b)* secondary schools there were in each local education authority area on 1 April; in each case, how many had held ballots on grant-maintained status; how many ballots had resulted in votes in favour of seeking grant-maintained status; how many ballots had resulted in votes against seeking grant-maintained status; and how many schools were operating as grant-maintained schools.

Mr. Robin Squire *[holding answer 4 May 1994]:* The information requested is in the table:

LEA	Primary					Secondary				
	All Schools	GM Schools	Total Ballots	"Yes" Votes	"No" Votes	All Schools	GM Schools	Total Ballots	"Yes" Votes	"No" Votes
Avon	369	—	5	—	5	60	2	4	2	2
Barking	55	—	—	—	—	8	—	—	—	—
Barnet	89	2	6	2	4	21	10	11	10	1
Barnsley	96	—	1	1	—	15	—	2	—	2
Bedfordshire	218	3	3	3	—	71	10	19	11	8
Berkshire	275	7	10	7	3	59	10	16	13	3
Bexley	64	3	4	3	1	17	5	6	5	1
Birmingham	336	6	11	6	5	79	17	24	17	7
Bolton	105	1	1	1	—	16	3	3	3	—
Bradford	167	3	9	7	2	88	6	8	6	2
Brent	64	3	4	4	—	13	10	14	12	2
Bromley	78	3	7	6	1	17	12	14	13	1
Buckinghamshire	290	6	9	7	2	45	10	11	10	1
Bury	71	1	2	1	1	14	—	—	—	—
Calderdale	91	4	5	4	1	16	7	11	8	3
Cambridgeshire	267	6	9	7	2	44	16	25	17	8
Camden	41	—	—	—	—	11	2	3	2	1
Cheshire	454	3	9	6	3	68	3	11	4	7
Cleveland	203	—	—	—	—	44	—	3	—	3
Cornwall	249	—	1	1	—	31	—	—	—	—
Corporation of London	1	—	—	—	—	0	—	—	—	—
Coventry	109	—	1	—	1	19	—	—	—	—
Croydon	98	2	5	3	2	20	7	11	9	2
Cumbria	306	17	27	21	6	42	14	15	15	—
Derbyshire	450	7	14	8	6	61	14	25	15	10
Devon	442	1	10	2	8	64	6	10	6	4
Doncaster	127	—	5	4	1	34	—	1	—	1
Dorset	200	1	2	1	1	56	10	16	14	2
Dudley	83	1	1	1	—	22	6	9	7	2
Durham	298	—	—	—	—	43	—	1	—	1
Ealing	92	4	4	4	—	13	5	8	6	2
East Sussex	219	—	1	—	1	34	—	2	—	2
Enfield	70	1	4	1	3	17	5	6	5	1
Essex	581	72	79	73	6	105	69	77	72	5
Gateshead	82	—	—	—	—	13	—	1	—	1
Gloucestershire	262	11	18	17	1	43	27	36	30	6
Greenwich	79	1	1	1	—	15	—	1	—	1
Hackney	70	1	1	1	—	10	—	1	—	1
Hammersmith	38	—	1	1	—	10	1	1	1	—
Hampshire	580	13	21	18	3	94	18	24	19	5
Haringey	77	—	—	—	—	9	—	—	—	—
Harrow	54	—	—	—	—	10	1	2	1	1
Havering	74	—	2	—	2	19	4	7	4	3
Hereford and Worcester	288	—	2	—	2	76	5	8	5	3

LEA	Primary					Secondary				
	All Schools	GM Schools	Total Ballots	"Yes" Votes	"No" Votes	All Schools	GM Schools	Total Ballots	"Yes" Votes	"No" Votes
Hertfordshire	432	9	15	12	3	88	23	32	27	5
Hillingdon	72	11	11	11	—	15	12	15	14	1
Hounslow	62	—	—	—	—	14	2	3	2	1
Humberside	354	2	5	3	2	60	—	4	—	4
Isle of Wight	46	—	—	—	—	21	—	—	—	—
Isles of Scilly	4	—	—	—	—	1	—	—	—	—
Islington	57	—	—	—	—	9	—	—	—	—
Kensington and Chelsea	27	2	2	2	—	4	1	1	1	—
Kent	570	18	27	25	2	136	62	75	71	4
Kingston upon Thames	36	1	1	1	—	10	4	4	4	—
Kirklees	158	—	2	—	2	34	2	5	3	2
Knowsley	68	—	—	—	—	11	1	3	1	2
Lambeth	77	5	8	8	—	10	5	5	5	—
Lancashire	605	2	5	3	2	106	8	16	9	7
Leeds	249	1	3	1	2	46	1	3	1	2
Leicestershire	334	—	2	—	2	79	5	10	5	5
Lewisham	72	1	1	1	—	13	—	2	—	2
Lincolnshire	293	23	31	27	4	63	24	30	29	1
Liverpool	198	—	—	—	—	36	3	7	4	3
Manchester	174	—	—	—	—	28	—	1	—	1
Merton	49	—	1	—	1	11	—	2	1	1
Newcastle upon Tyne	82	—	1	—	1	22	—	1	—	1
Newham	67	—	—	—	—	14	1	1	1	—
Norfolk	397	13	21	17	4	52	12	16	12	4
North Tyneside	61	—	2	1	1	26	1	3	2	1
North Yorkshire	394	—	3	1	2	59	—	2	—	2
Northamptonshire	270	9	14	10	4	65	12	21	14	7
Northumberland	143	—	—	—	—	61	1	3	1	2
Nottinghamshire	426	—	1	—	1	82	3	9	4	5
Oldham	104	—	—	—	—	15	—	1	—	1
Oxfordshire	241	1	1	1	—	44	—	2	—	2
Redbridge	56	—	—	—	—	14	1	2	1	1
Richmond upon Thames	39	—	—	—	—	8	—	—	—	—
Rochdale	76	4	8	5	3	14	1	3	1	2
Rotherham	115	—	—	—	—	18	—	—	—	—
Salford	88	—	—	—	—	18	1	4	1	3
Sandwell	112	—	—	—	—	20	1	5	2	3
Sefton	94	—	—	—	—	22	—	1	—	1
Sheffield	164	6	17	15	2	32	2	8	6	2
Shropshire	214	1	5	5	—	37	5	7	7	—
Solihull	70	1	1	1	—	13	—	2	1	1
Somerset	229	2	5	3	2	39	1	3	2	1
South Tyneside	58	—	—	—	—	11	—	—	—	—
Southwark	75	5	5	5	—	14	5	5	5	—
St. Helens	72	—	1	1	—	12	—	1	—	1
Staffordshire	414	2	4	3	1	85	5	11	5	6
Stockport	110	—	—	—	—	14	—	2	—	2
Suffolk	255	—	—	—	—	77	—	1	—	1
Sunderland	105	—	—	—	—	17	—	—	—	—
Surrey	372	13	23	21	2	51	13	16	15	1
Sutton	43	3	4	3	1	14	8	8	8	—
Tameside	82	—	1	—	1	18	3	5	3	2
Tower Hamlets	73	—	—	—	—	15	1	2	1	1
Trafford	78	—	—	—	—	16	4	6	4	2
Wakefield	130	—	2	2	—	38	—	—	—	—
Walsall	106	2	3	2	1	21	6	11	7	4
Waltham Forest	61	—	1	—	1	16	2	2	2	—
Wandsworth	72	2	5	3	2	10	6	8	7	1
Warwickshire	244	—	5	3	2	37	8	9	8	1
West Sussex	246	—	1	1	—	41	—	3	—	3
Westminster	42	—	—	—	—	8	—	1	—	1
Wigan	125	—	—	—	—	21	—	1	1	—
Wiltshire	294	12	21	18	3	44	16	24	16	8
Wirral	106	—	—	—	—	21	2	4	2	2
Wolverhampton	101	—	1	—	1	20	3	6	5	1

Notes:

1. Numbers of schools are derived from the latest available Index of Educational Establishments which relates to Spring Term 1994.
2. "All Schools" comprise maintained primary and secondary schools eligible for grant-maintained status.
3. "Total Ballots" includes a small number of schools which have held more than one ballot.

Science and Technology

Mr. Sheerman: To ask the Secretary of State for Education what steps he is taking to encourage students to study science and technology.

Mr. Boswell: The introduction of general national vocational qualifications in engineering and science will provide high-quality alternatives to GCE A-levels and additional routes for students wishing to acquire scientific skills. Changes in the fee structure for universities and colleges offer an incentive to offer relatively more places in science and technology. Fees for laboratory and workshop-based courses will continue to be significantly higher than those for classroom-based courses. We are also introducing an engineering bursary scheme which will provide an additional £500 a year to those entering accredited engineering degree courses in autumn 1994, 1995 and 1996 who have achieved grades AAB at A-level or its equivalent.

Undergraduates

Mr. Sheerman: To ask the Secretary of State for Education what percentage of current undergraduate university students attend universities within 20 miles of their home.

Mr. Boswell: Information is not collected centrally about the distance that students travel to their university or college.

In the academic year 1992-93, 35 per cent.—195,500—of English domiciled students on higher education undergraduate courses in English institutions were either attending a new university or further education college in the LEA or region in which they were domiciled, or were attending a former Universities Funding Council—funded institution and living in parental, marital or student-owned accommodation.

Internet

Mr. David Shaw: To ask the Secretary of State for Education what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. Forth: The Department's press releases issued electronically through the Central Office of Information are accessible to users of the Internet via Data-Star Dialog (Europe) or Mead/Lexis/Nexis. They are also available to subscribers to FT Profile, Reuters Textline and to POLIS.

The Department's press releases are also made available through the COI's fax retrieval service, details of which can be provided by its distribution service.

I have no further plans to use the Internet directly.

Mr. David Jamieson: To ask the Secretary of State for Education, if he will list the private and independent schools that have been inspected by Her Majesty's inspectors of schools or OFSTED in the past five years, giving the date of the inspection, where the inspection led to a published report.

Mr. Robin Squire *[pursuant to his reply 15 March 1994, c. 626-27]:* Those independent schools which received an HMI inspection between 1 September 1989 and 31 August 1992 which led to published reports are listed. This corrects the information given in the earlier reply.

School name	*Date of visit*
Nanburst School	30 October 1989
Wells Cathedral School	27 November 1989
Hyland House School	12 March 1990
Summerhill School	12 May 1990
Hilsea College	18 June 1990
Small School at Red House	2 October 1990
Oaktree House School	11 June 1990
Small school, Winestead	4 December 1990
Covenant School	8 October 1990
Madina Tul Uloom Al Islamiya	8 May 1990 and 19 July 1990
Darul Uloom Islamic School	26 November 1990
Christ The King School	4 February 1991
Duke of York's Military School	25 February 1991
Hounslow College and Hounslow College Prep School	21 May 1991
Stonely Grange School	14 October 1991
Rodney School	3 June 1991

ENVIRONMENT

Compulsary Purchase Orders

Mr. Battle: To ask the Secretary of State for the Environment how many local authorities are using compulsory purchase orders to purchase private sector houses which are standing empty.

Sir George Young: Since 1 January 1993, 31 local authorities have submitted compulsory orders for the acquistion of empty houses. This does not include local authorities who have submitted clearance compulsory purchase orders.

Housing

Mr. Vaz: To ask the Secretary of State for the Environment what precautions have been taken to ensure that under the Housing (Right to Manage) Regulations 1994 minority groups are not discriminated against in the event of a hostile majority taking over management of tenancies.

Sir George Young: Minority groups are protected under the Housing (Right to Manage) Regulations 1994 and associated guidance in a number of ways.

Any tenant affected by the right to manage proposal notice may become a member of the tenant management organisation—TMO. The TMO must, in the conduct of its affairs, avoid discrimination against any person on grounds of racial origin, gender, sexuality, disability or religion.

The approved agent who carries out the initial feasibility study under the right to manage is charged with ensuring that the TMO option is not pursued for discriminatory purposes. If, in his opinion, the TMO is not operating in accordance with its constitution, or is pursuing tenant management in order to exclude certain sections of the community, or if its committee or board is not reasonably representative of the community it serves and has no plans to remedy this, the agent is expected to submit an early report which brings the feasibility study to an end.

The approved person is required to submit, within two years of his appointment, a report of the full feasibility study to the Secretary of State. This report sets out, inter alia, the agent's assessment of the TMO's competence to carry out the management responsibilities it wishes to take on from the local authority. The TMO must be able to

satisfy the agent that its committee is representative of the community it serves. Any TMO aspiring to take on the allocation of tenancies must do so within the framework of the local authority's policies and procedures, including those on equal opportunities.

Local authorities have responsibility for monitoring the performance of TMOs, including their performance on equal opportunities.

Building Materials

Mr. William O'Brien: To ask the Secretary of State for the Environment (1) what has been the value of imports of building materials into the United Kingdom for each of the past three years;

(2) what percentage of building materials used in the United Kingdom is imported; and if he will make a statement.

Mr. Baldry: The value, in current prices, of imports of building materials into the United Kingdom are:

	Imports £ billions
1990	4·70
1991	4·03
1992	4·04
1993	[1]3·01

[1] First three quarters only.

The information used by the Department to derive imports is not yet available for the fourth quarter of 1993.

Available data indicate that the value of imports are about a fifth of the total used by the construction industry. This excludes the DIY market and the black economy whose usage of building materials cannot be readily be quantified. The value of imports compares with exports of £2·31 billion during 1992 and £1·93 billion during the first three quarters of 1993.

I am, however, concerned at the level of United Kingdom imports of high value construction products. The Department is currently working closely with the industry-led construction procurement group on a series of measures to improve competitiveness in building products.

Planning Applications

Mr. John D. Taylor: To ask the Secretary of State for the Environment what provision exists for objectors to a planning application to appeal against planning approval for the application.

Mr. Baldry: None.

Rent Assessment Panels

Mr. Cox: To ask the Secretary of State for the Environment how a person applies, and to whom, to be considered as a member of a rent assessment panel.

Sir George Young: Candidates for membership may propose themselves to the Department, or to the president or vice-president of the panel. They may also be proposed by friends or colleagues, or identified by my Department, the Lord Chancellor's Department, the public appointments unit, or by panel presidents.

Mr. Cox: To ask the Secretary of State for the Environment what reviews have taken place as to the workings of rent assessment panels since the scheme was introduced.

Sir George Young: Since the formation of the rent assessment panels in 1965, they have been subject to the normal cycles of departmental administrative reviews applied to non-departmental public bodies. The most recent of those have been an internal audit report in 1990 and a financial management and policy review in 1991. Their adjudicative role was also considered within the context of the wider based civil justice review of 1988, undertaken by the Lord Chancellor's Department.

Mr. Cox: To ask the Secretary of State for the Environment what is the term of office that a member serves on a rent assessment panel.

Sir George Young: A new member is appointed for a period of up to three years, so as to terminate on the general review date for a similar class of member in that panel. Thereafter, the appointment is reviewed at three-yearly intervals. Members retire automatically in their 70th year.

Mr. Cox: To ask the Secretary of State for the Environment what salary and allowances are paid to a member of a rent assessment panel.

Sir George Young: The daily fees payable to members of rent assessment panels when sitting on committees and tribunals are as follows:

	£
Chairmen	221
Professional Members	177
Lay Members	113

Presidents and Vice-Presidents of panels are salaried and part-time and are paid an appropriate proportion of the following full-time annual rates according to their individual time commitment:

	£
London President	55,910
London Vice-Presidents	53,000
Provincial Presidents	53,730
Provincial Vice-Presidents	50,810

Travel and subsistence allowances are paid, when appropriate, at civil service rates.

Light Pollution

Mr. David Porter: To ask the Secretary of State for the Environment what plans he now has to combat pollution of the night sky by ground light; and if he will make a statement.

Mr. Atkins: I am aware of the concerns, particularly of astronomers, about the adverse effects of "skyglow", which is caused when artificial light from the ground is scattered by dust particles and water droplets in the atmosphere.

Light can be reflected upwards from a variety of sources, including street lighting and flood and security lighting of industrial, commercial and domestic premises.

Given the legitimate desire for roads and public areas to be well lit for security and amenity reasons, there is a limit to how much of this reflected light can be eliminated. However, significant improvements can be achieved by lowering the intensity of, and redesigning, some existing lighting schemes and encouraging the sensitive design of new ones. Useful guidance on this subject has been issued by Government Departments and a number of professional organisations.

We are keeping under review whether other measures might usefully be taken to minimise excessive lighting, taking account of the recent findings of an informal survey of local authorities' handling of complaints about light pollution, but it seems that many of those problems are most appropriately tackled through education and guidance, rather than regulation.

"This Common Inheritance"

Mrs. Lait: To ask the Secretary of State for the Environment when the third report on the White Paper "This Common Inheritance" will be published.

Mr. Gummer: As I said in my reply to the hon. Member for Woodspring (Dr. Fox) on 20 April 1994, *Official Report*, column *867*, the report is being published today. I have placed copies in the Library of the House.

Sheltered Housing

Mr. Hinchliffe: To ask the Secretary of State for the Environment what are the mechanisms for *(a)* registering and *(b)* inspecting the care provided to residents of sheltered housing schemes.

Mr. Bowis: I have been asked to reply.

There is no requirement for the registration and inspection of the care provided to residents of sheltered housing schemes, unless they provide residential accommodation, board and personal care for residents. Any such establishments providing all those services would count as a residential care home and be subject to registration and inspection by the social services authority in the same way as other such homes.

EMPLOYMENT

Banking Industry

Mr. Alex Carlile: To ask the Secretary of State for Employment what is the total number of redundancies that have been announced by the banking industry in each of the last three years; what is the total work force of the industry for each of the last three years; and if he will make a statement.

Miss Widdecombe: The number of redundancies announced by the banking industry alone is not available. However, the labour force survey provides estimates of redundancies that took place in the three months prior to interview for the broad industry group—SIC 8—of banking, finance, insurance, business services and leasing for Great Britain. These are as follows:

Redundancies (not seasonally adjusted): Labour force survey Great Britain

Spring	Number
1991	45,000
1992	34,000
1993	29,000

Figures from the labour force survey of the number of employees employed in banking, finance, insurance, business services and leasing—SIC 8—are shown in the table along with figures for the more specific class of banking and finance—SIC 81.

Numbers of Employees (Not Seasonally Adjusted): Labour Force Survey, Great Britain

	(SIC 8)	(SIC 81)
Spring 1991	2,455,000	643,000
Spring 1992	2,356,000	607,000
Spring 1993	2,443,000	625,000

An alternative source of employment estimates is available from the quarterly survey of employers for March of each year. These figures differ from those derived from the LFS in that they are a count of jobs rather than people and also rely on industry classification from the employer rather than from the employee as in the LFS. Estimates from this employer survey source for banking, finance, insurance, business services and leasing—SIC—and the banking and finance industry class—SIC 81—are as follows:

Employees in Employment (Not Seasonally Adjusted): Employer Survey, Great Britain

	(SIC 8)	(SIC 81)
March 1991	2,660,100	616,500
March 1992	2,595,800	588,700
March 1993	2,631,600	568,000

Training and Enterprise Councils

Mr. Austin-Walker: To ask the Secretary of State for Employment, pursuant to his answer of 14 January, *Official Report*, column *302*, referring to inter-TEC comparison tables, if he will extend the tables to give details for each training and enterprise council in Greater London of the figures for youth training cost per output point, employment training cost per output point, national vocational qualifications per 100 youth training leavers, positive outcomes per 100 employment training leavers, NVQs per 100 employment training leavers, youth training guarantee and investors in people.

Miss Widdecombe: I am unable to give the information for which the hon. Member is asking. The first publication of the comparative data was intended to give a broad indication of the range of relative training and enterprise council performance, not to make fine distinctions between TECs. The Department is continuing to refine the comparisons.

Labour Statistics

Mr. Milburn: To ask the Secretary of State for Employment how many *(a)* male full-time workers, *(b)* male part-time workers, *(c)* female full-time workers, *(d)*

female part-time workers, *(e)* self-employed males and *(f)* self-employed females had a second job as (i) an employee and (ii) self-employed in each year since 1984.

Miss Widdecombe: The information is available from the labour force survey and can be obtained via the Quantime LFS service available in the Library.

Unemployment

Mr. Winnick: To ask the Secretary of State for Employment what was the number of unemployed people in May 1979; and what the figure is at the present time.

Miss Widdecombe *[holding answer 9 May 1994]:* On the consistent, seasonally adjusted basis, there were 1,086,800 claimant unemployed persons in May 1979 and 2,722,600 in March 1994.

TRANSPORT

M11 Link Road

Mr. Cohen: To ask the Secretary of State for Transport on which European directive the environmental assessment for the M11 link road was based; what are the current requirements relating to environmental assessment of such schemes; and what are the differences between the assessment carried out for the M11 link road and current requirements.

Mr. Norris: This question relates to the operational matters of the Highways Agency. I have asked the chief executive, Mr. Lawrie Haynes, to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Harry Cohen, dated 5 May 1994:

M11 Link Road

The Minister for Roads and Traffic, Mr. Robert Key, has asked me to write to you in reply to your recent Parliamentary question about the M11.

The environmental assessment of the M11 link road was not based on any EC Directive. The European Directive 85/337/EEC on the assessment of certain public and private projects on the environment came into force in 1988 after development consent for the M11 link project was granted.

The EC Directive as implemented by section 105A of the Highways Act currently applies to Trunk Road schemes. The Directive requires that the assessment must be made in accordance with current knowledge and methods of assessment.

The assessment of the M11 link road was in accordance with practices current at the time. The environmental effects of the scheme were thoroughly assessed before the decision was taken in 1985 to authorise its construction.

Mobile Telephones and Pagers

Mr. Vaz: To ask the Secretary of State for Transport how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Mr. Norris: The Department has 288 portable telephones, 1,946 pagers and electronic bleepers and 23 car telephones. Figures are not available for the annual operating costs. The equipment is issued to staff on the basis of operational need, especially where they have to work away from an office. The main users of the equipment are staff in the Coastguard Agency, Highways Agency, vehicle inspectorate and air accident investigation branch.

Railway Accidents

Mr. Bayley: To ask the Secretary of State for Transport how many railway accidents there were in April; where and on which date each of these accidents occurred; and how many accidents there were in April 1993.

Mr. Freeman: The information requested is not readily available. The Health and Safety Executive collates railway accident statistics annually. The figures for 1993-94 will be published by the end of 1994 in HM railway inspectorate's annual report on railway safety in Great Britain. Equivalent information for 1994-95 will be published by the end of 1995.

Heavy Goods Vehicles

Mr. David Marshall: To ask the Secretary of State for Transport what was the total number of heavy goods vehicles registered in 1979; and what is the total at the latest available date.

Mr. Key: The numbers of goods vehicles, both new registrations and licensed stock at year end, in 1979 and 1993 is given below. However, as a result of changes in vehicle taxation regulations which occurred between the two years, the 1979 and 1993 data are not strictly comparable. The earliest year for which figures comparable to 1993 are available is 1980 and estimates for this year have been included in the table.

Goods Vehicles

thousands

	New registrations		*Stock at year end*	
	Old definition	*Current definition*	*Old definition*	*Current definition*
1979	91	—	561	—
1980[1]	—	55	—	507
1993[2]	—	33	—	432

[1] Estimated
[2] Provisional

Third River Crossing, Blackwall

Ms Gordon: To ask the Secretary of State for Transport if he will make a statement on the proposed third river crossing at Blackwall; what proposals he has received from construction companies for the third river crossing at Blackwall; and if he will make a statement.

Mr. Norris: This is an operational matter for the Highways Agency. I have asked the chief executive to write to the hon. Member.

Letter from Lawrie Haynes to Ms Mildred Gordon, dated 10 May 1994:

Proposed Third River Crossing at Blackwall

Steven Norris has asked me to write to you in response to your question in the House about progress on the proposals for a third crossing at Blackwall.

As you know, considerable concern was expressed about the environmental implications of the bridge option when we held a public consultation on the proposals for this scheme. A good deal of thought has to be given to the response to these before the way forward with this scheme can be decided.

I have received no formal proposals from construction companies, although there have been informal discussions. These include some which raise the possibility of private finance. If any of these ideas are developed further and brought to my attention, I will include them in the report on the public consultation which I will be submitting to the Secretary of State.

I hope this is helpful.

Road Building Greater London

Mr. Cox: To ask the Secretary of State for Transport if he will list the future road building programmes for the Greater London area; what is the estimated cost of such work; and what are the expected dates of commencement and completion of such works.

Mr. Norris: This is an operational matter for the Highways Agency. I have asked the chief executive to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Tom Cox, dated 10 May 1994:

FUTURE ROAD PROGRAMME GREATER LONDON

Steven Norris has asked me to write to you in response to your question in the House about the future road building programme for the Greater London area.

You may recall the press notice sent to you at the end of March announcing the results of the review of the road programme. I enclose a further copy, from which you will see that the schemes are set out in the same grouping as in the Roads Report published at the end of March. I also enclose a copy of the tables from the report in which the London schemes are highlighted.

As you will see from the copy tables, dates for start and completion of works are not available for all the schemes. For those schemes in the early stage of planning, the start dates will depend on a number of factors, such as the progress with the statutory procedures to authorise their construction and the availability of funds when we are ready to invite tenders for the work. The stage reached with each scheme is given in the tables.

I hope this is helpful.

Car Dealers

Mr. Cox: To ask the Secretary of State for Transport what action can be taken, and by whom, against car dealers who display motor vehicles for sale on the public highway which do not display a current road fund licence disc; and if he will make a statement.

Mr. Key: The Driver and Vehicle Licensing Agency is responsible for vehicle excise duty enforcement for all unlicensed vehicles kept or used on public roads in Great Britain. Where offences are detected and the persons responsible traced, action is taken either through out-of-court settlement or, in the more serious cases, by prosecution. This action may apply to any vehicle keeper who commits such an offence, and this includes car dealers.

London Transport Employees (Assaults)

Ms Ruddock: To ask the Secretary of State for Transport how many employees of London Transport have been subject to assaults whilst on duty in each of the last five years, and in 1994 to the latest available date; how many of these were working on *(a)* London Buses and *(b)* London Underground at the time of the assault; and in how many cases the assaults were recorded as being racially motivated.

Mr. Norris *[holding answer 9 May 1994]:* The numbers of assaults on London Transport employees over this period have been as follows:

Year	*London Buses*	*London Underground*
1989	896	135
1990	966	120
1991	1,018	142
1992	1,035	141
1993	858	112
[1]1994	202	34

[1]To 31 March.

The figures for London Buses cover all assaults on staff; those for London Underground include only criminal assaults—those involving injury and likely to lead to consideration of a prosecution.

London Transport does not keep records of the number of assaults that may have been racially motivated.

Privatisation (Consultants)

Mr. Milburn: To ask the Secretary of State for Transport if he will estimate the cost of employing consultants in connection with privatisation programmes in which his Department has been engaged since 1980.

Mr. Norris *[holding answer 4 May 1994]:* Gross voted expenditure on the employment of consultants on privatisation programmes sponsored by the Department since 1980, and other costs associated with these privatisations, has been £107 million. Departmental expenditure associated with privatisations is covered by the sale proceeds.

Some transport undertakings will have incurred expenditure themselves in employing consultants in the process of privatising parts of their operations, but these costs are a matter for the bodies concerned.

Transport, London

Sir Michael Neubert: To ask the Secretary of State for Transport what proportion of public spending on transport in London is spent on roads; and what proportion on public transport.

Mr. Norris *[holding answer 9 May 1994]:* In 1992-93, public investment in London Transport, Network SouthEast and docklands light railway amounted to around £1,400 million, while capital expenditure by central Government and local authorities on roads in London, excluding the M25, was about £400 million. Expenditure on NSE benefited a broader area than London alone.

Hayes Bypass

Mr. Harry Greenway: To ask the Secretary of State for Transport what studies his Department is making of the traffic difficulties of Northolt following the opening of the Hayes bypass; what solutions he is proposing; and if he will make a statement.

Mr. Norris *[holding answer 9 May 1994]:* It would be for the London borough of Ealing, as traffic and highway authority for all local roads in the Northolt area, including the northern end of the Hayes bypass, to carry out any studies of local conditions. The Department of Transport is responsible for the A40 trunk road. To reduce congestion at the westbound exit slip road from the A40 at Target

roundabout, the Department's Highways Agency will this summer be introducing traffic signals at the entry to the roundabout.

TREASURY

Inland Revenue (Wales)

Mr. Dafis: To ask the Chancellor of the Exchequer if he will make it his policy to consult the Welsh Language Board and the Secretary of State for Wales regarding any proposal by the Inland Revenue for the closure or transfer of staff from any office providing a service in the Welsh language.

Mr. Dorrell: The Inland Revenue's programme of change for the whole of the United Kingdom is improving the service of taxpayers by organising work more effectively. Some offices will close. However, in Wales, this will not involve any deterioration in the Welsh language service provided.

All tax offices in Wales provide a full Welsh language service and will continue to do so. The service is supported by a Welsh language unit. This was set up in 1990 in accordance with guidelines published by the Welsh Language Board. It is available to all those who wish to correspond or converse in Welsh and can also be used by those whose tax affairs are dealt with outside Wales.

Consultation with the Welsh Language Board and the Secretary of State for Wales on changes to local offices is not needed.

Mr. Dafis: To ask the Chancellor of the Exchequer (1) if he will publish for each year since 1990 for each county in Wales and for Wales as a whole *(a)* the total number of Inland Revenue employees and *(b)* the number of Inland Revenue employees who are Welsh speaking;

(2) if he will publish for each year since 1990 for each county in Wales, and for Wales as a whole the number of Inland Revenue officers and the number of Inland Revenue officers able to provide a service in the Welsh language.

Mr. Dorrell: Information is not available in the precise form requested. The Inland Revenue monitors the number of Welsh-speaking employees each year but does not maintain an historic record. The number of Inland Revenue employees serving in Wales for each year between 1990 to 1993 was as follows:

	1990	*1991*	*1992*	*1993*
Clwyd	469	519	628	629
Dyfed	257	279	297	291
Gwent	283	297	311	306
Gwynedd	169	189	198	194
Mid Glamorgan	234	242	251	255
South Glamorgan	2,504	2,631	2,771	2,760
Powys	83	91	93	92
West Glamorgan	237	263	311	308
TOTAL	4,236	4,511	4,860	4,835

(a) The current number of Inland Revenue employees serving in each county of Wales is as follows:

	Number
Clwyd	631
Dyfed	301
Gwent	309
Gwynedd	199
Mid Glamorgan	254
South Glamorgan	2,756
Powys	92
West Glamorgan	310

The total number of Inland Revenue employees serving in Wales as a whole is 4,852.

(b) The current number of Inland Revenue employees serving in each county of Wales who are recorded as Welsh speakers is as follows:

	Number
Clwyd	30
Dyfed	62
Gwent	3
Gwynedd	71
Mid Glamorgan	9
South Glamorgan	55
Powys	3
West Glamorgan	22

The total number of Inland Revenue employees who are Welsh speaking is 255.

Value Added Tax

Mr. Spellar: To ask the Chancellor of the Exchequer what level of VAT or tax is levied on *(a)* motor vehicle fuel, *(b)* fuel for railway locomotives and *(c)* aviation fuel.

Sir John Cope: Value added tax is levied as follows:

(a) All supplies of road fuel are liable to VAT on the standard rate of 17·5 per cent. VAT is due on the total value including the excise duty.

(b&c) Supplies of fuel and power for railway locomotives and of aviation fuel are also normally liable to VAT at the standard rate of 17·5 per cent. If, unusually, the supply is of a very small quantity of fuel then it may fall within the "qualifying use" criteria set out in Schedule 5, Group 7, Note (2) of the VAT Act 1983 and, as such, by virtue of Section 42 of the Finance Act 1993, is currently liable to VAT at 8 per cent.

From 1 April 1995 these supplies will also be liable to VAT at 17·5 per cent.

(c) Supplies of fuel delivered as stores direct to non-private foreign going aircraft may be zero-rated subject to meeting the stipulated conditions.

Excise duty is levied at the following rates:

(a) Motor vehicle fuel
- Leaded petrol—33.14 pence per litre
- Unleaded petrol—28·32 pence per litre
- Diesel road fuel—27·70 pence per litre
- Gas used as road fuel—16·57 pence per liquid litre

(b) Railway locomotive fuel
- Rebated gas oil (diesel)—1·64 pence per litre
- Electricity—No excise duty liability
- Coal—No excise duty liability

(c) Aviation fuel
- Aviation gasoline—16·57 pence per litre
- Aviation turbine fuel (kerosene)—Nil

Mr. David Nicholson: To ask the Chancellor of the Exchequer what representations he has received suggesting that the charging of VAT on company cars should be rescinded on legal grounds; and if he will make a statement.

Sir John Cope: None, although I understand that a number of businesses have challenged the current United Kingdom VAT regime for cars on legal grounds. Taxation of the private use of business cars is mandatory under

Community law. Since the inception of the tax in April 1973, the United Kingdom has achieved this through restricting tax recovery on the purchase of cars. The current legal basis for this simplified procedure is article 17(6) of the sixth directive (77/388/EEC).

Fiscal Regime, Dublin

Mr. French: To ask the Chancellor of the Exchequer what assessment he has made of the fiscal regime in Dublin compared with that in London as an attraction to financial institutions specialising in personal savings products.

Mr. Dorrell: No blanket assessment of the attractions of different centres is possible. The tax position of personal savings products depends on the tax rules in the state of residence of the saver as well as those in the state of origin of the product, if different, on the characteristics of the product and of any assets underlying it and on the terms of any relevant double taxation agreements. The tax rules applicable to profits of the product providers will also have some influence on their choice of location. The Government seek to put in place tax rules which are consistent with widespread purchase of United Kingdom personal savings products, most recently by changes in the Finance Act 1994 to the tax rules for authorised unit trusts.

NORTHERN IRELAND

Fishermen (Compensatory Payments)

Mr. McGrady: To ask the Secretary of State for Northern Ireland what plans he has to grant compensatory payments to fishermen for loss of earnings as a result of the bad weather; and if he will make a statement.

Mr. Ancram: None. The level of activity of certain sections of the Northern Ireland fleet may have been curtailed due to weather at certain times but when viewed over a longer period, that has not been to such a large extent as to justify aid.

Income Support, South Down

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many recipients in each age group became eligible for top-up payments to bring them up to the income support level after 11 April at each of the social security offices in South Down.

Mr. Ancram: The information is not readily available and could be obtained only at disproportionate cost.

Internet

Mr. David Shaw: To ask the Secretary of State for Northern Ireland what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information to which the public may wish to have access and *(c)* to use the Internet as a means of increasing the openness of his Department.

Sir John Wheeler: The Department of the Environment (NI) has adopted a registered Internet addressing scheme and is in the process of building a strategic data communications network around this, initially for inter-departmental communication only. It has no plans at present to make available on the Internet press releases or other departmental information which the public may wish to access, nor has it any plans to use Internet as a means of increasing the openness of the Department.

Internet is one of several options currently under consideration by some departments as a possible means of providing their information systems needs for the future.

Mobile Telephones and Pagers

Mr. Vaz: To ask the Secretary of State for Northern Ireland how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Sir John Wheeler: The information requested is as follows:

(a) Portable telephones—258;
(b) Pagers and electronic bleepers—310;
(c) Car telephones—75.

The cost of operating this equipment for the 1993-94 financial year is estimated at £146,000. The equipment is used by senior management, private office staff, security personnel, press officers, car pool/official drivers and other staff whose duties require them to be frequently absent from their base and who are required to maintain contact.

Road Works

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what proposals he has to improve street lighting along the roadway from Killinchy village to Balloo crossroads; and if he will make a statement.

Mr. Tim Smith: During this summer, street lighting will be provided along a 100 m stretch of Beechvale road from Killinchy village to the new residential home.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when it is programmed to commence work at the new Forster Green road junction in Castlereagh; and if he will make a statement.

Mr. Tim Smith: Work on the Forster Green junction improvement scheme is programmed to commence in the 1995-96 financial year subject to the continuing availability of finance and the completion of the associated statutory procedures.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when it is programmed to commence work at the Comber bypass.

Mr. Tim Smith: Work on the Comber bypass: stage 2 is programmed to commence in the 1997-98 financial year subject to the continuing availability of finance and the completion of the statutory procedures.

Lambs

Mr. William Ross: To ask the Secretary of State for Northern Ireland what is his estimate of the number of lambs lost by farmers in Northern Ireland as a result of the adverse weather conditions this year during the lambing period.

Mr. Ancram: There is no requirement on farmers to report losses of lambs and the Department of Agriculture accordingly has no information on which to base an estimate.

DEFENCE

D-day

13. **Mr. William O'Brien:** To ask the Secretary of State for Defence what is his estimate of the planned expenditure by his Department on the D-day celebrations.

Mr. Hanley: Although much work remains to be done, the additional cost to my Department is expected to be between £3 million and £4 million.

Recruitment (Young People)

14. **Mr. Canavan:** To ask the Secretary of State for Defence what is the policy of his Department on, and what regulations are in force in respect of, the recruitment into the armed forces of young people under the age of 18 years.

Mr. Hanley: The minimum age limit for recruitment of non-commissioned personnel into the armed forces is 16; for officers, the age limits are higher and vary for each of the services. No recruits under the age of 18 may enter the services without the written permission of their parents or guardian.

Western European Union

15. **Mr. Jim Marshall:** To ask the Secretary of State for Defence what assessment he has made as to the effectiveness of the planning cell at the Western European Union headquarters; and if he will make a statement.

Mr. Rifkind: The Western European Union planning cell makes a valuable contribution to the work of the WEU. The United Kingdom will continue to support its activities.

22. **Mr. David Atkinson:** To ask the Secretary of State for Defence if he will make a statement on the enlargement of the Western European Union.

Mr. Hanley: At the Western European Union Ministerial Council on 9 May the central and eastern European countries of the WEU forum of consultation were offered the status of associate partners in WEU. This represents a significant broadening and deepening of relations between WEU and these countries, although stopping short of full membership for them.

Trident

16. **Mr. McAllion:** To ask the Secretary of State for Defence what is the annual cost to the defence budget of maintaining four Trident submarines in operation and in readiness to launch a nuclear strike against another country.

Mr. Aitken: The average annual running cost of Trident over its life is expected to be about £200 million, at 1991-94 prices.

Defence Equipment (Value for Money)

17. **Mr. French:** To ask the Secretary of State for Defence if he will make a statement on his Department's programme for ensuring value for money in the successful tenders for defence equipment.

Mr. Aitken: Contract award decisions are made after satisfying ourselves that our requirements are adequately met having regard to price, delivery, military effectiveness and other relevant factors.

Bosnia

18. **Mr. Barry Jones:** To ask the Secretary of State for Defence what are the implications for British forces in Bosnia of the Government's expenditure plans 1994-96 and 1996-97.

Mr. Hanley: There are none. The additional costs arising from the British military deployment in the former Yugoslavia are refunded by the Foreign and Commonwealth Office under approved procedures.

26. **Mr. Wicks:** To ask the Secretary of State for Defence if he will make a statement on the current military situation in Bosnia.

Mr. Hanley: I refer the hon. Member to the reply given earlier today by my right hon. and learned Friend the Secretary of State for Defence to my hon. Friend the Member for Chingford (Mr. Duncan Smith).

Nuclear Weapons (Former Soviet Union)

19. **Mr. McFall:** To ask the Secretary of State for Defence what discussions he has had with Ministers of other NATO countries regarding assistance towards the dismantling of nuclear weapons in the countries of the former Soviet Union.

Mr. Aitken: There have been no such discussions recently. This programme of nuclear assistance is co-ordinated by the NATO ad hoc group on nuclear weapons in the former Soviet Union in which the United Kingdom participates.

On 10 November 1992, my right hon. and learned Friend the Secretary of State for Defence signed a memorandum of understanding with the Russian Foreign Minister, which sets out the terms for the supply of 250 nuclear weapons super-containers and 20 nuclear weapons transport vehicles, which are being gifted to Russia to help with the safe and secure transport of surplus nuclear warheads. The estimated cost of this programme is £35 million at current prices. I am pleased to inform the House that the first batch of 48 super-containers was handed over to Russia on 8 May. Deliveries will continue through the year and are expected to be completed by the end of 1994. This programme of assistance is a significant contribution to nuclear arms control.

Contracting Out

20. **Mr. Richards:** To ask the Secretary of State for Defence what is his policy towards contracting out the Army's engineering and maintenance work.

Mr. Aitken: My Department's policy is to expose in-house activities to competition from the private sector, wherever possible. Base repair and overhaul of Army equipment is carried out by the Army Base Repair Organisation, a defence agency. ABRO is currently implementing a programme of market testing its services. The pilot market test, of 18 base workshop, was won by the in-house team following a keenly contested competition.

In fact, quite apart from the market-testing initiative, the Army Base Repair Organisation already contracts with

industry to undertake about a third of its work load, by volume. This dual sourcing between the agency's own workshops and private industry provides an element of competition, and safeguards the ability to surge above the organisation's normal repair capacity during times of crisis.

Defence Costs Study

Mr. David Shaw: To ask the Secretary of State for Defence if he will make a statement on the progress of his review of defence expenditure.

Mr. Aitken: Work on the defence costs study is continuing. Thirty-one of the 33 individual study teams set up to examine particular areas of defence support have submitted their final reports. Their proposals are now under consideration. This is a complex and necessarily lengthy process and it will be some time before final decisions are taken. We hope to make public the broad outcome of the study before the summer recess. I refer the hon. Gentleman to my closing remarks in the Army debate on 4 May *Official Report*, 4 May, columns 815-16, in which I outlined a number of messages emerging from the defence costs study.

23. **Mr. Denham:** To ask the Secretary of State for Defence what estimate he has made of the impact of the current defence review on defence-related employment in Hampshire.

Mr. Aitken: No such estimate is possible at this stage as decisions on the defence costs study have yet to be taken.

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 29 April, *Official Report*, column *399*, if he will list the membership of the defence costs study team which is specifically concerned with repair, spares, storage and distribution; if he will give full details of the instructions given to the team; and if he will make a statement.

Mr. Aitken: The defence costs study into repair, spares, storage and distribution was led by Mr. D. Jones. The study team members were:

Captain A. Burbridge RN,
Air Commodore D. Anderson,
Mr. J. Morrison,
Mr. S. Goodwin,
Mr. J. Oughton-Efficiency Unit,
Miss A. Perkins—HM Treasury,
Mr. R. Benton—External member.

The Study's remit was to identify means of achieving maximum possible reductions in the costs—including those that might be associated with further adjustments to readiness—associated with repair, spares, storage and distribution in all the services. The study was to range as broadly as necessary but in particular was to propose the appropriate policy and organisation/administration for:

Third and fourth line repair;
Spares procurement and stockholding;
Non-explosive storage;
Explosive storage and processing;
Freight Distribution.

Manpower

24. **Mr. Colin Shepherd:** To ask the Secretary of State for Defence what is the present manpower strength of the armed services.

Mr. Hanley: The total strength of the armed forces as at 1 March 1994 was some 256,000. Further details are contained in the monthly "Tri-Service Personnel Statistics Return on Strengths, Intake and Outflow of the UK Regular Forces", a copy of which is placed in the Library of the House.

29. **Mr. Gunnell:** To ask the Secretary of State for Defence what total level of staff reductions he is expecting in 1995-96, 1996-97 and 1997-98; and what impact this will have on this budget.

Mr. Hanley: The "Statement on the Defence Estimates 1994" indicates the forecast manpower levels for service personnel at 1 April 1995 and for civilian personnel at April 1996. Manpower levels for later years will be affected by a range of factors, including of course, the outcome of the defence costs study.

Nuclear Capability

25. **Mr. David Evans:** To ask the Secretary of State for Defence what plans he has to increase Britain's nuclear capability.

Mr. Hanley: The Government remain committed to retaining the minimum nuclear capability necessary for credible and effective deterrence. Our plans have most recently been set out in the "Statement on the Defence Estimates 1994", copies of which are in the Library of the House.

Exports

27. **Mr. Waterson:** To ask the Secretary of State for Defence if he will make a statement on the contribution to exports of United Kingdom defence industries.

Mr. Aitken: I am pleased to report that 1993 was another record year, with British defence equipment manufacturers winning export orders worth around £6,000 million. These figures build on our success in 1992, and maintain the United Kingdom's position as the world's second-largest supplier of defence equipment.

RAF Valley

28. **Mr. Wigley:** To ask the Secretary of State for Defence on how many occasions RAF personnel at RAF Valley have been called out for mountain rescue and air-sea rescue purposes during the past 12 months.

Mr. Hanley: Between 1 April 1993 and 31 March 1994 RAF search and rescue personnel and equipment at RAF Valley were involved in 234 call-outs. The search and rescue helicopters and mountain rescue team responded to 161 call-outs on land, 45 along the coastline and 28 at sea.

MOD Housing

30. **Mr. Pickthall:** To ask the Secretary of State for Defence if he will transfer surplus MOD housing to ensure it can be used for low-cost rented accommodation.

Mr. Hanley: I refer the hon. Member to the reply that I gave earlier today to the hon. Member for Liverpool, Broadgreen (Mrs. Kennedy).

Northern Iraq

Mr. Dalyell: To ask the Secretary of State for Defence what assessment he has made of the loss of the United Nations helicopters in Northern Iraq.

Mr. Hanley: The two United States helicopters shot down in northern Iraq on 14 April by United States FI5s are the subject of a United States investigation, in which the United Kingdom and other coalition partners are fully represented. The results of the investigation will be reported to Parliament as soon as possible and it would be inappropriate for my Department to attempt to make an assessment at this stage.

Departmental Budget

Mr. Harry Greenway: To ask the Secretary of State for Defence what was the budget of his Department in constant prices *(a)* in the current year, *(b)* five years previously and *(c)* 10 years previously; and if he will identify the main area in which savings have been made.

Mr. Hanley: The information requested is as follows:

1994-95	*1990-91*	*1985-86*
22,889	26,456	28,951

Notes:
(1) All figures are in £ million and are at 1994-95 constant prices.
(2) Figures are adjusted for technical changes in the treatment of Armed Forces and civilian pensions described in the 1992 Autumn Statement (Cm 2096) and other classification changes.
(3) Figures include expenditure arising from the Falklands and Gulf conflicts and redundancy costs flowing from 'Options for Change', but exclude Gulf burdensharing contributions from other Governments.
(4) Figures for 1990-91 and 1985-86 include expenditure relating to the security and intelligence services.

The defence programme has changed significantly over the period in question largely due to the changing strategic environment as well as changes to commitments and capabilities. More specific details can be found in successive "Statements on the Defence Estimates", copies of which are available in the Library of the House.

Belize

Mr. Davidson: To ask the Secretary of State for Defence (1) if he will list the countries with which the United Kingdom has had discussions with a view to guaranteeing the territorial integrity of Belize;

(2) what discussions have taken place to guarantee the defence of Belize in the event of external aggression since the decision to reduce the British military presence in Belize.

Mr. Hanley: The sovereignty and independence of Belize are recognised by all members of the United Nations. Belize is also a member of the Organisation of American States. We have made clear our readiness to participate with others in any consultations Belize may request on its future security. Any such discussions would of course be confidential between the parties concerned.

Armed Forces (Operational Capability)

Dr. David Clark: To ask the Secretary of State for Defence (1) if he will list all of the sources of the data that he uses to assess the operational capability of the armed forces; and if he will make a statement;

(2) how he measures the operational capability of the armed forces; and if he will make a statement.

Mr. Hanley: Central assessments of operational capability are informed by both quantitative data and military judgment reported up the chain of command; to list all the original souces could be done only at disproportionate cost. The various quantitative indicators include manning levels, the operational availability of key equipment, the level of warstocks and the recent collective training achieved by headquarters and units. In addition, operational analysis, or war-gaming, can be used to measure the likely operational effectiveness of forces earmarked for contingent military tasks.

Bedrooms

Mr. Cohen: To ask the Secretary of State for Defence how many bedrooms his Department maintains in *(a)* the MOD building, Whitehall and *(b)* elsewhere in central London; what is the rate of occupancy of these bedrooms; and what proportion of these are reserved for the use of civil servants and service personnel who are not based in London but are required to visit his Department's offices in London.

Mr. Hanley: There are a small number of bedrooms in MOD main building, Whitehall—including PINDAR—for the use of essential service and civilian personnel and duty staff. None of this accommodation is appropriate for use by Crown servants visiting my Department's offices in London. We are also responsible for a number of Army messes in the London area; there are 2,032 beds—some in shared rooms—of which 1,883 were occupied on 3 May 1994 by personnel employed or on a course. On that date, 143—7 per cent.—of the beds were available to civilian and military personnel.

Hotels, Central London

Mr. Cohen: To ask the Secretary of State for Defence what is his Department's annual expenditure on hotel accommodation in central London.

Mr. Hanley: My Department introduced new subsistence rates for civilian and service staff on 1 December 1993 to reflect discounted hotel charges. The total cost of bed-and-breakfast accommodation in central London between that date and 31 March 1994 was estimated to be some £626,000.

PINDAR

Mr. Cohen: To ask the Secretary of State for Defence what studies have been carried out into future uses of PINDAR.

Mr. Hanley: The PINDAR joint operations centre provides the Government with a protected crisis management facility. While all aspects of Defence support are currently under examination as part of the defence costs study, there are no plans to change the present role of the centre.

Depleted Uranium

Mr. Llew Smith: To ask the Secretary of State for Defence, pursuant to his answer of 4 February, *Official Report*, column *997*, if he has now received the consultants' reports on the environmental assessment of depleted uranium firing at the Kirkcudbright and Eskmeals ranges; and if he will make a statement.

Mr. Aitken: I have not yet received the report. This is an important study and the contractor has identified several

lines of inquiry which need to be followed up and which require additional time. The draft version of the report is now expected to be available to officials within the next few weeks.

Internet

Mr. David Shaw: To ask the Secretary of State for Defence what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information to which the public may wish to have access and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. Hanley: My Department currently makes use of the Internet—particularly the unclassified electronic mail facility with its ability to transmit information rapidly worldwide. Owing to the unclassified, open nature of the network there is, however, no intention of using the Internet for defence communications.

Our press releases are issued electronically through the Central Office of Information and are accessible to users of the Internet via Data-Star Dialog (Europe) or Mead/Lexis/Nexis.

Consideration is being given to the provision of access to the Internet through the departmental library as an enhancement to existing information services. The introduction of my Department of further roles for the Internet would however be conditional on the development of adequate security measures to protect sensitive information.

Mobile Telephones and Pagers

Mr. Vaz: To ask the Secretary of State for Defence how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Mr. Hanley: This information is not held centrally and could be provided only at disproportionate cost.

DUCHY OF LANCASTER

"Forward Look"

Mr. Matthew Taylor: To ask the Chancellor of the Duchy of Lancaster what was the *(a)* budgeted and *(b)* total cost of producing the package, "Forward Look of Government-funded Science, Engineering and Technology 1994"; how many copies have been produced and distributed; and to whom they have been distributed.

Mr. Waldegrave: The Office of Science and Technology set a budget of £30,000 to produce the 1994 "Forward Look of Government-funded Science, Engineering and Technology". The costs of printing, publishing and distributing were borne by HMSO which aims to recover its costs from sales revenue. HMSO produced a total of 1900 copies of which 1,000 copies were purchased by the OST for official use. After discount the total cost to the OST was £24,000.

Approximately 800 copies of the "Forward Look" have ben distributed to date by the OST to parliamentary bodies, Government Departments, research councils, higher education funding councils, higher education institutes, research and technology organisations, trade and industry associations, professional institutions of scientists and engineers, learned societies, members of advisory bodies on S and T, S and T counsellors in United Kingdom embassies and overseas embassies based in London. Copies are on sale through HMSO, its agents and other booksellers.

Mobile Telephones and Pagers

Mr. Vaz: To ask the Chancellor of the Duchy of Lancaster how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Mr. Waldegrave: There are 189 portable telephones, 195 pagers and nine car telephones currently in use in the Cabinet Office—excluding 10 Downing street—its agencies and the Central Office of Information at an annual cost of approximately £289,000. Information in respect of HMSO is not held centrally.

The equipment is made available to those personnel who need to keep in contact with the office for official purposes.

Civil Service Commission

Mrs. Roche: To ask the Chancellor of the Duchy of Lancaster (1) how many executive search agencies the Civil Service Commission currently uses; how many it used in *(a)* 1979 and *(b)* 1985; and what was the annual cost of the use of such agencies in each of those three years;

(2) for how many recruitment posts the Civil Service Commission employed executive search agencies in *(a)* 1979, *(b)* 1985 and *(c)* the last year for which figures are available.

Mr. David Davis: On 1 April 1991 the Civil Service Commission was replaced by the Office of the Civil Service Commissioners and the Recruitment and Assessment Services Agency. All recruitment costs, including those of using search consultants, are now met by Departments and agencies; prior to 1991 the general position was that they met the cost of recruitment below executive officer level.

There is no information held centrally on the use of search consultants in 1979 or 1985 though it seems unlikely that much, if any, use was made of them at that period. The decision to use search consultants and the choice of consultants is one for Departments and agencies. The Civil Service Commissioners' annual report for 1992-93 records that six search consultants were used for 11 appointments approved by the commissioners at grade 5 level and above in that period. Copies of the report are available in the Libraries of the House.

Mrs. Roche: To ask the Chancellor of the Duchy of Lancaster what budget the Civil Service Commission had for recruitment in *(a)* 1979, *(b)* 1985 and *(c)* the latest year for which figures are available; and what was the proportion spent in each of those years on executive search agencies.

Mr. David Davis: On 1 April 1991 the Civil Service Commission was replaced by the Office of the Civil Service Commissioners and the Recruitment and

Assessment Services Agency. All recruitment costs, including those of using search consultants, are now met by Departments and agencies; prior to 1991 the general position was that they met the cost of recruitment below executive officer level.

The Civil Service Commission's budget for recruitment was £5,024,000 in 1979-80, £10,066,000 in 1985-86 and £12,288,000 in 1990-91. No figures are held centrally for the costs of using search consultants; these costs are paid direct by the Departments and agencies which use them.

SOCIAL SECURITY

Severely Disabled Premium Awards

Mr. Bradley: To ask the Secretary of State for Social Security how many review hearings for people awaiting payments due to them under the severely disabled premium awards have been *(a)* successful and *(b)* unsuccessful.

Mr. Burt: I am informed by his honour Judge Thorpe, who is responsible for the Independent Tribunal Service, that to date 451 appeals have been successful and 426 unsuccessful.

Myalgic Encephalomyelitis

Mr. Dunnachie: To ask the Secretary of State for Social Security if he will take steps to ensure that any new incapacity assessment for ME sufferers will take account of the variability of ME; and if he will make a statement.

Mr. Scott: Departmental studies have researched the extent to which certain factors such as fatigue and variability affect capacity for work. This research has been incorporated into the development of the medical test so far.

People with conditions such as ME may be able to carry out the various activities in the test once but cannot maintain this performance because of cumulative fatigue. The all-work assessment will take into account the fact that a person must be able to repeat activities over a period of time to be capable of work. In the assessment, the Benefits Agency medical services doctor will consider a person's abilities over time, rather than the person's optimum performance.

Independent Living Fund

Mr. Dewar: To ask the Secretary of State for Social Security how many clients are receiving help from the independent living (1993) fund; how many applications have been refused since the fund started operating; and what percentage of its first year budget of £4 million has been spent.

Mr. Scott: I am informed by the director of the independent living (1993) fund that, as at 3 May, there were 268 severely disabled people receiving payments from the fund. In a further 135 cases, offers of help had been made, but had not yet been taken up by the client. Since 1 April 1993 the fund has refused 443 applications.

I am further informed that the 1993 fund spent £841,858 in its first year of operation; representing 21 per cent. of the first year budget.

The fund estimates that the full year costs of the case load taken on in its first year will be around £6·28 million in this financial year, assuming current trends.

Disabled People

Mrs. Browning: To ask the Secretary of State for Social Security what are the Government's plans for combating discrimination against disabled people.

Mr. Scott: The Government have already made considerable progress in this area through a policy of education and persuasion, backed up where necessary by targeted legislation. We propose to consult widely on further measures in five key areas.

Proposals to prevent unjustifiable discrimination against disabled people in the field of employment, as we recognise that the quota scheme may not be the most effective instrument for improving the work position of disabled people.

A right of access to goods or services where there is no physical barrier or safety risk.

Codes of practice on the provision of financial services, and extended roles for the banking and building society ombudsmen to cover cases of unjustified discrimination against disabled people.

Extending the application of the Building Regulations as they affect the needs of disabled people.

A new independent body to advise government on issues relating to discrimination against disabled people. This body would work closely with existing statutory bodies representing the interests of disabled people and would report regularly on progress towards reducing and removing discrimination as well as making recommendations for further improvement.

Following consultation, we will consider assisting in the drafting of any necessary workable and practicable legislation.

Criminal Injuries Compensation

Mr. Hinchliffe: To ask the Secretary of State for Social Security if he will exempt all payments made in criminal injuries compensation from capital thresholds for the purposes of benefit claims; and if he will make a statement.

Mr. Burt: Special rules for personal injury compensation payments mean that the capital value is ignored entirely for benefit purposes provided that the funds are placed on trust for the benefit of the injured person. There are no plans to change these rules.

Mr. Hinchliffe: To ask the Secretary of State for Social Security what information he has available on the number of claims where benefit was *(a)* disallowed or *(b)* reduced as a result of capital acquired from criminal injuries compensation.

Mr. Burt: The information requested is not available.

Child Support Agency

Mr. Dafis: To ask the Secretary of State for Social Security what is his estimate for *(a)* England and *(b)* Wales, *(c)* Scotland, *(d)* Northern Ireland and *(e)* the United Kingdom for each available year of (i) the numbers of absent parents who have been assessed by the Child Support Agency and (ii) the proportion of those who have made payments.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the Chief Executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Cynog Dafis, dated 10 March 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the number of people assessed by the Child Support Agency, and the number of people paying child maintenance.

To the end of March 1994, 205,500 absent parents had been assessed by the Agency. I regret that a breakdown between England, Wales, Scotland and Northern Ireland is not available.

With regard to how many absent parents are paying, the Child Support Computer System records client's details on an individual case by case basis, and it is not currently configured to produce information on the total number of absent parents paying maintenance.

I am sorry that I cannot be more helpful.

Written Answers to Questions

Wednesday 11 May 1994

LORD CHANCELLOR'S DEPARTMENT

Internet

Mr. David Shaw: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. John M. Taylor: The Lord Chancellor's Department has no plans directly to utilise the Internet. Press releases issued by my Department through the Central Office of Information are accessible through the Internet via Data-Star Dialog (Europe) and Mead/Lexis/Nexis. They are also available to subscribers to FT Profile, Reuters Textline and to Polis.

My Department's press releases are also made available through the COI's fax retrieval service.

Mobile Telephones and Pagers

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Mr. John M. Taylor: The numbers of portable telephone, pagers and electronic bleepers, and car telephones currently used by my Department are respectively 322, 128 and 17. The annual costs of operating this equipment are £190,000. The equipment is used by staff who are required to work away from their office on a regular basis.

Child Witnesses

Mr. Brandreth: To ask the Parliamentary Secretary, Lord Chancellor's Department, which Crown court centres in England and Wales have live television link and video playback equipment for use in the presentation of evidence by child witnesses.

Mr. John M. Taylor: The following Crown court centres are fitted with live television link equipment and video playback equipment for use in the presentation of evidence by child witnesses:

Birmingham (three sets)
Derby
Grimsby
Leicester
Lincoln
Northampton
Nottingham
Peterborough
Stafford
Wolverhampton (two sets)
Bradford
Hull
Leeds
Newcastle
Sheffield
Teeside
York
Carlisle
Liverpool (two sets)
Manchester (two sets)
Preston
Central Criminal Court
Chelmsford
Croydon (two sets)
Guildford
Harrow
Ipswich
Kingston-upon-Thames
Lewes
Luton
Maidstone (two sets)
Norwich
Reading
St. Albans
Southwark
Wood Green
Woolwich
Caernarfon
Cardiff (two sets)
Chester
Mold
Newport
Swansea
Bristol (two sets)
Exeter
Gloucester
Plymouth
Portsmouth
Southampton
Truro
Winchester (two sets)

Mr. Brandreth: To ask the Parliamentary Secretary, Lord Chancellor's Department which courts in England and Wales have child liaison officers.

Mr. John M. Taylor: Child liaison officers are in place in all Crown court centres in England and Wales.

Magistrates (Political Balance)

Mr. Redmond: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the political balance of magistrates in *(a)* Huntingdon, *(b)* Norfolk and *(c)* Hereford, *(d)* Enfield, *(e)* Folkestone and *(f)* Doncaster.

Mr. John M. Taylor: The political balance of magistrates in Huntingdon, Norfolk, Hereford, Enfield, Folkestone and Doncaster on 21 February was as follows:

	Conservative	*Labour*	*Liberal Democrats*	*Independent/ not known*
Huntingdon	23	9	11	12
Norfolk	258	88	84	49
Hereford City	35	19	20	14
Enfield	54	15	13	15
Folkestone	28	4	7	4
Doncaster	101	62	23	6

HOME DEPARTMENT

Immigration (Exceptional Leave to Remain)

Mr. Gerrard: To ask the Secretary of State for the Home Department how many adjudicator's recommendations at immigration appeals have not been accepted by his Department for each year since 1988, including the current year to date; and how many of these cases concerned a recommendation of exceptional leave to remain in the United Kingdom.

Mr. Charles Wardle: The information requested is not available and could be obtained only at disproportionate cost.

Prisoners

Mr. Nicholls: To ask the Secretary of State for the Home Department what recent representations he has received that those convicted of murder of prison officers and police officers should never be released from custody.

Mr. Maclean: I have received a number of representations to this effect. Under the present arrangements, those convicted of such murders will normally serve a minimum of 20 years in prison. Some will serve longer and some may never be released.

AIDS (Prisons)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department how many cases of AIDS have been reported in United Kingdom prisons in each of the past eight years; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Alex Carlile dated 11 May 1994:

The Home Secretary has asked me to respond to your recent Question about the number of cases of AIDS that have been reported in the last eight years in prisons within the United Kingdom.

The available information, which covers prisons in England and Wales, is as follows:

	AIDS	*HIV (including AIDS)*
1986	1	48
1987	3	75
1988	3	61
1989	5	54
1990	7	59
1991	1	26
1992	5	28
1993	4	33
TOTALS	29	384

The above figures represent only those prisoners confirmed to be HIV positive or as having AIDS. There is no routine testing of prisoners within prison. Prisoners may however request a confidential HIV test for which they will receive pre and post test counselling.

Responsibility for prisons in the rest of the United Kingdom lies with the Secretaries of State for Scotland and Northern Ireland.

Reactivated Firearms

Mr. Milburn: To ask the Secretary of State for the Home Department what information he has about shootings involving reactivated firearms.

Mr. Charles Wardle: We are aware of 14 incidents since the beginning of 1993 involving firearms which have been identified as being previously deactivated and then reactivated to working condition. The standards to which guns are deactivated are currently under review.

Ticket Touts

Mr. Kilfoyle: To ask the Secretary of State for the Home Department what representations he has had about the need to protect legitimate traders from the activities of ticket touts.

Mr. Maclean: We have received a number of representations from hon. Members and others on the subject of ticket touting, including some from those involved in the organisation and promotion of theatrical, sporting, and other entertainment events.

The Criminal Justice and Public Order Bill currently before Parliament will make the unauthorised touting of tickets for football matches an offence because of the serious consequences such touting may have for the preservation of public order. Similar problems have not occurred at other sporting events or entertainments and the Government have no plans to make touting in general a criminal offence. However, my right hon. Friend the President of the Board of Trade is considering making regulations under the Consumer Protection Act 1987 to ensure that those who deceive customers as to the value or type of the tickets they sell can be punished appropriately.

Immigration Detainees

Mr. Andrew Smith: To ask the Secretary of State for the Home Department on what grounds immigration detainees are moved from one detention centre to another or to a prison; on whose authority this is done; and what steps the Home Office takes when detainees are moved to ensure that solicitors of detainees are immediately told of their whereabouts.

Mr. Charles Wardle: Transfers are made for a variety of reasons, including the best use of the available accommodation, proximity to ports of departure where removal has been arranged and the behaviour and any medical requirements of individual detainees.

Detainees are transferred on the authority of an officer of at least chief immigration officer grade. The port or office responsible for the initial decision to detain informs legal representatives of any transfer as soon as practically possible.

Prison Service

Mr. Patrick Thompson: To ask the Secretary of State for the Home Department if he will publish the Prison Service's key targets for 1994-95.

Mr. Peter Lloyd: The Prison Service's key targets for the current financial year are set out in its business plan for 1994-95, which is being published today. A copy has been placed in the Library. My right hon. and learned Friend has set the following key targets for 1994-95:

1. To ensure that the number of escapes from prison establishments and from escorts, expressed as a percentage of the average prison population, is fewer than in 1993-94.
2. To reverse, over the period 1993-96, the rising trend of assaults on staff, prisoners and others, expressed as a percentage of the average prison population.
3. To ensure that in 1994-95 the average number of prisoners held three to a cell in accommodation which is intended for one prisoner is fewer than in 1993-94, subject to ensuring that no prisoners are held in police cells unless this is absolutely unavoidable.
4. To provide 24 hour access to sanitation in at least 3,500 more cells, including new and renovated accommodation, thus ensuring that at least 95 per cent. of prisoners have access to sanitation at all times.
5. To ensure that prisoners spend, on average, at least 25·5 per hours per week in purposeful activity.
6. To ensure that by 31 March 1995 at least 36 per cent. of prisoners are held in establishments where prisoners are unlocked on weekdays for at least 12 hours.
7. To ensure that all prisoners have the opportunity to exceed the minimum visiting entitlement throughout 1994-95.
8. To ensure that the average cost per prisoner place (including places temporarily out of use) does not exceed £24,500.

Police Negotiating Board

Mr. Hawkins: To ask the Secretary of State for the Home Department what decisions the Government have reached on the recommendations made by the Police Negotiating Board for changes to pay structures, pay levels, overtime and allowances for the police service.

Mr. Michael Howard: I received the Police Negotiating Board's recommendations at the beginning of April and the Secretaries of State for the Home Departments have considered them carefully. The recommendations included proposals for constables and sergeants, inspectors, superintendents and chief officer ranks. We accept the board's recommendations for constables and sergeants: these will be implemented with effect from 1 September.

The board has now put forward further proposals which take account of the decision which I announced on 26 April that the rank of chief inspector should be retained. We are now studying these proposals and looking again at those for the more senior ranks in the light of them. I hope to announce shortly decisions in relation to the ranks of inspector and above.

TREASURY

Ships (Capital Allowances)

Mr. Harris: To ask the Chancellor of the Exchequer, pursuant to his answer to the hon. Member for Dover (Mr. Shaw) of 21 April, *Official Report*, column *597*, if the roll-over of capital allowance balancing charges for merchant ships will apply to fishing vessels.

Mr. Dorrell: This point will be considered in drawing up the draft legislation for this measure.

Inflation

Mr. Harry Greenway: To ask the Chancellor of the Exchequer what was the average rate of inflation between February 1974 and May 1979 and over the past five years; and if he will make a statement.

Mr. Nelson: Between February 1974 and May 1979 the average rate of inflation, as measured by the retail prices index, was 15·4 per cent. per annum. This compares with 4·5 per cent. for the last five years to March 1994, the latest month for which information is available.

EDUCATION

Pupil Capacity

Mr. Tipping: To ask the Secretary of State for Education what is the pupil capacity of *(a)* the Greenwood Dale grant-maintained secondary school, *(b)* the George Spencer school and *(c)* the Ravensdale school in Nottinghamshire.

Mr. Robin Squire: The information held by the Department showing the pupil capacity is set out below.

	Number
(a) Greenwood Dale Grant Maintained School	722
(b) The George Spencer Grant Maintained School	980
(c) Ravensdale Grant Maintained Middle School	560

Note: These figures for capacity of schools are derived from the application for GM status.

Voluntary Schools

Mr. Andrew Smith: To ask the Secretary of State for Education if he will list those voluntary schools which have become grant-maintained, indicating which ones were previously aided or controlled and the denomination or religion involved in each case.

Mr. Robin Squire: The information requested has been placed in the Library.

AGRICULTURE, FISHERIES AND FOOD

Water Pollution (Worcester)

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food what advice was given to farmers in the Worcester area following the water pollution incident of 15 April; how such advice was publicised or drawn to the attention of farmers; and at what times such advice was offered.

Mr. Jack: The Department was alerted to the incident by the local office of the National Rivers Authority during the morning of 15 April. In the course of the day, Severn Trent water authority issued advice to all residents in the Worcester area not to drink, or use for washing, or wash in, tap water.

The MAFF regional office immediately established close contact with the Severn Trent water authority, the National Rivers Authority and Worcester environmental health department. The normal telephone inquiry service for farmers was operating at the MAFF regional office and was available throughout the weekend. As a precaution, following consultation with the Severn Trent water authority and the National Rivers Authority, farmer inquirers were advised to provide an alternative water supply for animals. The advisory warning was lifted on 16 April.

In consultation with MAFF, the Milk Marketing Board arranged that, pending a food safety risk assessment, milk collected from the affected area on 15 and 16 April should be diverted to processing rather than go for early liquid consumption. On 16 April, Ministry scientists confirmed that the incident did not pose any risk to food safety.

Flood and Coastal Defence

Mr. Clifton-Brown: To ask the Minister of Agriculture, Fisheries and Food if she will make a statement on the Government's flood and coastal defence strategy.

Mr. Jack: After extensive consultations with a wide range of organisations, my right hon. Friend the Minister published the strategy for flood and coastal defence in England and Wales in October 1993. Copies were placed in the Library of the House.

The strategy reaffirms the Government's commitment to reducing the risks to people and to the developed and natural environment from flooding and coastal erosion, by encouraging the provision of technically, environmentally and economically sound and sustainable defence measures. In particular, it emphasises that the safeguarding of lives

must be the highest priority; that a strategic approach should be adopted, taking account of the potential impact of defences on natural river and coastal processes; and that environmental considerations should be integral to flood and coastal defence policy.

Mr. Clifton-Brown: To ask the Minister of Agriculture, Fisheries and Food if she will make a statement on the place of arterial drainage infrastructure and sea defence works in British agriculture.

Mr. Jack: The Government's flood and coastal defence strategy for England and Wales recognises that over 50 per cent. of grade 1 agricultural land is situated in areas which depend on flood defence or arterial drainage works to maintain their productive capacity. The maintenance of this infrastructure is supported through central Government's financial support for local authorities.

As far as capital works are concerned, the Ministry no longer provides financial support for new rural arterial drainage schemes which are intended primarily to increase agricultural production but assistance may be available for works intended to alleviate flooding or coastal erosion in rural areas provided these meet the Ministry's technical, economic and environmental criteria.

Ewes

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food, pursuant to her answer to the hon. Member for Dulwich (Ms Jowell) of 13 April, *Official Report*, column *180*, if she will list for each consignment of culled milking ewes *(a)* the date of importation, *(b)* the number of animals recorded on the animal health certificate, *(c)* the number of animals inspected on arrival in Birmingham and *(d)* the numbers of animals recorded at any intermediate stage in each journey.

Mr. Soames: The information requested is in the table.

Imports of sheep from Spain and Poland since 1 January 1994

(1) *Date of arrival at slaughterhouse*	*(2)* *Date of importation*	*(3)* *Number of animals recorded on the health certificate*	*(4)* *Number of animals inspected on arrival at slaughterhouse*	*(5)* *Number of animals recorded at lairages in Great Britain*
17 February 1994	16 February 1994	300	289	Not recorded
8 March 1994	3 March 1994	300	291	297 animals recorded at lairage at Dover (including 2 dead on arrival and 4 unfit for further transit
9 March 1994	8 March 1994	334	328	Not recorded
17 March 1994	17 March 1994	351	350	No Great Britain lairage used
28 January 1994	27 January 1994	300	243	Not recorded
15 February 1994	14 February 1994	250	188	No Great Britain lairage used
8 March 1994	7 March 1994	300	290	Not recorded
23 March 1994	22 March 1994	300	268	300 animals recorded at lairage at Southampton (including 4 dead on arrival and 28 unfit for further transit)

Fisheries

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food what reasons underlay the decision to grant full Spanish accession to the common fisheries policy as part of the Norwegian accession negotiations; whether this was at the insistence of *(a)* Spain or *(b)* Norway; and if she will make a statement on reasons for the United Kingdom position on the issue.

Mr. Jack: The accession treaty of Spain and Portugal provides for certain of its fisheries provisions to be amended. The Commission proposed the integration of Spanish and Portuguese fishing arrangements into the CFP in October 1993. The subsequent negotiation on the principles to guide the Commission in drafting detailed rules for the waters and resources concerned was concluded at the Fisheries Council on 12 April. As provided for in the accession treaty, it was decided by qualified majority vote—not as the result of the insistence of a single country. In my reply to my hon. Friend the Member for Hertsmere (Mr. Clappison), *Official Report*, columns *183-84*, I explained why the outcome was satisfactory.

Mr. Austin Mitchell: To ask the Minister of Agriculture, Fisheries and Food whether Spain and Portugal will be fully integrated into the common fisheries policy as from 1 January 1996 and have access to all waters on a non-discriminatory basis.

Mr. Jack: I refer the hon. Member to the reply I gave on 5 May to my hon. Friend the Member for Ludlow (Mr. Gill), *Official Report*, column *641*.

BSE

Mr. Bayley: To ask the Minister of Agriculture, Fisheries and Food what are the methods of calculation of the compensation paid to farmers for slaughtered confirmed cases of BSE; and what changes were made in this calculation between January 1990 and January 1994.

Mr. Soames: From 8 August 1988 up to 14 February 1990, compensation paid to farmers for a confirmed case of BSE was an amount equal to 50 per cent. of either the actual market value of the animal or of 125 per cent. of the average market price—AMP—for commercial grade Friesian dairy cows and heifers in milk and in calf,

whichever was the lower figure. Details can be found in the Bovine Spongiform Encephalopathy Order 1988, S.I. 1988 No. 1346.

This was changed from 14 February 1990 up until 1 April 1994, when compensation paid was an amount equal to 100 per cent. of either the actual market value of the animal or the AMP, whichever was the lower figure—BSE Compensation Order 1990, S.I. 1990 No. 222.

From 1 April 1994, the method of determining the ceiling for compensation was modified to reflect the increasing proportion of older cattle being slaughtered as BSE suspects. The monthly AMP was replaced by the indicative market price—IMP—which is a weighted average of prices of Friesian and Holstein cows, heifers in milk and in calf, and barren dairy cattle taking into account the age distribution of cattle slaughtered as BSE suspects in the month. The compensation paid out is an amount equal to 100 per cent. of either the market value of the animal or the IMP, whichever is the lower figure—BSE Compensation Order 1994, S.I. 1994 No. 673.

Mr. Bayley: To ask the Minister of Agriculture, Fisheries and Food what was the average compensation paid out per confirmed case of BSE between January 1990 and January 1994.

Mr. Soames: BSE compensation is paid on all cattle slaughtered whilst BSE suspects. Additional payments may be made in cases where BSE is not confirmed following laboratory examination. Between 1 January 1990 and 31 December 1993, 129,700 cattle were slaughtered as BSE suspects of which 110,101 were subsequently confirmed as having BSE. The total compensation paid out during that period was £92,709,724. The average compensation for all cattle slaughtered while BSE suspects was therefore £715 per animal. It is not possible without disproportionate cost to separate compensation into that paid for confirmed and unconfirmed cases of BSE.

Beef

Mr. Worthington: To ask the Minister of Agriculture, Fisheries and Food how much European Union beef has been exported to developing countries in each of the past five years; to which countries; in what quantities; and what is the value of the European Union subsidy per ton of beef.

Mr. Jack: In the 1992 calendar year, European Community exports of beef to developing countries, as defined by "Eurostat", were as follows in tonnes carcase weight equivalent:

Country	*tonnes*
Canary Islands	26,491
Ceuta and Melilla	2,563
Morocco	9,099
Algeria	27,763
Tunisia	14,050
Libya	21,569
Egypt	147,591
Sudan	100
Mauritania	143
Mali	18
Burkina Faso	1
Niger	131
Chad	49
Cape Verde	307
Senegal	1,377
Gambia	421
Guinea Bissau	190
Guinea	2,380
Sierra Leone	452
Liberia	3,332
Ivory Coast	23,986
Ghana	28,529
Togo	791
Benin	7,760
Nigeria	38
Cameroon	598
Central African Republic	156
Equatorial Guinea	702
Sao Tome and Principe	7
Gabon	16,666
Congo	23,449
Zaire	22,053
Vanuatu	1
French Polynesia	4,104
Polar Regions	13
Iraq	3,709
Iran	53,776
Israel	2,946
Jordan	31,387
Saudi Arabia	67,499
Kuwait	5,669
Bahrain	1,980
Qatar	1,267
United Arab Emirates	6,976
Oman	144
Yemen	3,883
Afghanistan	23
Grenada	52
Aruba	23
Netherland Antilles	86
Colombia	26
Venezuela	917
Guyana	5
Surinam	22
French Guiana	1,653
Ecuador	69
Peru	238
Brazil	231
Chile	3
Paraguay	1
Argentina	31
Falkland Islands	6
Burundi	207
St. Helena	9
Angola	12,815
Ethiopia	5
Dijbouti	191
Somalia	14
Uganda	18
Tanzania	26
Seychelles	107
British Indian Ocean Territories	1
Mozambique	534
Madagascar	5
Reunion	1,233
Mauritius	4,479
Comoros	2,926
Mayotte	1,102
Zambia	346

Country	tonnes
Namibia	31
Greenland	411
St. Pierre and Miquelon	3
Mexico	19,322
Bermuda	185
Guatemala	140
Belize	116
Honduras	24
El Salvador	23
Nicaragua	115
Panama	153
St. Christopher and Nevis	98
Bahamas	780
Dominican Republic	117
Virgin Islands	26
Guadeloupe	3,904
Antigua and Barbuda	105
Dominica	73
Martinique	4,293
St. Lucia	699
St. Vincent	79
Barbados	703
Trinidad and Tobago	1,723
Cyprus	5,010
Lebanon	26,030
Syria	3,034
Pakistan	39
India	7
Sri Lanka	12
Thailand	65
Laos	59
Indonesia	1,006
Malaysia	77
Brunei	47
Singapore	448
Philippines	18,343
South Korea	122
Taiwan	25
Hong-Kong	1,265
Macao	22
Papua New Guinea	20
Nauru	19
New Caledonia	246
Wallis and Futuna Islands	1
New Zealand Oceania	16

Equivalent information is not yet available for 1993 and, for earlier years, can be provided only at disproportionate cost. However, total beef exports from the European Community to all third countries, including developing countries, in the period 1988-1992 were:

	Number
1988	785,445
1989	1,024,987
1990	816,019
1991	1,324,866
1992	1,323,389

Source: "Eurostat".

Rates of export refund vary depending upon the type of beef being exported and the export destination. The average export refund for fresh, chilled and frozen beef in 1992 was £1,026 per tonne.

Horses

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food if she will resist *(a)* proposed restrictions on the purchase of a variety of veterinary medicines for treating horses and *(b)* proposed new tests on such medicines, provided they satisfy existing United Kingdom standards; and if she will make a statement.

Mr. Soames: I am not aware of any proposals for restrictions on the purchase of veterinary medicines for use in treating horses, nor for any proposed new tests on such medicines. The hon. Member may have in mind recent reports about the possible effects the establishment of maximum residue limits—MRLs—might have on the availability of equine medines. If so, the position remains as I set out in my reply to the hon. Member for Thanet, North (Mr. Gale), *Official Report*, column *491*. Maximum residue limits must be established by 1996 for active ingredients in veterinary medicines used in food producing species. No MRLs are necessary, however, for medicines to be used in horses, irrespective of their value, which are not intended for human consumption.

Fishing Industry

Dr. John D. Taylor: To ask the Minister of Agriculture, Fisheries and Food if the recent award to the Southern Irish fishing industry to compensate for bad weather conditions is consistent with the commons fisheries policy; if she will consider proposing similar assistance for the United Kingdom fishing industry; and if she will make a statement.

Mr. Jack: The European Commission has a duty to examine all aids introduced by member states. It will consider whether the national aid package for the Irish fishing industry announced by the Irish Government on 18 April to alleviate hardship caused by the recent bad weather is in accordance with the provisions of the treaty of Rome and the guidelines on state aids in the fisheries sector.

I have no plans to introduce such aid in the United Kingdom. However, United Kingdom share fishermen who satisfy the conditions of the national insurance rules that apply to them they are eligible to claim unemployment benefit for days they did not fish due to bad weather.

Detective Agencies

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food how much her Department has spent on contracts with private detective agencies since 1991; and if she will make a statement.

Mr. Jack: No use is made of private detective agencies by this Department.

Whaling

Mr. McGrady: To ask the Minister of Agriculture, Fisheries and Food what assessment she has made of the current moratorium on commercial whaling; and if she will make a statement.

Mr. Jack: The Government's position on the current International Whaling Commission moratorium on

commercial whaling is clear and unambiguous. We strongly support its retention and will not even contemplate its lifting unless stocks are shown to be at healthy levels, methods used to kill whales are humane and fully effective procedures for managing whale stocks are in place which include ways of ensuring that the rules are observed and enforced.

More details of our policy on whaling were contained in the letter I sent to hon. Members on 27 April 1994.

Foodstuffs (Prices)

Dr. Howells: To ask the Minister of Agriculture, Fisheries and Food (1) if she will commission a report on the price of foodstuffs in the United Kingdom and in the USA.

(2) **Mr. Redmond:** To ask the Minister of Agriculture, Fisheries and Food if she will commission a report on the price of foodstuffs in the United Kingdom and in the USA.

Mr. Jack: I see no present need for such an exercise.

Fisheries (Conservation)

Mr. Wallace: To ask the Minister of Agriculture, Fisheries and Food what expenditure has been incurred by her Department *(a)* up to 31 December 1993, and *(b)* since 1 January 1994 in making preparations, including the purchase of equipment, for the implementation of the Sea Fisheries (Conservation) Act 1992.

Mr. Jack *[holding answer 4 May 1994]:* Most of the expenditure was on staff salaries for officials dealing with claims from fishermen for additional days at sea and for the secretariat of the Sea Fish Licence Tribunal. This expenditure amounted to £318,000 up to 31 December 1993 but it includes the salaries of staff who were also working on other tasks such as the 1993 decommissioning scheme. Those officials engaged solely on the implementation of the Sea Fish (Conservation) Act have gradually been redeployed over the first quarter of this year and expenditure has been reduced accordingly.

Mr. Wallace: To ask the Minister of Agriculture, Fisheries and Food how many officials of her Department were engaged in work related to the implementation of the Sea Fisheries (Conservation) Act 1992 in December 1993; and how many officials continue to be engaged in work related to the implementation of this Act.

Mr. Jack *[holding answer 4 May 1994]:* At the beginning of December 1993 10 officials were responsible for assessing fishermen's representations against their provisional days at sea allocations; they have all been redeployed. The Sea Fish Licence Tribunal secretariat with six staff has also been disbanded.

Mr. Wallace: To ask the Minister of Agriculture, Fisheries and Food what amount of computer hardware and software has been purchased by her Department for the purposes of implementing the provisions of the Sea Fisheries (Conservation) Act 1992.

Mr. Jack *[holding answer 4 May 1994]:* Computer hardware and software was purchased mainly for the operation of the Sea Fish Licence Tribunal. The hardware has now all been put to good use elsewhere in the Department and future expenditure will be correspondingly reduced.

Privatisation (Consultants)

Mr. Milburn: To ask the Minister of Agriculture, Fisheries and Food if she will estimate the cost of employing consultants in connection with privatisation programmes in which her Department has been engaged since 1980.

Mr. Jack *[holding answer 4 May 1994]:* Since 1980 my core Department has made no expenditure on consultants in connection with privatisation programmes. However, studies into the privatisation of the Covent Garden Market Authority were undertaken by consultants at a total cost of approximately £41,000.

Ploughing

Mr. Harry Greenway: To ask the Minister of Agriculture, Fisheries and Food how many arable acres are estimated to be ploughed *(a)* by machine and *(b)* by horse-drawn appliance; at what estimated cost per acre in each case; and if she will make a statement.

Mr. Jack *[holding answer 5 May 1994]:* Estimates of the area ploughed are not available. The cost of ploughing will depend on many factors. Typical contractors charges and farmers costs for ploughing are contained in "Farm Management Pocketbook" published by Wye college, no official estimates are available for the costs of horse-drawn ploughing.

Public Bodies

Dr. Wright: To ask the Minister of Agriculture, Fisheries and Food if she will publish a table showing, in 1992-93 prices, the gross public spending for each year since 1990-91 and the projected expenditure for each year to 1995-96 for each executive non-departmental public body sponsored by her Department, as listed in "Public Bodies 1993".

Mr. Jack *[pursuant to his reply, 1 March 1994, c. 646-47]:* I would now like to submit a revised figure in the case of the Sea Fisheries Industry Authority.

This figure relates to columns showing the "Total Gross Voted Expenditure" for 1990-91 and 1991-92. The line should read:

£ million

	Total gross expenditure		*Total gross voted expenditure*	
	1990-91	*1991-92*	*1990-91*	*1991-92*
Sea Fisheries Industry Authority	8·675	9·208	8·463	4·098

HEALTH

Managers, West Midlands

Mr. Spellar: To ask the Secretary of State for Health how many general and senior managers have been employed in the health service in the west midlands in each year since 1986.

Dr. Mawhinney: The information requested is shown in the table. These figures should be treated with caution. The general and senior manager class was introduced into the health service in phases from 1986. Most of the apparent growth reflects the reclassification of staff from professional and administrative groups, including many senior nurses, as managers. The pattern of phased introduction in the west midlands corresponded with the national pattern. General and senior managers account for only 2 per cent. of the total NHS work force in the west midlands.

General and Senior Managers in the Regional, District, and Family Health Services Authorities in West Midlands (in whole time equivalents) at 30 September.

	Number
1986	60
1987	90
1988	150
1989	530
1990	1,150
1991	1,540
1992	1,830

Source: Non-Medical Workforce Censuses (1986-90) and aggregate returns KM49 (1991-92).

Note: All figures have been rounded to the nearest 10.

Internet

Mr. David Shaw: To ask the Secretary of State for Health what consideration is being given to possible use of the Internet or other E-mail system in order further to improve care in the community for the elderly, the disabled and other housebound people; and if she will make a statement.

Mr. Bowis: The provision of community care services is a matter for local health and social services authorities. Where they are exploring the use of information technology we would encourage them to share their experience widely with other authorities.

The Department is currently putting in place a national health service-wide networking infrastructure to support all electronic communications, including E-mail, throughout the NHS in England. The extent to which electronic communications are used should be decided in the light of whether it is a cost effective way of improving patient care. All connections to NHS-wide networking factilities, either directly or through other networks such as the Internet and those run by social services, will have to meet national technical, security and confidentiality standards.

Infant Mortality, London

Mrs. Bridget Prentice: To ask the Secretary of State for Health what was the level of infant mortality in each of the past 10 years in each district health authority in London.

Mr. Sackville: The information will be placed in the Library.

Gipsy Caravan Sites (Children)

Ms Corston: To ask the Secretary of State for Health if social service departments have been requested to make estimates of the number of children likely to be received into care following the repeal of local authorities' duty to provide gipsy caravan sites under the Caravan Sites Act 1968, as provided for by the Criminal Justice and Public Order Bill.

Mr. Bowis: No.

Junior Doctors

Mrs. Bridget Prentice: To ask the Secretary of State for Health what is the total number of junior doctors in each regional health authority in London; what is the number in each hospital; and what is the total number of hours covered by junior doctors in each regional health authority in London.

Dr. Mawhinney: In September 1992, the number of whole-time equivalent junior doctors in the Thames regions was:

	Number
North West Thames	1,840
North East Thames	2,270
South East Thames	1,840
South West Thames	1,320

Information on the number in each hospital and complete information on the total number of contracted hours of junior doctors is not available.

Mrs. Bridget Prentice: To ask the Secretary of State for Health how many junior doctors are contracted for more than 72 hours per week in each hospital in each regional health authority in London; and how many have regularly worked more than 72 hours per week since 1 January 1993.

Dr. Mawhinney: At 31 March 1994, the number of junior doctors and dentists in London regional health authorities contracted to work on average for more than 72 hours a week was reported to be:

	Number
North East Thames	965
North West Thames	693
South East Thames	604
South West Thames	695
Total	2,957

Information on individual hospitals and on hours of work is not available centrally.

Thyroid Function Tests

Ms Walley: To ask the Secretary of State for Health if she will set up an inquiry into procedures used at the north Staffordshire pathology laboratory for the processing of thyroid function tests; and if she will make a statement.

Mr. Sackville: The tests are carried out by trained and qualified medical physicists. The isotope department of the North Staffordshire national health service trust has been doing this work for at least 20 years and there is no sign that it fails to meet required quality standards.

Local Authority Charges

Mr. Llwyd: To ask the Secretary of State for Health what statutory provision is made for individuals to appeal against a local authority decision to charge for services; what provision is made for local authorities to publicise the right to an appeal; what consultation local authorities have to carry out before introducing charges; and if she will make a statement.

Mr. Bowis: I refer the hon. Member to the reply I gave him on 31 March, *Official Report, 1040-41.*

Children in Care

Ms Corston: To ask the Secretary of State for Health what was the average annual cost of keeping a child in local authority care, at 1993 prices, for each of the last 10 years for which information is available.

Mr. Bowis: Information is available centrally on a consistent basis for the years 1983-84 to 1991-92 and is shown in the table. These figures exclude cases where care is provided at little or no cost to local authorities—for example, placed with parents—or where local authority costs did not relate solely to children in care.

Average annual net cost of keeping a child in care/looked after, at 1993 prices[1]

Year	Cost (£)
1983-84	9,520
1984-85	9,636
1985-86	9,726
1986-87	10,233
1987-88	10,645
1988-89	11,182
1989-90	11,475
1990-91	12,044
1991-92	12,889

[1] Using the Gross Domestic Product deflator.

Homelessness

Ms Corston: To ask the Secretary of State for Health, pursuant to her answer of 30 March, *Official Report,* column *889,* how many of those children received into care because of homelessness remained in care for more than one year; and how many of those children were not subsequently reunited with their parents.

Mr. Bowis: Information available centrally relates to the duration of the most recent care episode and this was first computed for the year ending 31 March 1977. Figures are available on children whose episode of care ceased because they were self-supporting/under parental care, but these do not separately identify children whose entry to care because of homelessness was in previous years. Figures for 1977 are shown in the table.

Children who entered care because family was homeless (most recent care episode): numbers in care, 1977

Care status at beginning and end of year	All children	Children whose most recent care episode lasted one year or more
1. Children in care at 31 March 1977	1,829	1,346
2. Children who ceased to be in care in the year ending 31 March 1977	1,069	315
3. Children who came into care during the year ending 31 March 1977 but were not in care at that date	604	n/a
4. Children in line (3) whose last care episode ceased because they were self supporting/under parental care	596	n/a

n/a=Not applicable.

Source: Department of Health and Social Security. Personal Social Services Local Authority Statistics, Children in Care of Local Authorities, year ending 31 March 1977. (A/F 77/12).

Ms Corston: To ask the Secretary of State for Health how many children were received into care in England because of homelessness in each of the years following the implementation of the Housing (Homeless Persons) Act 1977; and how many of these were gipsy or traveller children.

Mr. Bowis: The information available centrally relates to the number of children in England taken into care on a voluntary basis because their families were made homeless. Figures for the years 1977-78 to 1990-91 are shown in the table. The information available for 1991-92 is an estimate of 110 for the period 14 October 1991 to 31 March 1992. Gipsies and travellers are not separately identified in these figures.

Children admitted to care due to homelessness England, 1978-1991 England

Year ending 31 March	Number of children
1978	559
1979	421
1980	529
1981	471
1982	378
1983	317
1984	244
1985	215
1986	207
1987	209
1988	179
1989	223
1990	225
1991	138

Westcliffe and Starfield Hospital

Ms Walley: To ask the Secretary of State for Health if she will review the proposals to close continuing care beds at Westcliffe and Starfield hospital.

Mr. Bowis: North Staffordshire health authority is currently reviewing local provision of continuing care beds for the elderly and will conduct a formal public consultation exercise when these plans are sufficiently developed.

Dementia Sufferers

Ms Walley: To ask the Secretary of State for Health if she will reinstate the NHS continuing care beds for people with dementia in the north Staffordshire area.

Mr. Bowis: Provision of health care for people with dementia in north Staffordshire is a matter for North Staffordshire health authority. I understand that the health authority states that there has been no recent change in the level of continuing care purchased for the residents of north Staffordshire.

Ms Walley: To ask the Secretary of State for Health if she will discuss with the Alzheimer's Disease Society the conclusions of its survey of continuing care provision for people with dementia in the west midlands.

Mr. Bowis: The Department is in contact with the Alzheimer's Disease Society about a range of matters including its survey into continuing care provision for people with dementia in the west midlands.

Hospitals, London

Ms Primarolo: To ask the Secretary of State for Health if she will list the paediatric hospitals in London; and how many beds there are at each of these hospitals.

Dr. Mawhinney: The term paediatric hospital is not used in central returns. Information on children's beds is contained in the publication "Bed Availability for England – Financial Year 1992-93", copies of which are available in the Library.

Treatment Costs

Ms Primarolo: To ask the Secretary of State for Health what is the average cost of treating a patient on the waiting list.

Mr. Sackville: Provisional figures show that in 1992-93, for cases involving the use of a bed, the average cost of treatment per patient was £1,241·69. This average applies to all admissions, including those from the waiting list.

GPs (Deprivation Payments)

Ms Primarolo: To ask the Secretary of State for Health what was the average deprivation payment to general practitioners in *(a)* inner London and *(b)* the 10 biggest cities outside London, at the latest available date.

Dr. Mawhinney: The average deprivation payments to general practitioners in 1992-93, the last year for which figures are available, were:

	£
Inner London	6,265
Birmingham	5,223
Leeds	3,282
Sheffield	1,332
Bradford	4,719
Liverpool	2,922
Manchester	4,413
Avon[1]	1,144
Wakefield	59
Coventry	3,164
Sunderland	1,690

[1] Including Bristol.

Food Poisoning

Mr. Clifton-Brown: To ask the Secretary of State for Health how many people in the United Kingdom died from all forms of food poisoning in the last five years for which figures are available.

Mr. Sackville: Figures for England and Wales are shown in the table.

Deaths from food poisoning: England and Wales 1988-92

Year	*Number of Deaths*
1988	63
1989	67
1990	71
1991	64
1992	64

Source: Office of Population Censuses and Surveys.

Information relating to Scotland and Northern Ireland are matters for my right hon. Friend the Secretary of State for Scotland and my right hon. and learned Friend the Secretary of State for Northern Ireland.

Heart Surgery (Waiting Lists)

Ms Primarolo: To ask the Secretary of State for Health what figures she has on the number of patients dying on waiting lists for cardiac or heart bypass surgery.

Dr. Mawhinney: I refer the hon. Member to the reply my hon. Friend the Under-Secretary gave her on 14 April 1993, *Official Report*, column *608*.

Perinatal Mortality Rate

Ms Primarolo: To ask the Secretary of State for Health what was the perinatal mortality rate for all areas covered by the London implementation group, and the national average, at the latest available date.

Mr. Sackville: Perinatal mortality rates for health authorities in Greater London are shown in the table.

Perinatal mortality rate 1992
District health authorities in the Greater London area
(DHAs as at 1 April 1992)

District health authority	*[1]Rate*
Barnet	6·0
Barking, Havering and Brentwood	9·1
Bexley	6·3
Bloomsbury and Islington	8·0
Bromley	6·4
Camberwell	10·3
City and Hackney	7·1
Croydon	7·2
Ealing	10·7
Enfield	7·2
Greenwich	10·8
Hampstead	7·4
Haringey	9·6
Harrow	7·8
Hillingdon	7·6
Hounslow and Spelthorne	4·5
Kingston and Esher	4·2
Lewisham and North Southwark	10·0
Merton and Sutton	6·6
Newham	10·5
Parkside	8·1
Redbridge	8·0

District health authority	[1]Rate
Richmond, Twickenham and Roehampton	8·5
Riverside	7·9
Tower Hamlets	9·4
Waltham Forest	11·9
Wandsworth	7·6
West Lambeth	9·6
All Greater London DHAs	8·5
England	7·9

[1] Stillbirths and deaths under one week combined per 1,000 total live plus still births.
Source: Office of Population Censuses and Surveys.

Children (Employment)

Mr. Raynsford: To ask the Secretary of State for Health if she will bring the Employment of Children Act 1973 into force; and what plans she has to introduce other legislation which would afford equal or greater protection to children at work.

Mr. Bowis: No. We are satisfied that the current safeguards which exist in legislation and byelaws to protect children who work are adequate.

Press Office

Ms Primarolo: To ask the Secretary of State for Health if she will set out the total budget for her Department's press office in each year from 1990-91 to 1994-95; how many press officers work at her Department; and how many press releases have been sent out in the name of each Minister in the last six months.

Mr. Sackville: The budget for the press office is not available in the form requested. The number of staff employed in the press office is 14. The number of press releases sent out in the name of each Minister can be identified separately before 1 January 1994 only at disproportionate cost. The number of press releases issued in the name of each Minister since 1 January 1994 are:

	Number
Secretary of State	45
Minister of Health	45
Parliamentary Secretary (Health)	24
Parliamentary Secretary (Community Care)	41
Parliamentary Secretary (Lords)	24

Consultant Episodes

Ms Primarolo: To ask the Secretary of State for Health how many finished consultant episodes were purchased from non-NHS providers in 1992-93 by NHS trusts, regional health authorities, district health authorities and family health service authorities.

Mr. Sackville: This information is not available centrally for 1992-93 and is available only on an individual basis from those purchasers—district health authorities and general practitoner fundholders—who contract with non-NHS providers—hospital and community units.

Mental Health

Ms Primarolo: To ask the Secretary of State for Health what plans she has to institute a review of the therapeutic suitability of mental health units within district general hospitals.

Mr. Bowis: A review of the therapeutic suitability of mental health units within district general hospitals was one of the recommendations in the recent report of the mental health nursing review team. This report is still being disseminated throughout the national health service and three regional conferences will consider how the recommendations may be taken forward.

Children's Hospital Services

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer of 21 April, *Official Report*, column *669-70*, when the survey results will be made available.

Dr. Mawhinney: When validation, aggregation and analysis is complete.

NHS Trusts

Mr. Tipping: To ask the Secretary of State for Health if she will list the name, occupation and age of each non-executive director of NHS trusts operating in Nottinghamshire.

Dr. Mawhinney: I refer the hon. Member to the reply I gave the hon. Member for Darlington (Mr. Milburn) on 17 January, *Official Report*, column *385*. The amendments listed below apply. We are not prepared to disclose the ages of these individuals without their permission.

Central Nottinghamshire Healthcare NHS Trust
Non-executive directors
Mr. M. Everitt, an engineer, has replaced Mr. A. Slade.

Queen's Medical Centre, Nottingham University Hospital NHS Trust
Non-executive directors
Mr. L. Coppel, an accountant, in addition to those listed.

Nottingham Community Health NHS Trust
Non-executive directors
Mr. V. Oliver, a computer/training consultant, has replaced Mr. M. Rudge.

Pocket Guide to Sex

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer of 12 April, *Official Report*, column *82*, if the cost given for withdrawing the Health Education Authority's pocket guide to sex included the cost of *(a)* commissioning, *(b)* printing, *(c)* distributing and *(d)* promoting the guide; and if she will break down the figure into its components.

Dr. Mawhinney: The estimated costs of withdrawing the guide totalled almost £17,000. This figure represents:

	£
Commissioning	4,500
Printing	9,000
Distributing	1,200
Recalling	2,000

There were no promotion costs as space reserved for advertising was used for other existing Health Education Authority material.

These costs will stand to be offset, at least in part, by financial compensation accruing to the HEA from the reversion of publishing rights to the author under a confidential agreement.

AIDS (Prisons)

Mr. Alex Carlile: To ask the Secretary of State for Health if she will seek a report into the extent of the connection between the refusal of the prison medical service to treat drug-addicted prisoners with methadone treatment and the spread of the AIDS virus in prisons through the sharing of heroin needles; and if she will make a statement.

Mr. Peter Lloyd: I have been asked to reply.

Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Alex Carlile, dated 11 May 1994:

The Home Secretary has asked me to reply to your recent Question about methadone treatment in the Prison Service.

Current guidance on the use of methadone in the Prison Service is set out in "Caring for Drug Users: A Multi-disciplinary Resource for People Working with Prisoners" and Circular Instruction 12/1991. Copies of these are available in the Library of the House. The guidance recommends the use of a methadone detoxification programme for prisoners addicted to opiates although individual decisions on the use of methadone are a matter for the clinical judgement of the doctor concerned.

FOREIGN AND COMMONWEALTH AFFAIRS

Brcko

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he and the United Nations are taking to ensure the safety of Brcko.

Mr. Douglas Hogg: The Security Council agreed a presidential statement on 4 May calling on all parties to agree to a resumption of negotiations and demanding that they refrain from any offensive military action, or any action likely to lead to renewed fighting. The statement noted with concern indications of increased tension in the Posavina corridor area where Brcko is situated, welcomed the steps taken by UNPROFOR to deploy military observers there and warned the parties of the serious consequences of any offensive military action in the area. The Security Council is keeping the situation under review.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the United Nations' calculation about the number of troops that would be necessary to make an effective peacekeeping intervention in Rwanda.

Mr. Douglas Hogg: The United Nations Security Council has judged that conditions in Rwanda would not allow any force to fulfil an effective peacekeeping role.

The United Nations Secretary-General is still pursuing diplomatic efforts aimed at securing a ceasefire and a return to the peace process. These conditions must be fulfilled if any United Nations force is to help keep the peace.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has financially to support an Organisation of African Unity peacekeeping force in Rwanda; and what obstacles exist to doing this.

Mr. Douglas Hogg: The OAU Secretary-General has made known his view that the OAU is not best placed to launch a peacekeeping force in Rwanda. Accordingly, we have made no plans to offer financial support.

Aqaba

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy on the lifting of the marine blockade of Aqaba; and if he will make a statement on proposals for its replacement with a land-based system.

Mr. Douglas Hogg: I refer the hon. Gentleman to the answer that my hon. Friend the Minister of State for Foreign and Commonwealth Affairs gave him on 5 May, *Official Report*, column 677.

Nuclear Weapons

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy on allowing no arms sales to countries unless there is a verifiable cap on their nuclear weapon programme; and to what countries Britain has sold arms which have not had such a verifiable cap in the past 10 years.

Mr. Douglas Hogg: The United States and Russia are the only nuclear weapon states which have accepted a verifiable ceiling on their nuclear warhead numbers under the START treaties. We do not have a policy of refusing arms sales to countries which have not accepted similar restraints.

BBC World Service

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the size of his Department's grant to the BBC World Service expressed over the next three years in both cash and constant price terms.

Mr. Lennox-Boyd: Total grants-in-aid to the World Service in the 1994-95 to 1996-97 funding triennium, including the contribution from the MOD to monitoring, are as follows, in £ million:

	1994-95	*1995-96*	*1996-97*
FCO grants-in-aid	171·5	175·0	175·0
MOD contribution	3·6	3·7	3·7
Total	175·2	178·8	178·8
at constant prices (using official GDP deflators)	175·2	172·3	168·1

(Figures rounded to the nearest 100K)

United Nations Preventive Diplomacy

Mr. Matthew Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been done to follow up the Franco-British initiative to assist the United Nations in its preventive diplomacy launched by him in his address to the General Assembly on 28 September 1993.

Mr. Hurd: Since the French Minister of Foreign Affairs, Mr. Alain Juppé, and I launched our joint initiative, our officials have been working with the United Nations to see how best we can help the organisation. Following those discussions, our two permanent representatives to the United Nations handed over to the Secretary-General on 29 April detailed information on the support we can provide, including, for our part, mobile communications equipment and illustrative lists of personnel who might be made available for preventive diplomacy missions.

SCOTLAND

Nursery Education

Mr. Worthington: To ask the Secretary of State for Scotland if he will encourage local authorities to seek tenders for the provision of nursery education.

Lord James Douglas-Hamilton: It is for education authorities to decide on the arrangements they make for the provision of nursery education in their area. I believe that co-operation between private and public sector as part of those arrangements can offer real opportunities and I am happy to commend such developments.

Mr. Worthington: To ask the Secretary of State for Scotland what he regards as a satisfactory pupil-teacher ratio in nursery schools; and what proposals he has to introduce national standards.

Lord James Douglas-Hamilton: The adequacy of teaching staffing employed in nursery schools depends crucially on the number and expertise of other staff working alongside them. It follows that the appropriate level of teaching staff in nursery classes is best decided by education authorities in the light of their own policies and the particular needs of children.

Section 23(3) of the Schools (Scotland) Code states that the education authority shall employ nursery nurses or helpers in the proportion of not less than one such person for 20 pupils.

Primary Schools

Mr. John D. Taylor: To ask the Secretary of State for Scotland how many primary schools there are; and how many have fewer than 35 pupils.

Lord James Douglas-Hamilton: In September 1993 there were 2,341 education authority primary schools and departments in Scotland, of which 338 had fewer than 35 pupils on their register.

United States Attorney-General (Meeting)

Mr. Dalyell: To ask the Secretary of State for Scotland for what purpose he authorised Chief Constable George Essen to make an official visit to the United States Attorney-General Janet Reno.

Lord James Douglas-Hamilton: Ms Janet Reno, the Attorney-General of the United States, invited Mr. George Esson, who was about to retire and has now retired from the police service, to call on her in order to thank him for the important part which he had played in the Lockerbie investigation, which was conducted jointly between Dumfries and Galloway constabulary and the Federal Bureau of Investigation.

Glenfeshie Estate

Mr. Dalyell: To ask the Secretary of State for Scotland if he will make a statement on his discussions with interested parties about the future of the Glenfeshie estate.

Sir Hector Monro: The future of the Glenfeshie estate is a matter for the current owner and any prospective purchaser. My right hon. Friend has no plans to meet interested parties to discuss its future. However, the matter was discussed during a recent meeting I held with representatives of the voluntary environmental sector, including representatives from Scottish Wildlife and Countryside Link, the Scottish Wildlife Trust, the World Wide Fund for Nature and the Royal Society for the Protection of Birds. Irrespective of ownership, the Government will look to Scottish Natural Heritage to continue to protect the natural heritage value of the estate through the range of powers at its disposal.

Sheriffs' Courts

Mr. Gallie: To ask the Secretary of State for Scotland what proposals he has to improve the programming of business in the sheriffs' courts.

Mr. Lang: Consultations with interested parties indicated general support for the recommendations in the first report on court programming prepared by groups under the chairmanship of Sheriff Principal Gordon Nicholson QC and Sheriff Principal, then Sheriff, Graham Cox, QC. Following consultation with the sheriffs principal, I have decided to set up a group under the chairmanship of Sheriff Principal Gordon Nicholson, QC to facilitate the implementation of the recommendations in the first report and to bring under review other aspects of court programming. The membership of the group will be as follows:

Sheriff Principal Gordon Nicholson, QC *(Chairman)*, Lothian and Borders
Mr. Roy Cameron, QPM, Chief Constable, Dumfries and Galloway
Sheriff Robert Dickson, Airdrie
Mr. James Friel, Regional Procurator Fiscal, North Strathclyde
Mr. Andrew Gallen, Solicitor, Glasgow
Mr. Duncan Lowe, Crown Agent
Mr. Gordon Murray, CB, Director, Scottish Courts Administration
Ms Alison Paterson, Director, Victim Support
Ms Marilyn Riddell, (Secretary), Edinburgh Sheriff Court
Mr. John Robertson, Regional Sheriff Clerk, Grampian, Highland and Islands

Mental Health, Glasgow

Mr. Gallie: To ask the Secretary of State for Scotland, what progress is being made by Greater Glasgow health board in developing a mental health services strategy for its area.

Mr. Stewart: My noble and learned Friend the Minister of State has today endorsed Greater Glasgow health board's mental health strategy 1993-2000, and given his approval to the planned closure of Gartloch hospital by 1995 as part of the specific proposals to put the strategy into effect.

The strategy, which has been subject to full public consultation, proposes a new model of care based on a fundamental shift away from large institutions towards care provided in local community settings. Two key

elements of the strategy are that the alternative community-based care services must be in place before patients begin to transfer in substantial numbers and hospitals finally close and the development of locality-based resource centres. The strategy plans to establish up to 25 such centres. Each will house multi-disciplinary teams consisting of psychiatrists, psychologists, nurses, occupational therapists and social work staff providing care, treatment, supervision and counselling. The teams will be involved in the entire range of care, from hospital settings to domiciliary care, and available 12 hours a day, seven days a week with crisis team cover outside these times.

The board plans to implement the strategy in three phases. Phase 1 will focus on the north and east of Glasgow and involve the establishment of 10 resource centres and the creation of an additional 90 day hospital places. As a first step towards implementing the strategy, the board has submitted a bridging finance application to the management executive for funds covering the period to March 1997. While certain details of the application remain to be agreed, the Minister of State has today approved an initial allocation of bridging finance of £6 million for 1994-95. This will go towards the initial start-up and double running costs that will be incurred as the alternative community based services are put into place.

The bridging finance application was co-signed and submitted by the health board, Strathclyde regional council social work department, and Glasgow district council. The application contains a far-reaching set of proposals and some considerable commitments by the individual agencies involved. This, in my view, is an excellent example of joint working and co-operation and one that I would urge others to follow.

Local Government Reform

Mr. McMaster: To ask the Secretary of State for Scotland if he will visit meetings of Elderly Forums in the Glenburn, Foxbar, South End, West and Central, and Elderslie areas of Renfrew district to discuss local government reform, water and sewerage services, concessionary travel schemes, standing charges for utilities and other topics of interest; and if he will make a statement.

Mr. Stewart *[holding answer 29 April 1994]:* My right hon. Friend has no current plans to attend any such meetings.

EMPLOYMENT

Security

Mr. Donohoe: To ask the Secretary of State for Employment if he will make a statement on the use of private detective agencies and security companies by his Department.

Mr. Michael Forsyth: The Employment Department group regularly contracts with security companies to provide protection for a number of its headquarters premises and occasionally employs them to protect temporarily empty premises, patrol jobcentres and hold keys for emergency call-outs.

The Employment Service has used private detective agencies, through retained solicitors, on two occasions—to make financial inquiries when an individual was in default of rent payment commitments and when proceedings had to be served on an individual who was negligent in a land transaction.

Internet

Mr. David Shaw: To ask the Secretary of State for Employment what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openess of his Department.

Mr. Michael Forsyth: I have asked officials to look into this matter. I am grateful to my hon. Friend for drawing this to my attention.

Health and Safety

Mr. Barron: To ask the Secretary of State for Employment when he will publish the Health and Safety Commission report on the review of regulations covering health and safety.

Mr. Michael Forsyth: The Health and Safety Commission submitted the final report on its review of health and safety regulation to me at the end of April. The Government are currently considering the report's findings and recommendations and plans to make a statement on them as soon as possible.

European Committee of the Regions

Mr. Dafis: To ask the Secretary of State for Employment what plans he has for regular contact with the European Committee of the Regions.

Mr. Michael Forsyth: The Department will be able to provide information for the United Kingdom members of the European Community's Committee of the Regions on proposals that come before the Committee for an opinion, where they relate to areas for which we have responsibility.

Privatised Utilities

Mr. Heppell: To ask the Secretary of State for Employment what measures have been taken to alleviate the problems of people made unemployed in the privatised gas, water and electricity industries.

Mr. Michael Forsyth: People who are unfortunate enough to lose their jobs from any sector can benefit from the Department's extensive range of measures designed to help them find new jobs, re-train or set up in business. This year, the Employment Service and training and enterprise councils will provide around 1·5 million opportunities to help unemployed people find the best route back to employment.

Civil Servants (Business Appointments)

Mr. Milburn: To ask the Secretary of State for Employment how many civil servants in his Department applied in each year since 1986, through the business appointments system, to take up an outside appointment *(a)* as an independent consultant, *(b)* with a firm of consultants and *(c)* in other employment; how many were referred to the Advisory Committee on Business Appointments; and how many were granted.

Mr. Michael Forsyth *[holding answer 3 May 1994]:* Two applications were referred to the Advisory Committee on Business Appointments. Both were granted. The remaining information has not been recorded centrally, so it is not readily available and could be obtained only at disproportionate cost. It will be recorded centrally in future.

Working Hours

Ms Quin: To ask the Secretary of State for Employment, pursuant to his answer of 20 April, *Official Report*, column *554*, if he will place in the Library a copy of the results of the study commissioned by his Department from Professor Harrington of Birmingham university on hours of work and employees' health.

Mr. Michael Forsyth *[holding answer 4 May 1994]:* The study forms part of the Government's legal challenge to the working time directive—93/104/EC. I have been advised that, in accordance with established practice, it should not be published now; I expect to be able to do so after the case has been concluded.

DUCHY OF LANCASTER

Parliamentary Questions

Mr. Meacher: To ask the Chancellor of the Duchy of Lancaster how many parliamentary questions, in the period November 1992 to March 1993 were answered with the response that the information requested is not held centrally and could be obtained only at disproportionate cost; how many were referred on to an agency chief executive; and, in each case, what percentage of the total number of questions asked this constituted.

Mr. Waldegrave: In the period 1 November 1992 to 31 March 1993 there were six questions where the answer given included a reference to all or part of the information being available only at disproportionate cost or because the information requested was not held centrally. During the same period, one question was passed to the chief executive of recruitment and assessment services. These figures constitute 1·95 per cent and 0·32 per cent respectively of the total questions asked to my Department.

ENVIRONMENT

Energy Conservation Bill

Mr. Dafis: To ask the Secretary of State for the Environment what was the total cost to public funds of work carried out by officials from his Department on the preparation of proposed amendments and new clauses to the Energy Conservation Bill prior to the completion of Committee stage on 4 February and from that date until Report stage on 22 April.

Mr. Atkins: This information is not available. Officials from my Department carried out work on the Bill in the course of their normal business and no records are kept of the time spent on individual tasks.

Birds of Prey

Dame Peggy Fenner: To ask the Secretary of State for the Environment what proposals he has to remove the kestrel, buzzard and sparrowhawk from schedule 4 of the Wildlife and Countryside Act 1981; and if he will include these species on schedule 3.

Mr. Atkins: I refer my hon. Friend to the reply I gave to the hon. Member for Newham, North-West (Mr. Banks) on 25 April, *Official Report*, column *40*. The Government have no plans to add the kestrel, common buzzard and sparrowhawk to schedule 3.

Southampton City Council

Mr. James Hill: To ask the Secretary of State for the Environment if he has yet considered the response by Southampton city council to the notice served on the authority on 24 January under section 13 of the Local Government Act 1988; and if he will make a statement.

Mr. Baldry: My right hon. Friend has carefully considered the response of Southampton city council to the notice served on the authority on 24 January in respect of the award of an arboricultural contract to its own direct labour organisation. He accepts that the council may not have intended to act anti-competitively, but takes the view that the council's actions were likely to have the effect of restricting or distorting competition and in the event did have that effect. Consequently, he has today given the authority a direction under section 14 of the Local Government Act 1988.

The direction requires the council to re-tender the relevant contract so that new arrangements are in place by 1 October 1995, and to seek my right hon. Friend's consent should it wish to reassign the work to the in-house team.

The authority restricted competition in that it refused to provide sufficiently detailed work force information to enable tenderers to prepare a bid under the provisions of the Transfer of Undertakings (Protection of Employment) Regulations. They also failed to allow those tenderers who had not included TUPE provisions in their original bid, to revise their bids in the light of the authority's assessment of whether TUPE applied.

The Government will continue to act against councils behaving anti-competitively. We are determined to ensure that obstacles which stand in the way of full and fair competition are removed, so that taxpayers continue to get value for money for quality services.

Office for the South-west

Mrs. Browning: To ask the Secretary of State for the Environment what decisions have been taken about strengthening the presence of the Government office for the south-west in Devon and Cornwall.

Mr. Gummer: My right hon. Friends the President of the Board of Trade, the Secretaries of State for Employment and for Transport and I have been listening carefully to the many representations that we have received over recent months about Government office resources in Devon and Cornwall. We are persuaded that there should be a new office in Devon and Cornwall.

We have decided to set up a new office in Plymouth which, together with the existing office in Bristol will operate as a single office on two sites for the south-west

region. Local authorities, businesses and the many other organisations in Devon and Cornwall which need to deal with the Government office and who are served and represented by it, will be able to deal with and through the new Plymouth office. It will establish close links with local organisations, especially in relation to the promotion of economic development. The offices in Plymouth and Bristol will work together in a mutually supportive way to advance the interests of the whole South West Region. They will be linked closely by sophisticated electronics called Office 2000. These will provide strengthened links with Whitehall and other outside interests.

The new office will be led by a new director for Devon and Cornwall and the regional director for the whole south-west region will also be based partly in Plymouth.

The arrangements for setting up the new office will start immediately and the new director of the Devon and Cornwall office will be appointed very soon. Full details will be settled taking account of local views.

This measure will make a major contribution to the range of initiatives being taken within the new integrated Government office for the south-west so as better to serve the needs of the whole region.

Unitary Authorities, Cleveland

Mr. Bates: To ask the Secretary of State for the Environment if he has reached a decision on the timing of elections to the proposed unitary authorities in Cleveland; and if he will make a statement.

Mr. Curry: Subject to the outcome of the Cleveland county council's judicial review case, the Cleveland implementation order will provide for the transfer of county functions to the districts on 1 April 1995 and for elections to be held in May 1995. Our decision reflects the particular circumstances in Cleveland and is not a precedent for any future cases where an existing council is to continue as a unitary authority. We propose as a general rule to consult the authorities concerned and elections will usually be held at the start of the shadow period leading up to reorganisation.

Local Government Reorganisation

Mr. Austin Mitchell: To ask the Secretary of State for the Environment when he expects to announce his proposals for paying for local government reorganisation; what plans he has for a charge on the areas involved; and when his proposals for transit and management, redundancy, transfer of undertakings and re-allocation of responsibilities will be ready for announcement.

Mr. Curry: Under the arrangements that have been announced, local authorities may finance the initial costs of reorganisation by borrowing. In most cases the savings and receipts that arise from reorganisation should be sufficient to pay back the borrowings and interest: there need be no burden on the council taxpayer. We are currently considering advice from the Staff Commission on redundancy and transfer arrangements and will make an announcement as soon as we have reached a conclusion.

Capital Receipts

Mr. Vaz: To ask the Secretary of State for the Environment if he will list the results of the capital receipts holiday which ended on 31 December 1993 for each local authority, with the amounts raised.

Mr. Curry: I have arranged for the available information to be placed in the Library of the House.

Committee of the Regions

Mr. Vaz: To ask the Secretary of State for the Environment what provisions are being made for English representation on the Committee of the Regions after the reorganisation of local government in non-metropolitan areas.

Mr. Curry: No special provisions are required. All members and alternate members of the Committee of the Regions are, when appointed, elected members of local authorities. The present members hold office until 1988 and any further appointments before then, due to the death or resignation of current members, will be made from members of local authorities existing at the time of appointment.

Greater Manchester

Mr. Thurnham: To ask the Secretary of State for the Environment if he will list the 10 Greater Manchester district councils in order of their full-time equivalent number of employees per thousand of population.

Mr. Baldry: The available information is given in the table.

Number of employees per thousand of population in Greater Manchester at December 1993

Authority	*Total staff (FT + PT)*	*Total staff per thousand of population*
Manchester	27,780	63·9
Salford	11,529	50·1
Bolton	12,570	47·6
Oldham	10,464	47·5
Tameside	9,313	42·1
Bury	6,900	38·2
Stockport	10,889	37·7
Trafford	7,338	34·0
Wigan	10,028	32·1
Rochdale	n/a	n/a

Notes:
1. Full-time equivalent information at individual authority level is not held centrally.
2. Excludes law and order services.

Sources: Joint Staffing Watch for England: December 1993 survey. OPCS mid-year population estimates for 1992.

Detective Agencies

Mr. Martyn Jones: To ask the Secretary of State for the Environment how much his Department has spent on contracts with private detective agencies since 1991; and if he will make a statement.

Mr. Baldry: I refer the hon. Member to the answer my right hon. Friend the Secretary of State for the Environment gave to the hon. Member for Cunninghame, South (Mr. Donohoe) on 9 May 1994, *Official Report*, column 65.

NATIONAL HERITAGE

Tourist Boards

Mr. Pendry: To ask the Secretary of State for National Heritage what changes he plans to the structure of the statutory tourist boards within the United Kingdom.

Mr. Sproat: I am currently considering whether to widen representation on the British Tourist Authority and English tourist board. Questions about plans to change the structure of the other statutory tourist boards should be addressed to the Secretaries of State for Wales, for Scotland and for Northern Ireland.

Museums and Galleries Policy

Mr. Wolfson: To ask the Secretary of State for National Heritage if he will make a statement on policy towards museums and galleries.

Mr. Brooke: I am about to undertake a review of my Department's policy towards museums and galleries. I am therefore today writing to a wide range of interested organisations seeking their views on the key components of policy in this area and posing some questions, listed here, for consideration. The questions are not intended to be an exhaustive list of topics for comment.

My review will complement that at present being carried out by the Museums and Galleries Commission. It will not cover policies directed specifically towards museums and galleries in Scotland, Wales and Northern Ireland, although I shall of course consult my right hon. Friends about any developments that might affect their interests.

I am asking the organisations to which I am writing to send their comments to my Department by Friday 29 July. I should also welcome comments from anyone else who wishes to offer them. I have it in mind to indicate later in the year any emerging conclusions, once I have considered the responses. However, I shall want to consult further with interested parties on those issues which I decide should be taken forward.

Policy on Museums

SOME QUESTIONS FOR CONSIDERATION

Policy aims

What should be the aims of DNH's policy towards museums? In particular:

Should policy be directed towards expansion of the sector or should the focus be on improving quality?

How should some of the apparent tensions and contradictions characteristic of museums best be addressed (eg. tradition/innovation; conservation/access)?

How can access to museum collections and services be optimised?

How can appropriate care of collections best be assured?

Framework

Are the responsibilities of the various bodies relating to museums, eg. Government, the Museums and Galleries Commission, Area Museums Councils, local authorities, the right ones?

Are the present arrangements for funding museums the most appropriate ones?

Do present arrangements—such as the Private Finance Initiative which is intended to enable Government Departments, or Non Departmental Public Bodies, and the private sector to work more closely together, to meet needs which have traditionally been met only by the public sector—offer sufficient means of attracting private sector finance and facilitating the introduction of private sector expertise? If not, what else might be done?

What will be the implications of the National Lottery?

Which Government policies not specifically targeted at museums impinge most on them?

What scope is there for improving links with other sectors, including sectors not covered by DNH?

Other questions

What are likely to be the key developments in museums in the next 25 years (curatorial, social, technological, managerial, financial)?

What are the criteria for success in the museums sector? How can performance against these criteria most effectively be assessed?

What role should museums play in education?

In what ways would museums and galleries benefit from improved international links?

St. Ethelburga's Church

Mr. Lidington: To ask the Secretary of State for National Heritage what assessment he has made of the exercise by English Heritage of its responsibility to supervise the clearing of rubble from St. Ethelburga's church, Bishopsgate; and if he will make a statement.

Mr. Brooke *[holding answer 10 May 1994]:* I am satisfied that the clearance of rubble from the church has been carried out under effective supervision. The Museum of London archaeological service was appointed by English Heritage and the Diocese of London to carry out the work to English Heritage's specification. The work has been regularly monitored on site by officers of English Heritage. The use of a mechanical digger over the May bank holiday weekend to remove 200 tonnes of compacted rubble was outside the original specification but was considered the safe and practical option. It was approved by English Heritage and the Diocese and was supervised throughout by officers of the Museum of London archaeological service. As many finds as possible had been removed by hand earlier and stacked in the vestry and garden.

SOCIAL SECURITY

Child Support Act

Dr. Godman: To ask the Secretary of State for Social Security (1) if he will estimate the number of *(a)* fathers with care and *(b)* mothers with care who have come off income support and who are now dependent on maintenance payments under the Child Support Act 1991; and if he will make a statement;

(2) if he will estimate the number of *(a)* fathers with care and *(b)* mothers with care who have come off income support and moved on to family credit and maintenance payments under the Child Support Act 1991; and if he will make a statement.

Mr. Burt: The information requested is not readily available and could be obtained only at disproportionate cost.

Incapacity Benefit

Mr. Bradley: To ask the Secretary of State for Social Security (1) if he will list the organisations responding to the consultation document on the medical test for incapacity benefit;

(2) how many of the responses to the consultation document on the medical test for incapacity benefit

(a) were in favour of the approach outlined in that document and *(b)* expressed criticisms; and when he will publish the responses.

Mr. Scott *[pursuant to his reply, 6 May 1994, columns 690-93]:* The following organisations also responded to the consultation document:

Action for ME
Enfield Area ME Self Help Group
Myalgic Encephalomyelitis Association
Stockport ME Group
Westcare

ATTORNEY-GENERAL

Mobile Telephones and Pagers

Mr. Vaz: To ask the Attorney-General how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

The Attorney-General: The departments for which I am responsible—the Treasury Solicitor's Department, the Crown Prosecution Service, the Serious Fraud Office and the Legal Secretariat to the Law Officers—currently have in use 111 portable telephones, 105 pagers and electronic bleepers and six car telephones. The aggregate annual operating costs of this equipment including the cost of telephone calls are £78,900. Equipment is issued to Ministers and key personnel who may need to be contacted urgently.

Internet

Mr. David Shaw: To ask the Attorney-General what plans his Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

The Attorney-General: The departments for which I am responsible have no current plans to use Internet. Crown Prosecution Service press releases which are issued electronically through the Central Office of Information are accessible to users of the Internet via Data-Star Dialog (Europe) or Mead/Lexis/Nexis. They are also available to subscribers to FT Profile, Reuters Textline and to POLIS.

Upper Limb Disorders

Dr. Marek: To ask the Attorney-General what assistance his Departments have given to other Government Departments in the last convenient period for which information is available concerning cases brought by civil servants against their employer as a result of work-related upper limb disorders.

The Attorney-General: The Treasury Solicitor's Department conducts personal injury litigation for a number of Government Departments. Such litigation includes claims by civil servants against their employer in respect of work-related upper limb disorders.

Serious Fraud Office

Dr. Spink: To ask the Attorney-General when he expects to lay before Parliament and publish the annual report of the Serious Fraud Office for the year 1993-94.

The Attorney-General: I expect to lay the report before Parliament shortly.

NORTHERN IRELAND

Anglo-Irish Secretariat

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many *(a)* civil servants and *(b)* other staff of each grade are working for or, as members of, the Anglo-Irish Secretariat in each location at which such work is carried out; how many of the staff at each grade are from (i) the United Kingdom civil service, (ii) the Northern Ireland civil service and (iii) elsewhere; and, of the Northern Ireland civil service staff, how many in total and of each grade have been categorised under fair employment legislation as (1) Protestant, (2) Roman Catholic and (3) other.

Sir John Wheeler: The Anglo-Irish Secretariat functions from one location and the British side of the secretariat employs 12 civil servants, two of whom are from the Northern Ireland civil service. For reasons of personal security it would not be appropriate to list the posts by grade.

The use of community backing monitoring information in the Northern Ireland Office is governed by a code of practice, under which the information can be used only for the purposes of monitoring the effectiveness of the Department's policy on equality of opportunity and to meet statutory requirements under fair employment legislation. The detail sought would be contrary to the code of practice, and could contravene the confidentiality requirements contained in regulations under the Fair Employment (Northern Ireland) Act 1989.

Killinchy

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many acres of land at Whiterock, Killinchy have outline planning permission for residential development; and what proposals there are to improve the roadway from Whiterock to Killinchy village.

Mr. Tim Smith: No land at Whiterock, Killinchy has outline permission for residential development and there are no plans to improve the roadway from Whiterock to Killinchy village.

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how the rates demand for Killinchy primary school is calculated; and if he will make a statement.

Mr. Tim Smith: Responsibility for the subject in question has been delegated to the Rate Collection Agency under its chief executive, Mr. D. W. Gallagher. I have asked him to arrange for a reply to be given.

Letter from D. W. Gallagher to Mr. John D. Taylor, dated 10 May 1994:

You asked the Secretary of State how the rates demand for Killinchy Primary School is calculated. As I am responsible for the Rate Collection Agency (RCA), the body to which rates are paid, the Secretary of State for Northern Ireland has asked me to reply.

The Valuation and Lands Agency (VLA) is responsible for determining the Net Annual Value of all property in Northern

Ireland and the RCA for collecting rates based on the valuation. Below is a table showing how the rate demand for Killinchy Primary School has been calculated.

1. NAV of Killinchy Primary School	£6,200
2. Ards District Council Rate Poundage	84·09p
3. Regional Rate Poundage	148·68p
4. Non-domestic Rate Poundage (ie. District Council and Regional Rate Poundage)	232·77p
5. Rates assessed for the 1994-95 rating year (ie. NAV (£6,200) × Non-domestic Rate Poundage (232·77p)	£14,431·74

If I can be of any further assistance please do not hesitate to contact me.

Heavy Vehicles

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what assessment he has made of the implications for the road system of Northern Ireland of the European Council draft directive, Com (93) 679, in respect of 44-tonne articulated vehicles; what is the estimated cost of bridge-strengthening schemes to facilitate this proposal; what impact it would have on the sea ferry services from Northern Ireland; what consultations he has had with the Republic of Ireland; and if he will make a statement.

Mr. Tim Smith: The draft directive will have little impact on the road system in Northern Ireland as the vehicles equipped to carry 44 tonnes have extra axles and are generally no more severe on roads and bridges than existing rigid-axled vehicles. The cost of bridge-strengthening schemes to facilitate this proposal will therefore be minimal. Some port operators have made representations about the potential impact on ferry services and these are being considered at present. Informal consultations have been carried out with the Republic of Ireland at official level.

Primary Schools

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many *(a)* integrated, *(b)* maintained and *(c)* controlled primary schools there are; and how many in each of these categories have fewer than 35 pupils.

Mr. Ancram: The information for 1993-94 is as follows:

	Number of primary schools	*Number of primary schools with less than 35 pupils*
Integrated	17	2
Maintained	456	21
Controlled	478	32
Total	951	55

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what percentage of primary schools pay rates.

Sir John Wheeler: The total number of primary schools and preparatory departments in Northern Ireland is 977. Of this total, 16 are exempt from the payment of rates. The percentage of primary schools paying rates is therefore 98 per cent.

Cross-border Groups

Mr. Barnes: To ask the Secretary of State for Northern Ireland if he will list all official bodies, or private bodies with official representation or funding, which supervise or advise on activities on both sides of the border between Northern Ireland and the Republic of Ireland giving in each case the date of the group's formation, details of representation from both sides of the border and levels of funding where appropriate.

Sir John Wheeler: Information on those official bodies established to address cross-border issues is given below. In addition, officials from both sides of the border meet regularly on matters of mutual interest.

Joint steering group—Shannon-erne waterway

A joint steering group with representation from officials from Government Departments in Northern Ireland and the Republic of Ireland was set up in November 1990 to oversee the restoration of the Shannon-Erne waterway. In Northern Ireland official representation is drawn from the Department of Agriculture, the Department of Economic Development, the Department of Finance and the Personnel and Central Secretariat. In the Republic of Ireland, the Department of Foreign Affairs, the Department of Finance, the Department of the Taioseach, the Department of Tourism and Trade, the Office of Public Works and the Electricity Supply Board are represented. The work of the Joint Steering Group is financed entirely from within the constituent departments.

Foyle Fisheries Commission

The Foyle Fisheries Commission was formed on 25 March 1952. Two members are appointed by the Department of Agriculture for Northern Ireland—DANI —and two by the Minister for the Marine in the Republic of Ireland.

The Foyle Fisheries Commission's annual financial deficit is funded equally by DANI and by the Department of the Marine. The DANI contribution in the year ended 31 March 1994 was £131,000.

European Studies Project Steering Committee

The European Studies Project Steering Committee was established in 1985 jointly by the three Departments of Education in England, in Northern Ireland and in the Republic of Ireland. Membership of the steering committee is drawn from the Departments of Education in Northern Ireland and the Republic of Ireland and from the five education and library boards in Northern Ireland, with observers from HMI in England and Scotland. The steering committee has no financial resources. Support for its multi-national inter-schools' activities is provided by the relevant Departments of Education.

Advisory Committee International Fund for Ireland and Joint Secretariat

In accordance with article 10 of the agreement between the Government of the United Kingdom and the Government of the Republic of Ireland concerning the International Fund for Ireland—Cmn. 266, dated 18 September 1986—an advisory committee has been established composed of representative officials of the two Governments. The committee advises the Board of the Fund on applications for assistance. In addition to the advisory committee, a joint secretariat, composed of

officials from both Governments, exists to provide the necessary administrative support to the Board of the Fund. No Government funding is involved with either body.

Road Maintenance

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will publish a table showing, for each of the last three years, the current year and the projection for next year the expenditure on road maintenance in each council area in Northern Ireland and also indicate the sums expended in each of the last four winters on gritting in each council area and in total for such periods or if more convenient financial years.

Mr. William Ross: To ask the Secretary of State for Northern Ireland how much has been spent on road maintenance in each council area *(a)* in each of the last three years and *(b)* the current year; what is the projected expenditure for next year on road maintenance; and how much has been spent in each current area in each of the last four winters on gritting.

Mr. Tim Smith: The information is not available in the form requested. Expenditure on road maintenance in the last three years is as follows:

£000's

Council	1991-92	1992-93	[1]1993-94
Antrim	1,726	2,354	2,048
Ards	1,823	1,622	1,718
Armagh	3,068	3,253	3,066
Ballymena	1,843	2,068	1,798
Ballymoney	1,120	1,171	1,058
Banbridge	1,614	1,763	1,661
Belfast	7,212	7,052	6,786
Carrickfergus	582	770	670
Castlereagh	1,691	1,719	1,657
Coleraine	2,181	2,171	1,959
Cookstown	1,342	1,920	2,111
Craigavon	2,355	2,578	2,430
Derry	2,458	2,786	2,506
Down	2,820	2,528	2,676
Dungannon	2,302	2,541	2,784
Fermanagh	3,008	2,793	3,061
Larne	1,196	1,530	1,326
Limavady	1,313	1,389	1,253
Lisburn	4,059	4,396	4,653
Magherafelt	1,526	1,755	1,526
Moyle	1,074	1,179	1,058
Newry and Mourne	3,078	3,290	3,098
Newtownabbey	2,548	2,875	2,755
North Down	1,348	1,296	1,364
Omagh	2,712	2,749	3,035
Strabane	2,027	2,012	2,203
Total	58,026	61,560	60,260

[1] Provisional figures.

The total expenditure for road maintenance in the current financial year is estimated at £61·4 million and, at present, it is expected that expenditure in the 1995-96 financial year will be on a broadly similar level.

In the past four financial years expenditure on winter gritting is as follows:

£000's

Division	1990-91	1991-92	1992-93	[1]1993-94
Ballymena	517	427	472	579
Belfast	526	284	294	254
Coleraine	729	502	685	822
Craigavon	735	520	709	789
Downpatrick	763	614	532	740
Omagh	878	473	699	644
Total	4,148	2,820	3,391	3,828

[1] Provisional figures.

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many potholes by grade or priority for repair there were in each council area in Northern Ireland in each of the last three years and the current year to date; if he will further break the figures down by *(a)* road classification and *(b)* mile or kilometre of each such road type.

Mr. Tim Smith: The information requested is not available in the form requested and could be supplied only at disproportionate cost.

Parliamentary Questions

Mr. Meacher: To ask the Secretary of State for Northern Ireland how many parliamentary questions, in the period November 1992 to March 1993, were answered with the response that the information requested is not held centrally and could be obtained only at disproportionate cost; how many were referred on to an agency chief executive; and, in each case, what percentage of the total number of questions asked this constituted.

Sir John Wheeler: Some 708 questions were asked in the period specified of which 20, 3 per cent, were answered with disproportionate cost and 35, 5 per cent. were answered by an agency chief executive.

TRADE AND INDUSTRY

Non-wage Employment Costs

11. **Mr. Paice:** To ask the President of the Board of Trade what are the average non-wage employment costs for manufacturers in Britain, France and Germany.

Mr. Heseltine: In 1992 non-wage costs as proportion of total labour costs were 29 per cent. in France, 23 per cent. in Germany and 17 per cent. in the United Kingdom.

Electricity Prices

15. **Mr. Faulds:** To ask the President of the Board of Trade when he will next meet the Director General of Electricity Supply to discuss electricity prices.

Mr. Eggar: I meet the Director General of Electricity Supply regularly.

Manufacturing Industry

20. **Mr. Morgan:** To ask the President of the Board of Trade what response he proposes to make to the analysis of Britain's competitive position in manufacturing industry contained in the report of the Trade and Industry Select Committee.

Mr. Heseltine: The Government will be responding to the Trade and Industry Committee in due course. The report offers a valuable contribution to the debate on how we can improve our relative economic performance.

CFCs

24. **Dr. Lynne Jones:** To ask the President of the Board of Trade whether commitments made to restrict the trade in CFCs under the Montreal protocol will be allowable under the Uruguay round world trade accords.

Mr. McLoughlin: Yes. The Government have always considered that the trade measures in the Montreal protocol on substances that deplete the ozone layer were GATT-consistent. That will remain the case under the Uruguay round.

Gas Production

25. **Mr. Welsh:** To ask the President of the Board of Trade what plans he has to expand gas production from the central and northern North sea.

Mr. Eggar: I announced proposals for new rounds of offshore oil and gas licensing on 25 April. Full details are contained in the formal announcements, copies of which are available in the Libraries of both Houses.

Consumer Rights Legislation

27. **Mr. Martyn Jones:** To ask the President of the Board of Trade what plans he has to legislate on consumer rights in the near future.

Mr. McLoughlin: During 1994, regulations will be made to implement the EC directive on unfair terms in consumer contracts and the EC general product safety directive. The Sale and Supply of Goods Bill and the Sale of Goods (Amendment) Bill, both currently before the House, have Government support.

Mine Water (Control)

28. **Mr. Mullin:** To ask the President of the Board of Trade when he will make an announcement about the future arrangements for the control of mine water; and if he will make a statement.

Mr. Eggar: I refer the hon. Gentleman to the statement made by my noble Friend the Minister of State during the Committee stage of the Coal Industry Bill on 26 April, *Official Report, House of Lords*, columns 539-42.

Yorkshire Rider Bus Company

29. **Mr. Madden:** To ask the President of the Board of Trade if he intends to refer the takeover of the Yorkshire Rider bus company by Badgerline to the Monopolies and Mergers Commission.

Mr. Neil Hamilton: The Director General of Fair Trading's view, on the information he has received, is that the proposed acquisition by Badgerline of Yorkshire Rider does not qualify for investigation by the Monopolies and Mergers Commission under the mergers provisions of the Fair Trading Act 1973. I will not therefore be making a reference to the MMC.

Political Donations

30. **Ms Rachel Squire:** To ask the President of the Board of Trade if he will review the Companies Act 1985 to ensure that the public has more information on political donations made by companies.

Mr. Neil Hamilton: No. The present law is sufficient. The Companies Act 1985 requires companies to disclose, in the directors' report, political donations exceeding £200.

Cheltenham and Gloucester Building Society

31. **Mr. Alan W. Williams:** To ask the President of the Board of Trade what representations he has received about the proposed takeover by Lloyd's bank of the Cheltenham and Gloucester building society.

Mr. Neil Hamilton: It is for the Director General of Fair Trading to consider this proposed merger and to advise my right hon. Friend the President of the Board of Trade, under the Fair Trading Act 1973, whether the merger should be referred to the Monopolies and Mergers Commission. Any representations received by the DTI are being forwarded to the Office of Fair Trading.

Mineworkers (Redundancy)

32. **Mr. Tipping:** To ask the President of the Board of Trade with what interested parties he has had recent discussions about introducing a further redundancy scheme for mineworkers to replace the scheme that expires on 30 April.

Mr. Eggar: The operation of British Coal's redundancy arrangements is a matter for the corporation. I understand it is currently discussing with the unions the redundancy arrangements for industrial employees to apply after 30 April.

Small Businesses

Mr. Bellingham: To ask the President of the Board of Trade when he next expects to meet representatives of small businesses in East Anglia to discuss help for innovation.

Mr. McLoughlin: Ministers visit East Anglia as often as diaries permit. My noble Friend the Minister for Consumer Affairs and Small Firms visited King's Lynn earlier this month.

World Trade

Mr. Thurnham: To ask the President of the Board of Trade what is his latest estimate of the United Kingdom share of world trade.

Mr. Needham: The United Kingdom's share of world visible exports was 5·2 per cent. in 1992, the latest year for which data are available, making the United Kingdom the world's fifth largest exporter.

Mr. Amess: To ask the President of the Board of Trade if he will make a statement on the implications of the GATT agreement signed at Marrakesh for British companies.

Mr. Sainsbury: British companies will benefit from higher world growth, the opening up of overseas markets, improved trade rules and a more stable international trading environment.

AEA Technology

Mr. Cousins: To ask the President of the Board of Trade how many and which of the present staff and functions of AEA Technology, separately identifying the

National Environmental Technology Centre, will be transferred to the commercial division preparatory to sale or privatisation.

Mr. Heseltine: I announced to the House on 17 February, *Official Report*, columns *922-24* the Government's intention to privatise the Atomic Energy Authority's commercial activities. With effect from 1 April, all these activities, including the National Environmental Technology Centre, were brought together within AEA Technology.

As at 1 April 1994 staff numbers for AEA Technology were some 4,300 of which some 450 work in areas covered by the National Environmental Technology Centre.

Insolvency Service

Mr. Fraser: To ask the President of the Board of Trade if he will make a statement on the recruitment of permanent staff for the Insolvency Service and on the steps his Department is now taking to fill vacancies as they arise.

Mr. Neil Hamilton: A budget for the Insolvency Service has been agreed for 1994-95 which provides for 1,652 established posts together with financial provision for a further 235 staff on non-established terms. I have asked the service to come forward with proposals for additional, non-permanent resources to be deployed in 1994-95 in order to reduce the backlog of case administration and to increase its investigative effort. In advance of agreeing its final budget for 1994-95 the service is not filling any permanent administration grade vacancies that arise.

Wave Power

Mr. Spellar: To ask the President of the Board of Trade if he will make a statement on his Department's policy on funding of wave power technology.

Mr. Eggar: On 31 March, *Official Report*, column 1009-10, I announced the Government's future strategy for new and renewable energy in the United Kingdom, Energy Paper 62, copies of which are in the Libraries of both Houses.

Coal Industry

Mr. Tipping: To ask the President of the Board of Trade how much financial support has been received from the European Community to help fund redundancy payments to mineworkers for each of the last five years.

Mr. Eggar: The European Coal and Steel Community provided non-repayable aid under article 56 of the ECSC treaty as follows:

	£ million
1993-94	8·0
1992-93	32·2
1991-92	36·2
1990-91	17·9
1989-90	22·3

This aid has been provided in respect of a number of areas of restructuring costs including redundancy payments and retraining. Separate figures for assistance with redundancy payments are not readily available.

Mr. Tipping: To ask the President of the Board of Trade how many applications he has received for the subsidy outlined in the "The Prospects for Coal" for additional sales of deep-mined coal to the generators; how many of these have been successful; how many tonnes of coal each involves; and what is the total amount of subsidy that has now been paid.

Mr. Eggar: Since the coal subsidy scheme was announced in March 1993, my Department has received five applications. Four offers have been made so far, two to British Coal and two to the private sector. These cover the delivery of almost 2 million tonnes of coal over the period 1 April 1993 to 31 March 1995. One application is currently under consideration.

To date, the European Commission has approved payment only in respect of production in 1993 and a cumulative total of £1,054,815 has been paid. Authorisation is awaited from the Commission in respect of production from 1 January 1994.

Mr. Tipping: To ask the President of the Board of Trade how much financial assistance he has made available to British Coal to fund redundancy payments to mineworkers for each of the past five years.

Mr. Eggar: Under section 3 of the Coal Industry Act 1987 the Government have provided grant aid to British Coal in respect of work force reductions and redeployment over the last five financial years as follows:

	£ million
1993-94	574·4
1992-93	467·3
1991-92	310·3
1990-91	199·4
1989-90	354·0

Separate figures for grant aid for redundancy payments specifically for mineworkers are not readily available.

Industry Grants, Greater Manchester

Mr. Bennett: To ask the President of the Board of Trade what representations he has received about grants to industry in Greater Manchester.

Mr. Neil Hamilton: My Department has received a number of written representations about specific grant applications and about various domestic and European programmes.

Water Filters and Pumps (Exports)

Mr. Dalyell: To ask the President of the Board of Trade what help his Department provides exporters of water pumps and water filters to the Arab world; and what requests he has had from Iraq to enable Iraq to obtain water filtering and water pump equipment.

Mr. Needham: The Government's normal range of assistance and services are available to such exporters. The export of all goods to Iraq is prohibited, but there is an exemption for the export of humanitarian goods. Any such exports from the United Kingdom would require a United Kingdom export licence and authorisation from the United Nations Sanctions Committee. Details of applications received for licences to supply humanitarian goods are not disclosed on grounds of commercial confidentiality.

Inward Investment

Mr. Evennett: To ask the President of the Board of Trade how many jobs have been created or sustained in British industry as a consequence of inward investment since 1979.

Mr. Sainsbury: According to figures notified to my Department's Invest in Britain Bureau for the financial years 1979 to 1993 there have been some 291,377 new jobs created and some 234,771 jobs safeguarded as a result of inward investment.

Ministerial Visits

Mr. Barry Field: To ask the President of the Board of Trade how many small firms merit award for research and technology—SMART—award winners on the Isle of Wight have received ministerial visits.

Mr. McLoughlin: I am not aware that any winners of the small firms merit award for research and technology, SMART, in the Isle of Wight have received ministerial visits.

Post Office

Mr. Harry Greenway: To ask the President of the Board of Trade if he will make a statement on the current operations and standards of the Post Office.

Mr. McLoughlin: In accordance with the long-standing policy of successive Governments since 1969, postal operations are the responsibility of the Post Office Board. During 1993-94, the overall standards of service provided by the Post Office remained impressively high: preliminary figures for 1993-94 show that overall performance nationally for first class letter delivery by the next working day was over 90 per cent., for second class letters over 98 per cent. were delivered within three working days and in Crown post offices, 96 per cent. of customers were served within five minutes.

Petrol

Mr. Haselhurst: To ask the President of the Board of Trade what is the current price of a gallon of four-star petrol; and what was the equivalent price, in real terms, in *(a)* 1964, *(b)* 1974 and *(c)* 1984.

Mr. Eggar: The average price of four-star petrol in March 1994 was 253p per gallon. The equivalent prices, adjusted to 1992 price levels using the GDP deflator at market prices, are:

	Pence per gallon
1994-March	239
1984	284
1974	280
1964	246

OVERSEAS DEVELOPMENT ADMINISTRATION

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs how many international aid workers remain in Rwanda; and if he will make a statement.

Mr. Lennox-Boyd: We understand from the United Nations that there are currently 14 personnel from the International Committee of the Red Cross in Kigali, plus two from Medecins Sans Frontieres. There are 15 ICRC personnel in other areas of Rwanda, plus a further 10 working in border regions.

Kenya

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the British aid projects that his Department has approved for Kenya and the amount of funding granted for each project for the financial year 1994-95.

Mr. Lennox-Boyd: No new projects have been signed so far in 1994-95, but we expect to sign agreements shortly with the Government of Kenya for £10·6 million for the national agricultural research programme and £2·3 million for the Kenya trypanosomiasis research programme. In addition, we expect to sign an agreement this month to provide £5 million of programme aid in support of Kenya's economic reform programme.

PRIME MINISTER

Iraq

Mr. Dalyell: To ask the Prime Minister what response Her Majesty's Government are making to the report by Willem C. Smit and Dr. Jean Pierre Revel for the regional office in Amman of the International Federation of Red Cross and Red Crescent Societies, a copy of which has been sent to him, on their assessment mission to Iraq from 11 January to 11 February covering the health and nutritional status of the Iraqi people, the extent of the increase in the cost of a food basket between 1990 and 1993 and the extent of marasmus, kwashiorkor and other water-borne diseases.

The Prime Minister *[holding answer 10 May 1994]:* I refer the hon. Member to the answer given by my hon. Friend the Under-Secretary of State for Foreign and Commonwealth Affairs, on 25 April, *Official Report,* column *31.* The appeal by the International Federation of Red Cross and Red Crescent Societies was to a large extent based on the Smit/Revel report. The British Red Cross is clarifying one or two issues, following which a final decision on a possible contribution from the Government will be taken.

WALES

Labour Statistics

Mr. Llwyd: To ask the Secretary of State for Wales what percentage of the work force in local authority areas in Gwynedd is in part-time employment; and if he will make a statement.

Mr. Redwood: The latest source of the information requested is the 1991 census of population. The following table shows the number of part-time employees in local authority areas in Gwynedd and expresses these as a percentage of the total number of employed and self-employed persons in each area.

Part-time employees[1] in Gwynedd: April 1991

District	Number of part-time employees	Percentage of all employed and self-employed persons
Aberconwy	4,194	19·9
Arfon	3,718	18·4
Dwyfor	1,737	16·9
Meirionnydd	2,330	17·9
Ynys Mon	4,402	17·2

[1] Persons usually working no more than 30 hours a week.
Source: 1991 Census Report for Gwynedd—OPCS.

Economy, Gwynedd

Mr. Llwyd: To ask the Secretary of State for Wales what assessments he has made of the proportion of Gwynedd economy which is dependent on *(A)* tourism, *(b)* slate quarrying, *(c)* farming and fishing and *(d)* the power industry.

Mr. Redwood: The latest available employment data at the detailed industrial breakdown required are from the 1991 census of employment, which covers employees only. The following table shows the number of employees in each category expressed as a percentage of all employees in Gwynedd. In addition, the 1991 census of population indicates that 6·0 per cent. of all employed and self-employed persons in Gwynedd were engaged in agriculture, forestry and fishing.

Percentage of total employees in employment in Gwynedd: September 1991

	Per cent.
Tourism related industries[2]	13·9
Slate quarrying	[1]—
Farming and fishing[3]	3·4
Power industries[4]	2·6

[1] Figure cannot be released for reasons of commercial confidentiality.
[2] Standard Industrial Classification (Revised 1980) groups 661, 662, 663, 665, 667, 977, 979.
[3] Standard Industrial Classification (Revised 1980) division 0
[4] Standard Industrial Classification (Revised 1980) groups 111, 130, 152, 161, 162, 163.
Source: NOMIS

Land Authority for Wales

Mr. Alex Carlile: To ask the Secretary of State for Wales what checks there are on the Land Authority for Wales's compulsory purchase powers; and if he will make a statement.

Mr. Redwood: The Land Authority's power to acquire land compulsorily is contained in section 104 of the Local Government, Planning and Land Act 1980 and each Order requires my confirmation before it can take effect.

A public inquiry is always held if a statutory objector objects to the proposal.

Economic Inactivity, Wales

Mr. Ron Davies: To ask the Secretary of State for Wales if he will give the latest figures for economic inactivity in Wales for *(a)* men between 16 and 64 years and *(b)* women between 16 and 59 years of age.

Mr. Redwood: According to the autumn 1993 labour force survey there were 177,000 males in Wales aged 16 to 64 who were economically inactive, representing 19·7 per cent. of all males aged 16 to 64. The corresponding figures for females aged 16 to 59 were 265,000 and 32·4 per cent. respectively. Many of these people are fully engaged in looking after homes or children.

Upper Limb Disorders

Dr. Marek: To ask the Secretary of State for Wales what is the present number of civil servants taking legal action against the Department as a result of work-related upper limb disorders.

Mr. Gwilym Jones: The present number of civil servants taking legal action against the Department and notified to legal group is two.

TRANSPORT

Freightliner

Mr. Dunn: To ask the Secretary of State for Transport what progress is being made with the proposed privatisation of Freightliner.

Mr. Macgregor: I have today announced that the railways board will shortly be advertising the availability of a memorandum describing the business, with a view to soliciting formal expressions of interest and commencing discussion with short-listed bidders. Our objective is to transfer Freightliner to the private sector as a going concern. We encourage bidders to come forward with proposals to develop the rail intermodal freight network. Purchasers will wish to develop plans to reduce costs and improve efficiency, to manage the transition to the private sector. The Government have also introduced specific measures of support, including the new rail freight facilities and track access grants and the 44-tonne lorry weight concession for intermodal transport.

DEFENCE

Cadet Corps, Easington

Mr. Cummings: To ask the Secretary of State for Defence if he will make a statement concerning the future funding of the Army Cadet Corps, Naval Cadet Corps and RAF Cadet Corps in the Easington constituency; and if he will make a statement.

Mr. Hanley: The arrangements for providing support for the cadet forces do not distinguish between units on the basis of parliamentary constituency. The cadet forces, like all other support functions of the Ministry of Defence, have been reviewed as part of the defence costs study. Proposals are currently being considered and we hope to make announcements before the summer recess.

Arms Sales

Mr. Cox: To ask the Secretary of State for Defence if he will list the countries to which the United Kingdom is at the present time selling arms or arms-related equipment.

Mr. Aitken: It has been the policy of successive Governments not to reveal details of arms sales to individual countries. However, "Defence Statistics 1993", a copy of which is held in the Library of the House, gives information on the value of sales by region in table 1.11.

Capital Projects (Expenditure)

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 25 April, *Official Report*, column *86*, if he will give details of all design developments of the capital projects for *(a)* Minley/ Chatham barracks, *(b)* Dishforth and *(c)* Tidworth; and if he will make a statement.

Mr. Hanley: Once a project specification has been agreed, responsibility for minor design changes which do not alter the basic specification of the project in question are delegated to the project manager and project sponsor. Comprehensive records of such changes are not held centrally.

Royal Naval Supply Depot Copenacre

Dr. David Clark: To ask the Secretary of State for Defence what are the total amount of costs involved in the partial closure of RNSD Copenacre in each of the next three financial years; what consideration he gave to the total closure of RNSD Copenacre; and if he will make a statement.

Mr. Hanley: Both the total closure and partial closure options for RNSD Copenacre were given full consideration prior to our announcing proposals for partial closure. Continued refinement of plans during the consultation period confirmed that partial closure only would avoid expensive reprovising of facilities elsewhere and would achieve considerable running cost savings. The overall costs for the next two financial years of implementing the partial closure of RNSD Copenacre are estimated to be some £2 million and £1,900,000 respectively. It is estimated that overall savings of some £2,800,000 will be achieved in the third year.

MV Polar Circle

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 22 March, *Official Report*, column *174*, what factors contributed to his decision to acquire MV Polar Circle as the replacement ice patrol ship; and what effect his decision had on the operational capabilities of British armed forces.

Mr. Hanley: At the time of the purchase of Polar Circle, the Government made clear their commitment to retain the ice patrol task previously discharged by HMS Endurance, whose structural condition made it no longer safe for her to operate in ice. Polar Circle, now re-named HMS Endurance, had been chartered by the Government in October 1991, and the charter contract gave the Government the option before 24 January 1992 to buy the ship or to extend her charter. An investment appraisal was undertaken of the options available for retaining the use of the ship for the longer term, and this concluded that outright purchase of the vessel would be better value for money than either long-term charter or lease. The Government were also satisfied, after an extensive assessment of her operational performance in the Antarctic, that Polar Circle was fully capable of performing the tasks demanded of her. Although a further survey of the merchant shipping market would normally have been conducted before the decision to exercise the purchase option was taken, the limited time available before the simultaneous expiry of the charter and the option to purchase was judged to preclude such an exercise. This decision had no impact on the operational capabilities of the British armed forces.

Tank Replacements

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 22 March, *Official Report*, column *174*, what factors contributed to his decision to place an order for Challenger 2 as the replacement for the remaining two regiments of Chieftain tanks; and what effect his decision had on the operational capabilities of British armed forces.

Mr. Aitken: As the then Minister of State for Defence Procurement made clear in announcing the decision on 21 June 1991, a large number of factors were taken into account in deciding to procure Challenger 2 as Chieftain replacement. These included technical merit, risk, contract conditions, time scale, cost, the balance of interoperability considerations, stretch potential, logistical implications, employment and overseas sales. The advantage of maintaining a single ammunition type across the smaller post-"Options" tank fleet was an important consideration.

As was also made clear, following the introduction into service of Challenger 2, the Army's tank fleet will be well placed to meet its commitments.

Written Answers to Questions

Thursday 12 May 1994

DUCHY OF LANCASTER

Citizens Charter

Dr. Wright: To ask the Chancellor of the Duchy of Lancaster if he will define the words "aim", "target", "guarantee" and "commitment", as they are used in the citizens charter programme.

Mr. Waldegrave: A key principle of the citizens charter is that public services should publish standards of service—that is a clear statement of the level of service which service users can expect—and an explanation of how the service will respond if standards are not met. Within the charter programme, the words "aim", "target", "guarantee" and "commitment" have their normal meanings.

South Korea (PhDs)

Mr. Gordon Prentice: To ask the Chancellor of the Duchy of Lancaster how many PhDs in technical subjects there are per capita in *(a)* South Korea and *(b)* the United Kingdom.

Mr. Waldegrave: The information is not available. However, comparable information is available relating to the number of PhDs awarded in each country per year. The figures for 1990 are:

	South Korea	*United Kingdom*
Engineering and Technology	440	750
Maths and Computer Science	75	290
Natural Science	170	2,290
TOTAL (of above)	685	3,330
National Population (millions)	43	58

Sources: Human Resources for Science and Technology: The Asian Region (1993), National Science Foundation, United States of America; University Statistics (1992-93), Volume 1, Students and Staff, University Statistical Record.

OVERSEAS DEVELOPMENT ADMINISTRATION

Nicaragua

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs how much overseas aid Her Majesty's Government have given to Nicaragua in each of the past five years; and if he will make a statement.

Mr. Lennox-Boyd: United Kingdom gross bilateral aid was as follows:

	£ thousands
1988-89	244
1989-90	20
1990-91	158
1991-92	206
1992-93	1,814

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what overseas aid Her Majesty's Government are currently providing to Nicaragua; and if he will make a statement.

Mr. Lennox-Boyd: British aid to Nicaragua comprises English language teaching experts and scholarships. In this financial year we hope to spend £240,000. Finance is also provided for projects jointly funded with non-governmental organisations.

Indonesia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs how many soft loan projects for Indonesia have been approved in the past 10 years; what was their value in cash terms; what purposes they were serving; and which British-based firms have benefited.

Mr. Lennox-Boyd: Soft loan projects for Indonesia approved in the past 10 years are as follows:

Title	*Contract Value £ million*	*United Kingdom Supplier*
Steel Bridging	9·930	Mabey & Johnson
Navigational Aids	9·906	Pharos Marine
Rehabilitation of Bandung TV Studios	11·384	Quantel Link
Scattered Diesels	7·233	Rustons
Cigading-Serpong Railway	31·860	Davy BRI
Citayam-Cibinong Railway	22·915	Foster-Wheeler
Cigading Port Refurbishment	17·280	Tarmac
Rehabilitation of Jakarta Radio Studios	6·330	Audix Ltd.
Steel Bridging	3·832	Mabey & Johnson
Radio Communications System for the Ministry of Forestry	37·234	Philips
Airport Security Systems	11·452	International Aeradio Ltd.
Flight Simulator (Merpati)	4·960	Aeronautical Systems Designers Ltd.
Shortwave Radio Transmitters for National Broadcasting Network	29·000	Marconi
Jambi Diesel Power Plant	5·739	Mirrless Blackstone
Western Universities Equipment	14·284	Philip Harris Int./Fisons

Mr. Worthington: To ask the Secretary of state for Foreign and Commonwealth Affairs what are the financial terms of soft loans of the category of that given to Indonesia on 7 April.

Mr. Lennox-Boyd: The £80 million loan arrangement signed with the Indonesian Government on 7 April 1994 provided finance at 3·343 per cent. interest, repayable over 25 years with a seven-year grace period.

TRADE AND INDUSTRY

Scott Inquiry

Mr. Byers: To ask the President of the Board of Trade how many current and former officials and Ministers in his Department have been asked to give written or oral evidence to the Scott inquiry.

Mr. Needham: Eighteen current and former officials and Ministers have been asked to give written evidence. Of these, 10 have also provided oral evidence.

Power Lines

Mr. Deva: To ask the President of the Board of Trade what consideration he has given to the report of the public inquiry into the construction of power lines from Lackenby, Cleveland, to Shipton, north Yorkshire; and if he will make a statement.

Mr. Eggar: My right hon. Friend has today given a provisional response to the National Grid Company's applications to install new 400 kv overhead electric lines between Lackenby and Shipton via Picton.

Implementation of the inquiry inspectors' recommendations would enable the National Grid Company to place a new line, mostly above ground, between Lackenby and Shipton. However, the inspectors recommended that consent should not be granted for certain sections where they judged that the environmental impact would be too great.

The recommendations of the inquiry inspectors were, in summary, as follows:

(a) Lackenby to Picton

It was recommended that consent should be refused for the 30 km northern—Portrack—route option, but that it should be granted for the greater part of the 22 km southern route option running south-westwards from Lackenby passing to the east of Middlesbrough. The exceptions are a section of the route south-east of Nunthorpe and a section to the south of Newby.

Installation of the new line would enable 31 km of existing 275 kv overhead line to be dismantled.

(b) Picton to Shipton

Of the three route options, all around 53 km in length and aligned broadly north-south, the inspectors recommended a significant part of the westernmost route passing to the east of Northallerton and Thirsk. However they recommended refusal of that section of the route which would pass through the East Moor site of special scientific interest. From a point some 3 km south of Easingwold, they recommended a switch from the westernmost route to the central route for the remainder of the line to Shipton.

In line with usual practice, my right hon. Friend will not proceed to a decision on whether to grant consent until the company secures the necessary rights to run any new line across land on the recommended route. Consent needs to be obtained from the landowners in question. If consent is not obtained, the company can apply to my right hon. Friend for the necessary right to be granted, but decisions whether or not to grant such rights will not be taken without giving the landowners an opportunity to make representations.

My right hon. Friend has, however, indicated that, in the event that the necessary rights are obtained, then, as he is minded at present, any consents granted by him on the applications for the new line would be likely to follow the inspectors' recommendations as to the route the line should take. He is at present minded to refuse the applications for those routes—or parts of routes—which the inspectors considered should be rejected.

I am placing in the Library of the House copies of the inspectors' report and the letter to the company conveying my right hon. Friend's provisional decision.

Mr. Deva: To ask the President of the Board of Trade, how many dwellings lie *(a)* within 200 m of the proposed new route and *(b)* within 200 m of lines which are likely to be dismantled if permission is given for the new overhead line in Cleveland and north Yorkshire.

Mr. Eggar: In relation to the overhead line route for which my right hon. Friend is minded to grant consent, around 100 dwellings lie within 200 m. I understand that more than 4,400 dwellings lie within 200 m of the existing line in the Middlesbrough area, which would be dismantled if the new line is installed.

Energy Technology Support Unit

Mr. Deva: To ask the President of the Board of Trade when he will publish the appraisal of United Kingdom energy research and development prepared by the energy technology support unit.

Mr. Eggar: My Department's summary of this appraisal is published today by HMSO as energy paper 61, entitled "Energy Technologies for the UK". I have placed a copy in the Library of the House. The Energy Technology Support Unit will shortly be publishing the supporting technical papers as ETSU Report R-83.

US Telecommunications Market

Mr. Spellar: To ask the President of the Board of Trade, pursuant to his answer of 4 May, *Official Report*, column *513*, what has been the response of the United States authorities to his representations regarding access for British telecommunications companies to the United States market.

Mr. McLoughlin: The United States authorities have, since 1991, revised their rules to require United States carriers to provide leased lines for international simple resale; adopted the United Kingdom principle of equivalence in judging routes suitable for ISR; and removed their prima facie treatment of all foreign telecommunications operators as "dominant".

More recently the United Kingdom has actively supported applications from United Kingdom companies to gain licences in the United States, and to remove discriminatory treatment of foreign applicants for telecommunications licences requiring radio frequencies. These are being considered by the United States authorities.

Malaysia

Mr. Worthington: To ask the President of the Board of Trade if he will give details of the water supply projects in Malaysia won by Thames Water; and what is his resulting assessment of British-Malaysian trade relations.

Mr. Needham: Any contracts won by Thames Water in Malaysia have been on commercial terms. The details of such contracts are a matter for the company.

A large number of British companies are continuing to trade with Malaysia in areas outside the ban on Government contracts imposed on 25 February. We are in close touch with the Malaysian Government and are working hard to restore relations to a sound and flourishing basis as soon as possible.

HOME DEPARTMENT

External Frontiers Convention

Mr. Spearing: To ask the Secretary of State for the Home Department what assessment he has made of whether the current wording of article 10 of the draft European Union convention on controls on persons crossing its extreme frontiers takes sufficient account of the rights of persons opposing the public policies of any of its member states.

Mr. Charles Wardle: The provisions of article 10 of the draft external frontiers convention broadly reflect the principles contained in the United Kingdom immigration rules for refusal of admission in such cases and the equivalent principles operated by other member states. Member states will be giving further consideration to the precise way in which article 10 will be implemented.

Crime Clear-up Rate

Mr. Barnes: To ask the Secretary of State for the Home Department what is the clear-up rate for recorded offences in each police district in the last year for which figures are available.

Mr. Maclean: The information requested is published in table 4 of "Home Office Statistical Bulletin 6/94", a copy of which is available in the Library.

Carl Bridgewater Case

Mr. Corbett: To ask the Secretary of State for the Home Department how many civil servants within his Department are working *(a)* full time and *(b)* part time on considering new evidence submitted on 8 June 1993 in relation of the conviction of four persons for the murder of Carl Bridgewater in 1978.

Mr. Maclean: No official is working full time on this case. In accordance with normal working procedures, one officer is principally responsible for examining the various representations that have been submitted since June 1993. Other officials have also given substantial consideration to the case and will continue to be involved as necessary while the current review is in progress.

Mr. Corbett: To ask the Secretary of State for the Home Department when he now expects to decide whether to refer to the Court of Appeal new evidence submitted on 8 June 1993 in relation to the conviction of four persons for the murder of Carl Bridgewater in 1978.

Mr. Maclean: A number of representations on behalf of those convicted in this case were received between June 1993 and April 1994. We understand that more may follow. We have asked the police to make inquiries into some of the matters raised. When those inquiries have been completed and any further representations have been considered, my right hon. Friend will consider in the light of all the information available to him whether it would be right for him to refer any of the convictions to the Court of Appeal or to take any other action.

Mr. Corbett: To ask the Secretary of State for the Home Department which factors he is considering as part of the new evidence submitted to him on 8 June 1993 in relation to the conviction of four persons for the murder of Carl Bridgewater in 1978 before determining whether the case should be referred to the Court of Appeal.

Mr. Maclean: All the matters raised in the latest series of representations will be taken fully into account before any decision is taken on whether to refer any of the convictions to the Court of Appeal.

Weapons

Mr. Blair: To ask the Secretary of State for the Home Department how many weapons were voluntarily surrendered to the police in each year since 1979.

Mr. Charles Wardle: No central record is kept of the numbers of weapons surrendered to the police. The available information is that the national firearms amnesty held in 1988 resulted in over 47,000 guns being handed in. Local operations by seven police forces in Great Britain resulted in the surrender of 7,494 bladed weapons in the three years from April 1990 to March 1993.

British National Party

Mr. Winnick: To ask the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis on why police officers provided the defeated British National party candidate in Tower Hamlets with a police escort at the count when reporters wished to put questions to him; and how many officers were involved.

Mr. Charles Wardle: I understand from the Commissioner that two officers escorted the British National party candidate, Mr. Derek Beackon, when he left York Hall, Bethnal Green after the announcement of the election result. Supporters and opponents of the British National party had gathered outside the building and the police were concerned that Mr. Beackon's appearance there might result in a breach of the peace.

Court of Appeal

Mr. Corbett: To ask the Secretary of State for the Home Department what have been the changes in the last five years for which figures are available for the number of civil servants within his Department working full time on considering new evidence in relation to convictions for serious criminal offences where he has to make a decision on whether to refer such cases to the Court of Appeal.

Mr. Maclean: I refer the hon. Member to the table:

Staff engaged in considering alleged wrongful convictions and related matters

Year	*Number*
1989	18
1990	17
1991	17
1992	20
1993	21

Elections

Mr. Wareing: To ask the Secretary of State for the Home Department if he will review the situation in respect of the description of candidates on ballot papers during local, parliamentary and European elections to reduce possible confusion as to the political party affiliations of candidates; and if he will make a statement.

Mr. Peter Lloyd: We have at present no plans to do so.

Life Sentences

Mr. Rooney: To ask the Secretary of State for the Home Department in how many cases of current life sentence servers the judge's recommended minimum imprisonment has been increased by the Home Secretary by *(a)* less than five years *(b)* five to 10 years and *(c)* more than 10 years.

Mr. Peter Lloyd: Information in the form requested could be obtained only at disproportionate cost. For the readily available information I refer the hon. Member to my reply to the hon. Member for Jarrow (Mr. Dixon) on 3 March 1994 *Official Report*, columns *830-31*.

Prisons (Hospital Visits)

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list for each HM prison and remand or detention centre in *(a)* South Yorkshire, *(b)* North Yorkshire, *(c)* West Yorkshire and *(d)* Humberside how many hospital visits have been allowed to prisoners in each year since 1985; and if he will show the hospitals attended.

Mr. Peter Lloyd *[holding answer 5 May 1994]:* Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Martin Redmond, dated 12 May 1994:

The Home Secretary has asked me to reply to your recent Question about hospital visits since 1985 by prisoners in South Yorkshire, North Yorkshire, West Yorkshire and Humberside.

Central statistical information about visits to NHS facilities details only the number of visits or transfers, not the hospital attended. The available information is shown in the attached tables, copies of which have been placed in the Library of the House.

South Yorkshire

		HMYOI Hatfield	HMP Lindholme	HMP Moorland (opened July 1991) Convicted	HMP Moorland (opened July 1991) Remand
1985	(i)	127	16	—	—
	(ii)	8	3	—	—
1986	(i)	122	425	—	—
	(ii)	4	37	—	—
1987	(i)	119	392	—	—
	(ii)	6	23	—	—
1988	(i)	155	366	—	—
	(ii)	6	30	—	—
1989	(i)	197	187	—	—
	(ii)	7	25	—	—
1990	(i)	146	314	—	—
	(ii)	5	32	—	—
1991	(i)	226	243	56	24
	(ii)	9	20	12	8
1992	(i)	182	337	51	53
	(ii)	8	38	4	8

(i) Number of occasions on which prisoners attended outpatient facilities.
(ii) Number of occasions on which prisoners were transferred to NHS hospitals.

North Yorkshire

		HMP Wakefield	HMYOI Wealherby	HMP Askham Grange	HMYOI Northallerton
1985	(i)	69	165	417	78
	(ii)	24	10	31	8
1986	(i)	49	148	252	50
	(ii)	30	10	9	7
1987	(i)	72	202	349	67
	(ii)	27	10	51	9
1988	(i)	84	138	309	80
	(ii)	25	13	21	11
1989	(i)	115	163	243	118
	(ii)	21	8	21	12
1990	(i)	168	98	234	73
	(ii)	35	8	23	17
1991	(i)	125	56	359	96
	(ii)	11	5	37	8
1992	(i)	192	58	155	86
	(ii)	39	5	31	10

(i) Number of occasions on which prisoners attended outpatient facilities.
(ii) Number of occasions on which prisoners were transferred to NHS hospitals.

West Yorkshire

		HMP Leeds	HMP and YOI New Hall		HMP Rudgate	HMP Thorp Arch
1985	(i)	367	94		205	154
	(ii)	30	2		14	7
1986	(i)	411	45		240	100
	(ii)	26	4		9	2
1987	(i)	220	101	13[1]	162	75
	(ii)	24	13	1	12	0
1988	(i)	244	126	25	182	75
	(ii)	24	17	6	13	3
1989	(i)	201	123	39	230	54
	(ii)	26	17	3	6	2
1990	(i)	225	120	37	189	148
	(ii)	23	27	10	13	2
1991	(i)	160	134	30	312	156
	(ii)	29	21	8	28	6
1992	(i)	216	125	13	314	134
	(ii)	24	27	2	21	10

[1] Separate figures available, for prison and YOI, from this date.
(i) Number of occasions on which prisoners attended outpatient facilities.
(ii) Number of occasions on which prisoners were transferred to NHS hospitals.

Humberside

		HMP Everthorpe	HMP Full Sutton	HMP Hull	HMYOI Hull
1985	(i)	148	(Opened 1987)	60	3
	(ii)	12	—	9	0
1986	(i)	136	—	163	27
	(ii)	12	—	18	4
1987	(i)	107	8	164	60
	(ii)	5	0	21	3
1988	(i)	64	61	[1]213	
	(ii)	6	10	22	
1989	(i)	76	69	277	
	(ii)	0	23	31	
1990	(i)	52	129	230	
	(ii)	12	25	20	
1991	(i)	61	145	323	
	(ii)	13	14	32	
1992	(i)	129	119	208	
	(ii)	11	18	24	

[1] Combined figures for Health Care Centre at Hull from this date.
(i) Number of occasions on which prisoners attended outpatient facilities.
(ii) Number of occasions on which prisoners were transferred to NHS hospitals.

SCOTLAND

Conservation

Mr. Nicholls: To ask the Secretary of State for Scotland how many proposed Ramsar sites there are in Scotland.

Sir Hector Monro: There are at present 48 sites in Scotland proposed for designation under the Ramsar convention. In addition, 18 sites have already been formally designated.

Homelessness

Mr. Raymond S. Robertson: To ask the Secretary of State for Scotland how he intends to address the question of homelessness in Scotland; and if he will make a statement.

Mr. Lang: I have today placed in the Library of the House copies of a consultation paper entitled "Tackling Homelessness". This follows the publication on 29 March of a research report dealing with the operation of the 1991 code of guidance on homelessness in Scotland. The consultation paper takes into account the results of this research and sets out a range of specific questions about the way in which the present framework of legislation on homelessness is interpreted and applied in practice by local authorities.

The primary statutory responsibility for dealing with homelessness lies with local housing authorities and there is no intention of changing this arrangement. At present there are essentially two methods of acquiring a tenancy with a local housing authority—either by making a direct application to the landlord concerned, and usually going on the relevant waiting list until a suitable property becomes available, or by being accepted as unintentionally homeless and in priority need by a local housing authority—in which case the authority has a duty to secure long-term accommodation for that household.

There is a considerable overlap between these approaches. It is known from the code of guidance research that in the six local authority areas studied, around 31 per cent. of homlessness applicants were already on a general waiting list. In 1992-93, 24 per cent. of all new housing authority lets in Scotland were to homeless households.

I am concerned to ensure that there are no legislative or other barriers which may prevent local housing authorities arriving at a suitable balance between the needs of different groups of applicants. One of the purposes of this

consultation is therefore to find out whether such barriers exist in Scotland and, if so, to decide how they can be overcome. Consequently the consultation paper sets out a number of questions for discussion on this and other related issues which need to be addressed by local authorities, Scottish Homes and other housing agencies.

The Government's overall aim is to achieve a fair and effective system for meeting the housing needs of those who rely on rented housing in both the public and private sectors. I intend to review the results of this consultation very carefully before bringing forward any proposals to change or reform the basis for homelessness provision in Scotland. At this stage, I look forward to a helpful and constructive response to the consultation paper which is being circulated to all Scottish hon. Members and to a wide range of housing interests.

AGRICULTURE, FISHERIES AND FOOD

Mobile Telephones and Pagers

Mr. Vaz: To ask the Minister of Agriculture, Fisheries and Food how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by her Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Mr. Jack: The Ministry and associated agencies currently have approximately 1,200 mobile telephones of various types. This figure includes carphones, but these are normally issued only to Ministers and to some members of senior management.

The Ministry currently has approximately 500 radio pagers, including tone, numeric and message pagers.

The Ministry has centrally arranged call-off contracts for the provision of mobile telephones and radio pagers but financial and procurement responsibility for such equipment rest with local managers. However, total expenditure for service rental and call charges for 1993-94 was approximately £398,855.

The Ministry and its associated executive agencies have a large number of field officers providing service to food, farming and fishing interests. In order that the service can be fast and efficient, these officers need to be able to make contact and be contacted whatever their situation.

Local management evaluate the business need and financial justification and decide which type of equipment is best suited to meet requirements and to whom it should be issued. Financial, technical and procurement advice is provided centrally.

Nephrops Nets

Mr. Beith: To ask the Minister of Agriculture, Fisheries and Food why the Seahouses fishing vessels Fidelis and Providence were boarded and instructed on his Department's behalf on 5 May to cease using nephrops nets in which the square mesh panel was fitted forward of the flapper; whether the notice issued by district inspector W. P. Bridge about the square mesh panel being placed either forward or to the rear of any flapper had been withdrawn on or before 5 May; and if he will make a statement.

Mr. Jack: A requirement to incorporate square mesh panels in nephrops nets was introduced in 1991 after full consultation with the industry. Experients had shown that these panels, when placed in the net's cod end, any extension piece or immediately in front of any extension piece, allow undersized fish a greater opportunity to escape from nets and grow on to maturity. This is reflected in Statutory Instrument 1991 No. 1380 as amended by Statutory Instrument 1992 No. 1344. The district inspector's notice correctly sets out the essential provisions of these SIs as they relate to North sea nephrops nets. It has not been withdrawn.

FVs Fidelis and Providence were routinely inspected at sea by officers from the fisheries protection vessel HMS Quorn on 5 May. The nephrops nets examined did not appear to the inspecting officer to conform with the requirements of the statutory instruments and the skippers concerned were cautioned.

DEFENCE

Service Personnel (Redundancy)

Dr. David Clark: To ask the Secretary of State for Defence what procedures have been established for those service personnel who wish to appeal against their selection for compulsory redundancy.

Mr. Hanley: Personnel selected for compulsory redundancy can appeal against the decision through commanding officers, to specially constituted appeal boards. The appeals procedure is explained in the instructions giving details of proposed redundancies and inviting applications for redundancy. If appeals are rejected, personnel can seek redress of complaint in accordance with provisions laid down in the Service Discipline Acts.

Dr. David Clark: To ask the Secretary of State for Defence if he will list the criteria used to select service personnel for compulsory redundancy.

Mr. Hanley: Service personnel have been selected for redundancy in those areas where strengths exceed requirements, taking into account the need to retain a proper balance of age, skills, career structures and levels of experience. Volunteers have been selected wherever possible, but insufficient volunteers in some ranks and specialisations, and the need to maintain career structures, has meant that some compulsory redundancies have been necessary. Over 90 per cent. of those selected for redundancy have been volunteers.

Ex-service Personnel

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Delyn (Mr. Hanson) of 24 March, *Official Report*, column *366*, if he will place in the Library data obtained from voluntary post-exit returns relating to employment among ex-service personnel.

Mr. Hanley: Data from the voluntary returns made by the service personnel after discharge is obtained through the Tri-Service Resettlement Organisation's post-exit survey. I am placing a copy of synopsis No. 3 of the most recently published survey in the Library of the House.

Service Staff Colleges

Mr. Raynsford: To ask the Secretary of State for Defence (1) when he expects to take a decision on the future location of the three service staff colleges;

(2) further to his answer of 6 May, *Official Report*, column *674*, when he expects to give consideration to the future location of the three service staff colleges.

Mr. Hanley: Formal recommendations arising from tthe Defence costs study as a whole will be put before Ministers shortly. It will take some time to consider all the issues involved, but we expect to be able to announce our broad conclusions before the House rises for the summer recess.

Mr. Raynsford: To ask the Secretary of State for Defence what studies have been commissioned by his Department into issues relating to the future location of the three service staff colleges; and what were their terms of reference.

Mr. Hanley: The defence costs study into training examined a number of issues relating to the future location of the service staff colleges. Its remit was to identify means for achieving maximum efficiency and rationalisation in individual and specialist training in MOD and the services. The study was to range as broadly as necessary and:

consider where common practices can be adopted across the services

explore options for rationalising existing structures and arrangements, identifying any penalties/costs and savings

identify timescale for implementation

Research

Mr. Llwyd: To ask the Secretary of State for Defence what plans he has for the regional distribution of defence research work; and if he will make a statement.

Mr. Aitken: The location of defence research work is primarily determined by the availability of facilities, and best value for money considerations. My Department has no plans to change this policy.

Anti-personnel Mines

Mr. Whittingdale: To ask the Secretary of State for Defence when he expects to announce the outcome of the inquiry into the loss of anti-personnel mines from Shoeburyness.

Mr. Aitken: I hope to be able to announce the outcome of this inquiry shortly.

Bosnia

Mr. Worthington: To ask the Secretary of State for Defence, pursuant to his answer of 29 April, *Official Report*, column *400*, to what extent Greece has agreed to and supported NATO decisions on Bosnia.

Mr. Heathcoat-Amory: I have been asked to reply.

Greece has not blocked any NATO decisions on Bosnia, although it disassociated itself from the 9 February decision on Sarajevo.

WALES

Rural Development

Mr. Alex Carlile: To ask the Secretary of State for Wales (1) if he will make a statement regarding the internal reorganisation of his Department with regard to the sponsorship of the Development Board for Rural Wales;

(2) if he will make a statement setting out the responsibilities of the regional development division of his Department; and which division of his Department is responsible for rural, tourism and countryside matters.

Mr. Redwood: Following the internal reorganisation of Welsh Office, the regional development division is responsible for sponsorship of the Development Board for Rural Wales, the Wales tourist board and the Welsh Development Agency; and co-ordination of the application of the strategic development scheme within rural areas. RDD has responsibility for general tourism and rural policy matters. The environment division is responsible for sponsorship of the Countryside Council for Wales.

Boreholes

Mr. Alex Carlile: To ask the Secretary of State for Wales (1) by what mechanisms householders in Wales whose homes and gardens are severely damaged by new boreholes sunk by water utilities may obtain compensation; and if he will make a statement;

(2) if he will call for a report on damage caused to private houses and gardens in the area of Fron, Montgomery as a result of borehole operations by Severn-Trent Water Ltd.; and if he will make a statement;

(3) what assessment he has made of the methods whereby assessment is made of the risk of damage to property in Wales from new water boreholes; and if he will make a statement;

(4) if he will institute a public inquiry into the conduct of and damage caused by water borehole operations near Fron, Montgomery; and if he will make a statement;

(5) what proposals he has to make water utilities liable for damage caused to property in Wales as a result of the sinking of water boreholes; and if he will make a statement.

Mr. Redwood: I will write to the hon. Member and place a copy of my letter in the Library of the House.

Flags

Mr. Wigley: To ask the Secretary of State for Wales how many representations he has received from *(a)* organisations and *(b)* individuals in favour of replacing the Welsh dragon with the Union flag on promotional literature issued by the Welsh development agency.

Mr. Redwood: I have received no such representations. The changes to the promotional literature which I have suggested to the Welsh development Agency are intended to heighten the profile of Wales as a location for inward investment, and there is no question of the Welsh dragon being replaced by the Union flag. Like the hon. Member, I am proud of the dragon and the Welsh colours and wear them wherever possible.

Local Government Reform

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the sea fisheries committees covering the Welsh coastline within the six-mile limit in relation to the continuation of obligations subsequent to Welsh local government reform.

Mr. Redwood: I propose to consult the unitary authorities, after they have been elected in 1995, about their views on the future arrangements for sea fisheries committees. Existing sea fisheries committees would also be consulted.

Welsh Development Agency

Mr. Jon Owen Jones: To ask the Secretary of State for Wales (1) if he will list the payments made in accordance with the Welsh Development Agency redundancy scheme between 1983 and 1989;

(2) if he will list all Welsh Development Agency redundancy payments made in excess of the approved redundancy scheme between 1983 and 1989.

Mr. Redwood: The Department gave approval to redundancy terms for the agency to use in 1983. My Department was not notified of individual payments made during the period 1983 to 1989. I have asked the chairman for details of such payments and I will write to the hon. Member and place a copy of my letter in the Library of the House.

Mr. Jon Owen Jones: To ask the Secretary of State for Wales what written guidance or observations the Welsh Office gave to the Welsh Development Agency regarding the redundancy payment to Mr. Price, the former director of Winvest and WDI; and when it was given.

Mr. Redwood: The Department wrote to the agency on 25 November 1991 when the case of Mr. Price first came to light. The Department subsequently wrote on 19 February 1992 requiring the agency to refer further cases of redundancy to the Department.

Mr. Jon Owen Jones: To ask the Secretary of State for Wales what guidance was given to the Welsh Development Agency regarding lease car schemes; when Treasury central unit on purchasing guidelines became available to the Welsh Office; and when these were sent to the Welsh Development Agency.

Mr. Redwood: The Department gave approval to the agency's car leasing scheme on 27 April 1987. Treasury CUP guidelines were issued in November 1990 and those were sent to the agency in February 1992 when it was considering changes to its approved car leasing scheme.

Mr. Jon Owen Jones: To ask the Secretary of State for Wales what guidance was given to the Welsh Development Agency between 1983 and 1992 regarding redundancy arrangements after the Welsh Development Agency entered the Mid-Glamorgan pension fund.

Mr. Redwood: The Department wrote to the agency on 12 April 1983 asking for notice of proposed actions on redundancy; details of additional payments; and stating that the terms of redundancy payments must conform to public sector standards.

The Department wrote subsequently, on 29 June 1983, in response to an agency proposal put to the Department on 1 June 1983, giving approval to the agency's redundancy arrangements.

Mr. Jon Owen Jones: To ask the Secretary of State for Wales if his Department authorised the payment of moneys for redundancy by the Welsh Development Agency in excess of those authorised by the Welsh Development Agency redundancy scheme.

Mr. Redwood: The Department gave retrospective approval to excess payments identified by the NAO in connection with the agency's 1991-92 accounts.

Tawe Barrage

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairman of the National Rivers Authority, Wales region, in relation to falls in salmon and sea trout spawning runs on the River Tawe subsequent to the completion of the Tawe barrage in Swansea; and if he will make a statement.

Mr. Redwood: This is a matter for the National Rivers Authority which has, under the Water Resources Act 1991, a statutory duty to maintain, improve and develop salmon and sea trout stocks. I understand that studies into the effect of the Tawe barrage on migratory fish stocks are continuing.

Cardiff Bay Barrage

Mr. Morgan: To ask the Secretary of State for Wales if he will make a statement on the progress achieved in the appointment of a complaints commissioner in relation to the Cardiff Bay barrage groundwater protection provisions.

Mr. Redwood: I expect to make an announcement about the appointment of the independent groundwater complaints administrator shortly.

Mr. Morgan: To ask the Secretary of State for Wales what instructions he has given to the chairman of the Cardiff Bay development corporation *(a)* concerning the implementation of the undertakings given in the House of Lords special select committee and *(b)* in pursuance to the undertakings given in the letter dated 8 March 1993 from David Compton, director of engineering operations for the Cardiff Bay development corporation to Norman Robson, chairman of the Cardiff flood action committee in relation to informing named individual householders in the Cardiff area by post of the date of the start of construction of the proposed Cardiff Bay barrage.

Mr. Redwood: None, but my officials have discussed the issues with officials from the Cardiff Bay development corporation.

Caines Report

Mr. Jon Owen Jones: To ask the Secretary of State for Wales what disciplinary action has been taken against officials at the Welsh Office following the Caines report.

Mr. Redwood: The permanent Secretary considered the findings of the Caines inquiry and concluded that there were no grounds for disciplinary action. I accepted that conclusion.

Rural Affairs

Mr. Morgan: To ask the Secretary of State for Wales if he will make a statement on the breaking up of the rural affairs tourism and countryside section of his Department;

what proposals he has had for ensuring that rural affairs are not downgraded by alterations in his administrative structure; and what proposals he has for improving co-operation between policy making on rural affairs, tourism and countryside matters.

Mr. Redwood: I refer the hon. Member to the answer I gave to the hon. and learned Member for Montgomery (Mr. Carlisle) today. The new arrangements will facilitate the co-ordination of policies on rural and tourism development throughout Wales and bring together sponsorship responsibility for the relevant agencies. The reorganisation will also provide within a single group comprehensive coverage of conservation, environmental and planning matters.

EDUCATION

Teachers

Mrs. Ann Taylor: To ask the Secretary of State for Education what is the average number of years in employment as teachers of those with relevant qualifications.

Mr. Robin Squire: The table shows the distribution of qualified teachers in service in England and Wales at 31 March 1992, in the maintained nursery, primary and secondary sector, by their length of teaching service.

Percentage of teachers in service for	*Type of school*		
	Primary	*Secondary*	*Total*
Under 5	21	16	18
5 – 9	16	16	16
10 – 14	18	20	19
15 – 19	20	22	21
20 – 24	16	15	16
25 and over	9	11	10
Total	100	100	100

Mrs. Ann Taylor: To ask the Secretary of State for Education how many teachers have taken early retirement on health grounds in each of the last 10 years.

Mr. Robin Squire: The table shows the number of members of the teachers' superannuation scheme who retired on the grounds of ill-health for the financial years 1984-85 to 1993-94. It covers lecturers in further and higher education as well as school teachers.

Financial year	*Number of infirmity retirements*
1984-85	2,449
1985-86	2,698
1986-87	2,707
1987-88	2,545
1988-89	3,423
1989-90	4,192
1990-91	4,938
1991-92	4,662
1992-93	4,897
1993-94	5,535

The 1993-94 figure represents about 1 per cent. of all teachers and lecturers.

Mrs. Ann Taylor: To ask the Secretary of State for Education how many students have become qualified teachers in each of the last 30 years.

Mr. Robin Squire: I will write to the hon. Member as soon as possible.

Mrs. Ann Taylor: To ask the Secretary of State for Education what is the average cost to public funds of a teacher taking early retirement on health grounds.

Mr. Robin Squire: The average pension and lump sum for a teacher retiring on the grounds of ill health during 1992-93 were £7,909 and £23,723 respectively.

Mrs. Ann Taylor: To ask the Secretary of State for Education how many newly qualified teachers entering the profession leave within five years; and what proportion of the total qualifying this is.

Mr. Robin Squire: The data requested are not readily available. However, an analysis produced by the Department suggests that 90 per cent. of newly qualified teachers enter teaching in England and Wales at some point in the five years after qualifying and that 63 per cent. are in service at the five-year point after qualifying. Many of those leaving teaching within five years will return at a later date.

Mrs. Ann Taylor: To ask the Secretary of State for Education how many lecturers in further education have relevant teaching qualifications.

Mr. Boswell: The information centrally held on the qualification of FE lecturers is not complete. I will write as soon as possible to the hon. Member with details of the information that is available.

Mrs. Ann Taylor: To ask the Secretary of State for Education (1) how many teachers have taken voluntary redundancy in each of the last 10 years;

(2) what is the average cost to public funds of a teacher taking voluntary redundancy.

Mr. Robin Squire: Employers of teachers are not required to inform the Department which teachers seek or acquiesce in dismissal on grounds of redundancy. Information is therefore not available centrally about the numbers of teachers concerned or costs.

Mrs. Ann Taylor: To ask the Secretary of State for Education how many newly qualified teachers have not entered the teaching profession in each of the last 10 years.

Mr. Robin Squire: The data requested are not readily available. However, the table shows the destination of teachers qualifying from the university sector in 1993. Further details for the university sector are available from the Universities Council for the Education of Teachers.

Destination, as at December 1993, of teachers completing initial training in the summer of 1993 at universities in England and Wales.

	PGCE	*Degree*	*Total*
Obtaining teaching post in United Kingdom	7,467	2,433	9,900
Not seeking a teaching post	710	330	1,040
Seeking a teaching post	772	301	1,073
Not known	1,011	721	1,732
Total successful completers	9,960	3,785	13,745

Source: Universities Council for the Education of Teachers.

Mrs. Ann Taylor: To ask the Secretary of State for Education how many teachers are currently employed in local education authority or grant-maintained schools.

Mr. Robin Squire: In January 1993, 396,332 full-time equivalent teachers were employed in the maintained nursery, primary and secondary schools sector in England, including LEA and self-governing—GM—schools and sixth-form colleges.

Departmental Advertisements (Complaints)

Mr. Byers: To ask the Secretary of State for Education if he will place in the Library a copy of his response to the Advertising Standards Authority reports on the recent complaints concerning his Department's advertisements relating to grant-maintained status when that report is made available.

Mr. Robin Squire: I refer the hon. Member to the answer I gave on 27 April 1994, *Official Report*, columns *193-94*. Once the outcome of the ASA's investigations is published, which is expected within the next week, a copy of the Department's response to their investigations will be placed in the Library.

National Curriculum Review

Mrs. Ann Taylor: To ask the Secretary of State for Education what is the estimated total cost of Sir Ron Dearing's review of the national curriculum; what is the total cost to date; and if he will provide a detailed breakdown of such costs.

Mr. Robin Squire: The estimated total cost to date is £1·3 million, comprising:

(i) £755k for the interim and final Dearing reports on the National Curriculum; and

(ii) £528k for work on slimming down the curriculum by the School Curriculum and Assessment Authority (SCAA) and its advisory groups (excluding SCAA's internal staff costs).

The eventual cost of the current consultation on the revised curriculum proposals is estimated at about £2 million, which includes the cost of publishing and distributing the consultation documents and a report on the outcome of consultation.

Funding Agency for Schools

Mr. Win Griffiths: To ask the Secretary of State for Education what proposals he has in respect of the eligibility of the Funding Agency for Schools to continue to operate in local education authority areas under redrawn boundaries where it has been established under existing boundaries.

Mr. Robin Squire: My right hon. Friend would need to consider this matter in the light of the individual circumstances applying in the new LEA areas.

Sport

Mr. Pendry: To ask the Secretary of State for Education what assessment he has made of the time given to sport in the national curriculum, following the School Curriculum and Assessment Authority's review.

Mr. Robin Squire: My right hon. Friend has no power to specify how much time should be allocated to physical education or any other national curriculum subject. This is a matter for individual schools. However, the national curriculum as proposed is expected on average to free up the equivalent of 20 per cent. at key stages 1, 2 and 3 and 40 per cent. at KS4. This is to allow more scope for teachers to exercise their professional judgment.

ENVIRONMENT

Businesses (Compensation)

Mr. John D. Taylor: To ask the Secretary of State for the Environment what provision exists for businesses to claim compensation for loss of business due to *(a)* road works and *(b)* works associated with water supplies; and what plans he has to change these provisions.

Mr. Baldry: Compensation for loss of business due to development by a public authority, or other body acting under statutory powers, is assessed in accordance with the land compensation code, specified for England and Wales principally in the Land Compensation Acts 1961 and 1973, the Compulsory Purchase Act 1965 and the Planning and Compensation Act 1991. One of a series of official booklets on the compensation code deals with the position of businesses affected by public development. I am sending a copy to the hon. Member.

The compensation code was thoroughly reviewed prior to the introduction of important changes in the 1991 Act. My right hon. Friend has no proposals for further amendment.

Properties, Redditch

Dr. Lynne Jones: To ask the Secretary of State for the Environment (1) if he will make a statement on the sale by the Commission for New Towns of the freeholds of properties in Redditch to Burford Estates and Shenstone Properties;

(2) what assessment he has made of the extent to which the sale by the Commission for New Towns of the freeholds of properties in Redditch to property developers is in accordance with Government policies to encourage home ownership and affordable housing.

Sir George Young: Throughout the 1980s, the leaseholders of residential properties in Redditch had the opportunity to purchase their freeholds, with specific mailshots being made in both 1985-86 and 1989-90. Following this, in accordance with the Commission for the New Town's statutory remit to dispose of its assets for the best price reasonably obtainable, the freeholds of the remaining properties were advertised on the open market and were sold in two blocks on the basis of tenders received. Most leaseholders of houses have the right to enfranchise under the Leasehold Reform Act 1967 which sets out the basis for a fair price to be determined with provision, in the event of a disagreement, for either party to refer the matter to the local leasehold valuation tribunal.

Urban Regeneration

Mrs. Helen Jackson: To ask the Secretary of State for the Environment what action he will be taking nationally and regionally to ensure that a target proportion of the

single regeneration budget is used to support *(a)* voluntary sector run projects and *(b)* black and ethnic minority projects.

Mr. Baldry: The single regeneration budget is intended to be a locally responsive source of funding for regeneration. There is therefore no fixed, centrally determined quota or target for the support of particular activities.

The bidding guidance for the single regeneration budget makes clear that one of its objectives is to

"promote initiatives of benefit to ethnic minorities"

and that bids should also aim to

"harness the talents and resources of the voluntary sector and volunteers and involve local communities".

Mrs. Helen Jackson: To ask the Secretary of State for the Environment what decision he has made on how single regeneration budgets will be assessed in terms of the level of involvement and partnership with the voluntary sector.

Mr. Baldry: The bidding guidance for the single regeneration budget, released on 14 April, copies of which are in the Library of the House, says that bids should

"aim to harness the talents and resources of the voluntary sector and volunteers and involve local communities".

Bids will be judged against the criteria set out in the checklist at annex A of the guidance.

Mrs. Helen Jackson: To ask the Secretary of State for the Environment if he will appoint regional advisers at the 10 new regional integrated offices to advice on the strategy for supporting and developing black and minority ethnic programmes and projects under the single regeneration budget.

Mr. Baldry: A key objective of the single regeneration budget is to

"promote initiatives of benefit to ethnic minorities"

and projects which benefit individuals will be monitored to ensure that all those intended to benefit, including ethnic minorities, do so. In addition, each regional office will have a senior official from the Home Office to provide advice on issues for which the Home Office has the lead policy responsibility.

Energy Efficiency

Mr. Byers: To ask the Secretary of State for the Environment if he will introduce a scheme whereby licensees of almshouses and properties owned by registered charities will qualify for grants towards the cost of draught proofing and insulation.

Mr. Atkins: My Department is currently considering whether it is possible for the licensees of almshouses to benefit from the provisions of the home energy efficiency scheme.

Eltham Well Hall Site

Mr. Austin-Walker: To ask the Secretary of State for the Environment if he has yet considered the planning application from Safeway for the development of the Eltham Well Hall site in the London borough of Greenwich; and if he will make a statement.

Mr. Baldry: I expect to announce my decision on this application soon.

Housing, Liverpool

Mr. Wareing: To ask the Secretary of State for the Environment what representations he has received from the Liverpool Federation of Council Tenants and Residents Associations in respect of the consultation paper, "Access to Local Authority and Housing Association Tenancies"; and what his response has been.

Sir George Young: One of my officials acknowledged on 10 May a letter dated 20 April from the chair of the Liverpool federation which set out the federation's comments on the proposals in the Government's consultation paper, and on certain other aspects of housing policy.

RECHAR

Mr. Beith: To ask the Secretary of State for the Environment what funds were approved under the RECHAR programme for the provision of a community hall at Widdrington, Northumberland.

Mr. Baldry: A European regional development fund grant of £225,000 was approved under the Tyne and Wear and South East Northumberland RECHAR programme for the provision of a community hall at Widdrington.

EMPLOYMENT

Youth Training

Mr. Llew Smith: To ask the Secretary of State for Employment, pursuant to the answer to the hon. Member for City of Durham (Mr. Steinberg) of 29 April, *Official Report*, column *379*, for what reason the information on youth training recipients and income support is not available.

Miss Widdecombe: The information requested by the hon. member for the City of Durham (Mr. Steinberg) is not available because the Department does not collect current data on the income level of youth training participants or on their eligibility for income support. The youth cohort study provides information, on a sample basis, on incomes of certain age groups, but this information is dated and does not establish individuals' entitlement to income support.

HOUSE OF COMMONS

Filing Cabinets

Mr. Michael Spicer: To ask the Chairman of the Accommodation and Works Committee what plans he has to replace Members' filing cabinets in compliance with EU regulations; and what will be the cost.

Mr. Ray Powell: Older four-drawer filing cabinets and those without anti-tilt mechanisms are being identified and replaced as part of agreed refurbishment programmes in order to meet British Standard 4438. A total of £35,000 has been set aside in 1994-95 for this work.

Private Members' Bills

Mr. Alfred Morris: To ask the Lord President of the Council, pursuant to his answer of 6 May, *Official Report*, column *651*, what authorisation is required by

Parliamentary Counsel to undertake drafting of amendments to Private Members' Bills; and who authorised the drafting of the amendments to the Civil Rights (Disabled Persons) Bill which appeared on the notice paper published on Wednesday 4 May.

Mr. Newton: Parliamentary Counsel undertakes drafting work at the request of Ministers. My right hon. Friend the Minister for Social Security and Disabled People authorised his Department to instruct Parliamentary Counsel on the drafting of the amendments tabled on 3 May which appeared on the notice paper published on Wednesday 4 May.

Mr. Campbell-Savours: To ask the Lord President of the Council, pursuant to his answer of 6 May, *Official Report*, column *651*, which Government Department gave instructions to Parliamentary Counsel to draft the amendments to the Civil Rights (Disabled Persons) Bill.

Mr. Newton: The Department of Social Security.

Mr. Alfred Morris: To ask the Lord President of the Council when the figure of £200 available to assist towards the cost of drafting of Bills of Members successful in the ballot for private Members' Bills was first set; when it was last varied; and what is its value when last set adjusted by the retail price index.

Mr. Newton: Pursuant to a resolution of the House of 29 November 1971, hon. Members who have secured one of the first 10 places in the ballot are entitled to claim not more than £200 towards the cost of drafting assistance for their Bill. This allowance has not been increased since it was introduced; its value adjusted by the retail price index and expressed in March 1994 prices is £1,371.

Mr. Alfred Morris: To ask the Lord President of the Council, pursuant to his answer of 6 May, *Official Report*, column *651*, what is his estimate of *(a)* the number of man-hours taken to draft the amendments referred to in his answer and *(b)* the cost to the Exchequer.

Mr. Newton: Work on drafting of amendments to the Civil Rights (Disabled Persons) Bill was carried out in parallel with other work being undertaken by the Office of Parliamentary Counsel, and the time taken cannot be accurately assessed. This work did not involve any additional cost to the Exchequer.

Internet

Mr. David Shaw: To ask the Lord President of the Council what plans his Department has *(a)* to use the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of his Department.

Mr. Newton: The Privy Council has no plans to use the Internet.

HEALTH

Residential and Nursing Homes, North-East

Mr. Cummings: To ask the Secretary of State for Health how many beds there are in *(a)* residential homes and *(b)* nursing homes in the villages of (i) Murton, (ii) Seaham, (iii) Peterlee, (iv) Easington colliery, (v) Easington village, (vi) Horden, (vii) Blackhall, (viii) Shotton, (ix) South Hetton and (x) Haswell; and how many are at present vacant.

Mr. Bowis: The most recent information available centrally relates to 31 March 1993 and is shown in the table. The information on location is based on that supplied by homes and has not been centrally validated.

Durham: staffed residential home places available and vacant and nursing home beds, in certain villages, 31 March 1993

Village	Residential homes		Nursing homes
	Places available	Places vacant	Beds available
Murton	47	5	34
Seaham[1]	169	16	262
Peterlee[2]	72	15	100
Easington colliery	0	0	54
Easington village[3]	59	15	46
Horden[2]	30	2	52
Blackhall	31	8	112
Shotton south[4]	50	1	0
Hetton	0	0	88
Haswell	0	0	0

[1]Including Dawdon, Seaham.
One of the homes in Seaham is dual registered.
[2]Horden, Peterlee has been allocated to Horden rather than Peterlee.
[3]Including Easington unspecified.
[4]Including Shotten colliery and Shotten.

Birth Defects

Mr. Alex Carlile: To ask the Secretary of State for Health if she will consider funding research into the possible causes of deformed limb birth defects; and if she will make a statement.

Mr. Sackville: Further to my response to an earlier question on this subject from my hon. Friend the Member for Norwich, North (Mr. Thompson) on 20 April at column *544*, the Department is currently considering the question of further research.

Health Trusts (Non-executive Directors)

Mrs. Bridget Prentice: To ask the Secretary of State for Health if she will list the names and full-time occupations of all the non-executive directors appointed to health trusts in each regional health authority in London.

Dr. Mawhinney: I refer the hon. Member to the reply I gave the hon. Member for Darlington (Mr. Milburn) on 17 January at column *385*. Details of the additions and amendments that apply to the entries relating to London have been placed in the Library.

Isotope Departments and Pathology Laboratories

Ms Walley: To ask the Secretary of State for Health if she will list those isotope departments and pathology laboratories which are eligible to apply for accreditation by her Department; if she will list those pathology laboratories and isotope departments which have been *(a)* granted or *(b)* refused accreditation; and if she will indicate the grounds on which accreditation was refused.

Mr. Sackville: Neither isotope departments or pathology laboratories have to be accredited by the Department. There are several professional accreditation

schemes but participation by laboratories is voluntary. Information is not kept centrally on details of applications to these schemes or their outcome. A clinician who wishes to administer—inject into—a human being a radioactive substance is required to hold a certificate, issued under the provisions of the Medicines (Administration of Radioactive Substances) Regulations 1978, before administering such a product. The site where such a clinician is based does not need to be accredited.

East Gloucestershire Health Trust

Mr. Clifton-Brown: To ask the Secretary of State for Health whether she will list the principal results achieved by the East Gloucestershire Health Trust since its formation in April 1991; and what it is doing to meet the targets laid down in her "The Health of the Nation" White Paper.

Mr. Sackville: East Gloucestershire national health service trust is a good example of how the NHS reforms are benefiting patients. My hon. Friend may wish to contact Mr. Thompson, the chairman of the trust, for details.

Hospitals, London

Ms Primarolo: To ask the Secretary of State for Health what information she has on the names and numbers of hospitals which are planned for closure in inner London in the next five years.

Dr. Mawhinney: Proposals for changes to hospital services are developed in the light of discussions between hospitals and local health authorities. Proposals for significant changes in the pattern of services are subject to public consultation. No hospital or hospital department will close unless suitable alternative services are available.

Poverty and Ill Health

Ms Primarolo: To ask the Secretary of State for Health what evidence she has of the extent of the link between poverty and ill health.

Mr. Sackville: A wide range of factors—including genetic predisposition, environment, exposure to risk, lifestyles—are associated with the incidence of ill health. Some, but not all, of these are linked with income levels. The Department keeps in touch with research developments in this field.

Tuberculosis

Ms Primarolo: To ask the Secretary of State for Health (1) how many cases of TB were reported by each region and for England as a whole in *(a)* 1992 and *(b)* 1993;

(2) how many deaths from TB occurred in *(a)* England and *(b)* each region in 1993;

Mr. Sackville: The information requested for 1992 is shown in the tables. Figures for 1993 are not yet available.

	Tuberculosis notifications – 1992	*Tuberculosis deaths*
England	5,597	520
North	268	22
Yorkshire and Humberside	498	47
East Midlands	356	50
East Anglia	77	19
South East	2,567	178
South West	199	44
West Midlands	869	84
North West	763	76

My right hon. Friend the Secretary of State has recently decided that a tuberculosis inter-departmental working group should be established to decide what further prevention and control measures might be necessary to help maintain the United Kingdom's excellent record in combating the disease.

Ms Primarolo: To ask the Secretary of State for Health what has been the cost of drug treatment in primary care for TB in each of the last five years.

Mr. Sackville: The available information is shown in the table.

Net ingredient cost of antituberculous drugs in England

	£ thousands
1989	1,139
1990	1,163
1991	1,363
1992	1,418
1993	1,471

Notes:

1. Antituberculous drugs are contained in the British National Formulary section 5.1.9.
2. The figures for 1991 to 1993 are on a different basis to earlier years and so not directly comparable. The 1989 to 1990 data are based on a sample of 1 in 200 prescriptions dispensed by community pharmacists and appliance contractors only in England. The data from 1991 cover all prescriptions dispensed by community pharmacists and appliance contractors, dispensing doctors, and prescriptions submitted by prescribing doctors for items personally administered in England.

Prednisolone

Mr. Blunkett: To ask the Secretary of State for Health what representations requesting compensation for side-effects she has received from patients who have taken the steroid prednisolone; and what action she is taking.

Mr. Sackville: Several representations have been received from patients who have taken steroids. Separate information is not held on representations made from those who have taken prednisolone. It is not the Department's policy to become involved in individual claims for compensation. This is a matter for individuals themselves to pursue with the companies concerned, if necessary, through the courts, as in other areas of health care.

Mr. Blunkett: To ask the Secretary of State for Health (1) what guidelines she has issued concerning the steroid prednisolone and its possible side-effects;

(2) what discussions she has had with the manufacturers of the steroid prednisolone concerning its possible side-effects.

Mr. Sackville: The Department of Health has not issued specific guidelines about prednisolone. However, prescribing information on prednisolone and other corticosteroids is available to doctors in product data

sheets which are produced by the manufacturers and authorised by the licensing authority, and in the British National Formulary" which the Department of Health sends free to all prescribers. These provide extensive warnings about the side-effects of corticosteroids. Specific advice about the risk of immunosuppression in patients taking systemic corticosteroids and the association with disseminated chickenpox was recently sent to all doctors and pharmacists in the bulletin "Current Problems in Pharmacovigilance" volume 20: 1 February 1994, copies of which are available in the Library.

Following a review of the safety of corticosteroids by the Committee on Review of Medicines in the mid-1980s there were communications with the Association of the British Pharmaceutical Industry—ABPI—and individual companies, as a result prescribing information in product data sheets was revised. In the light of the recent recommendations made by the Committee on Safety of Medicines—CSM—regarding severe chickenpox in association with corticosteroids, the product information available for corticosteroids is being further revised. A large number of manufacturers are involved and will shortly be approached individually in writing on this matter.

GP Fundholders

Ms Primarolo: To ask the Secretary of State for Health what are the criteria for a GP fundholder removing patients from his or her list.

Dr. Mawhinney: General practitioner fundholders are no different from any general practitioner in this respect.

Smear Tests

Ms Primarolo: To ask the Secretary of State for Health how many laboratories report a smear test as cytology negative when no endocervical material has been seen on the slide.

Mr. Sackville: I refer the hon. Member to the reply I gave her on 25 April at column *64*.

Primary Health Care

Ms Primarolo: To ask the Secretary of State for Health what plans she has to ensure equity of income and resources between primary health care in inner cities and elsewhere.

Dr. Mawhinney: I refer the hon. Member to the reply I gave her on 1 November 1933 at column *60*.

Health and Inequalities

Mr. Blunkett: To ask the Secretary of State for Health what is *(a)* the remit and timetable and *(b)* the membership of the new working group on health and inequalities.

Mr. Sackville: The terms of reference and membership of the variations sub-group of the Chief Medical Officer's "Health of the Nation" working group are as follows:

TERMS OF REFERENCE

For the current Health of the Nation key areas:

By spring 1995 to prepare a report for the Chief Medical Officer as to how the Department of Health and the national health service can make best use of existing information in tackling ethnic, geographical, socio-economic and gender variations in health status, with particular reference to the strength of observed relationships and evidence about the effectiveness of interventions.

By the end of 1994 to prepare a report for the departmental research directorate in areas in which new epidemiological and research information is needed to inform the targeting of interventions for high risk groups of the population and further understanding of underlying processes relevant to policy on longer-term intervention.

To support the Public Health Information Strategy with the health variations aspects of its work.

Membership

Dr. J. Metters (*Chairman*)—Deputy Chief Medical Officer—Department of Health
Dr. S. Adam—Director of Public Health, North Thames (West)
Dr. J. Chambers—Health Education Authority
Professor M. Marmot—Department of Epidemiology and Public Health, University College London
Professor M. Pringle—Department of General Practice, The Medical School, Nottingham
Dr. J. Fox—Office of Population Censuses and Surveys.
Professor S. McIntyre—Medical Research Council Medical Sociology Unit, Glasgow
Professor P. Fonagy—Psychoanalysis Unit, University College London
Dr. K. Kelleher—Director of Public Health, Wolverhampton
Dr. A. Peatfield—Medical Research Council Observer
To be confirmed—Economic and Social Research Council Observer
Dr. D. McInnes—Department of Health (Health Promotion Division)
Mrs. J. Griffin—Department of Health (Research and Development Division)
Mr. K. Guinness—Department of Health (Health Promotion Division)
Dr. S. Gupta—Department of Health (Health Promotion Division)
Dr. A. McConville—National Health Service Executive Headquarters
Mr. R. Willmer—Department of Health (Statistics Division)
Miss E. Lynam (*Secretariat*)—Department of Health
Dr. K. Binysh (*Secretariat*)—Department of Health
Dr. L. Catan (*Secretariat*)—Department of Health

Health Workers

Ms Primarolo: To ask the Secretary of State for Health, pursuant to her answer of 15 April, *Official Report*, column *318*, if she will publish a breakdown of the reported 750 redundancies by occupation, gender, ethnic origin and age.

Dr. Mawhinney: This information is not available centrally and could be provided only at disproportionate cost.

Contraception

Ms Primarolo: To ask the Secretary of State for Health, how many, and what percentage of, women of child-bearing age were registered by general practitioners for contraceptive care in each year since 1990 and in each month since 1 April 1993; and how many women were seen in family planning clinics, in each year since 1990.

Mr. Sackville: The information on women registered with general practitioners for contraceptive care is not available centrally. For information about attendances at family planning clinics, I refer the hon. Member to the reply I gave her on 5 May at columns *627-28*.

Hospital Stays

Ms Primarolo: To ask the Secretary of State for Health what is the average length of stay in hospital for patients in the surgical specialties.

Mr. Sackville: I refer the hon. Member to the reply I gave her on 6 May at columns *661-62*.

Health Service Administration

Mr. Blunkett: To ask the Secretary of State for Health if she will list the number of managers and clerical and administrative staff employed by each regional health authority for each year since 1989.

Dr. Mawhinney: I refer the hon. Member to the reply I gave the hon. Member for Darlington (Mr. Milburn) on 4 November 1993 at column *458* and the letter sent to him on 30 November 1993 by my hon. Friend the Parliamentary Under-Secretary of State. A copy of the letter is available in the Library.

Mr. Blunkett: To ask the Secretary of State for Health how many senior managers in the NHS there were on each spinel point, 1 to 30; what was the flat salary on each point; what was the annual cost of employment per whole-time equivalent on each point since the introduction of these grades; what was the number of unit general managers in groups one to five, the salary range in each group, and the annual cost of employment per whole-time equivalent on each point since the introduction of these grades; and what was the number of district general managers in groups one to three, the salary range in each group and the annual cost of employment per whole-time equivalent on each point since the introduction of these grades.

Dr. Mawhinney: I refer the hon. Member to the reply my hon. Friend the Under-Secretary of State gave him on 27 July 1993 at columns *835-39* and to my subsequent reply on 6 December 1993 at columns *71-72*. The tables provide the latest—1993—salary figures for national health service senior managers and unit and district general managers.

Table 1
Basic salaries of NHS senior managers 1993

Spine point	*1993 (£)*
1	47,300
2	45,470
3	43,730
4	42,040
5	40,420
6	38,870
7	37,370
8	35,940
9	34,560
10	33,230
11	31,950
12	30,720
13	29,540
14	28,400
15	27,310
16	26,260
17	25,240
18	24,280
19	23,350
20	22,450
21	21,590
22	20,760
23	19,950
24	19,190
25	18,450
26	17,740
27	17,060
28	16,400
29	15,770
30	15,160

Notes:
1. All salary rates effective from 1 September.
2. Senior managers' salaries may be enhanced by performance-related pay nationally and geographical allowances in the south-east of England.

Table 2. Salary range for unit and district general managers 1993

Grade	*1993 £*
DGM1	49,130—70,950
DGM2	46,400—67,020
DGM3	42,460—61,560
UGM1	42,460—61,560
UGM2	37,300—53,980
UGM3	33,660—48,830
UGM4	29,120—42,150
UGM5	—

Notes:
1. All salary rates effective from 1 September.
2. General managers' salaries may be enhanced by performance-related pay nationally and geographical allowances in south-east of England.
3. The UGM5 grade was assimilated into UGM4 with the restructuring in 1990.

Mr. Blunkett: To ask the Secretary of State for Health if she will publish a table showing the total amount spent on administration by *(a)* regional health authorities, *(b)* district health authorities, *(c)* special health authorities, *(d)* family health services authorities, *(e)* trusts and *(f)* the Department of Health/NHS executive, in 1993-94, in each case breaking the figure down to show expenditure on (i) salaries and wages and (ii) establishment expenses.

Dr. Mawhinney: The information is not yet available.

Regional Health Authorities

Mr. Blunkett: To ask the Secretary of State for Health what are the revenue and capital allocations for regional health authorities in 1994-95.

Mr. Sackville: I refer the hon. Member to the reply I gave the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) on 26 April at columns *153-56* for revenue allocations for 1994-95. Similar information for capital allocations is shown in the table. Most hospital and community health services capital investment now takes place at national health service trusts. This does not feature in capital allocations made to regional health authorities.

Region *(1)*	*1994-95 Capital allocation (£000) (2)*
Northern	28,436
Yorkshire	9,474
Northern and Yorkshire	37,910
Trent	10,466
East Anglia	5,188
Oxford	9,240
Anglia and Oxford	14,428
North West Thames	39,246
North East Thames	24,492
North Thames	63,738
South East Thames	3,777
South West Thames	11,590
South Thames	15,367
Wessex	19,228
South Western	4,188
South and West	23,416
West Midlands	28,068
Mersey	19,496
North Western	8,432
North West	27,928
England	221,321

Notes:
1. Column 2 is the 1994-95 capital allocation for each region as at March 1994.
2. Further sums for specific purposes will be added to allocations during the year.

Employment Safeguards

Mr. Wareing: To ask the Secretary of State for Health what employment safeguards exist for nurses, midwives, or health visitors who publicise misconduct or mismanagement in the NHS.

Dr. Mawhinney: I refer the hon. Member to the reply I gave the hon. Member for Bristol, South (Ms Primarolo) on 31 March at column *1051*.

Ministerial Visits

Ms Primarolo: To ask the Secretary of State for Health, pursuant to her answer of 6 May, *Official Report*, column *665*, if she will list those national health service establishments that she or members of her team have already arranged to visit before 9 June.

Mr. Sackville: A number of visits are being arranged but final decisions on whether they take place will depend on parliamentary business and other factors.

NHS Costs

Mr. Harry Greenway: To ask the Secretary of State for Health how many *(a)* doctors, *(b)* consultants, *(c)* nurses, *(d)* administrators and *(e)* others currently serve in the national health service and at what annual cost; what were the comparable figures in real terms five, 10 and 15 years ago; and if she will make a statement.

Dr. Mawhinney *[holding answer 22 March 1994]:* The information is shown in the tables. The latest staffing information available is as at 30 September 1992 and the latest expenditure information is for the 1992-93 financial year. Comparable expenditure figures for 1977-78 are not available. The number of managers has been deliberately increased since the mid-1980s—not just since the reforms—because the service was previously undermanaged. Much of the increase arises from the reclassification of existing staff—including many senior nurses—as managers. General and senior managers still account for only 2 per cent. of the total national health service workforce in England and 3 per cent. of the total NHS expenditure on salaries and wages. The number of administrative and clerical staff in clinically-related posts has increased over the last few years in order to free clinical staff to concentrate their skills and experience on direct patient care.

Table 1

Numbers[1] of doctors, consultants, nurses and midwives, administrators and other NHS staff in England—whole-time equivalents.

	1977	1982	1987	1992
Doctors[2]	24,250	27,250	28,040	32,360
Consultants[3]	10,470	11,980	13,280	15,290
Nursing and Midwifery[4]	340,760	394,040	397,910	397,090
Administrators—including General and Senior managers introduced from 1986	99,040	108,800	114,600	151,700
Others[5]	272,530	285,490	239,360	214,220
Totals	747,050	827,560	793,190	810,660

Source: Medical Workforce Census. Non Medical Workforce Census. Form KM49.

Notes:

[1] All the figures have been independently rounded to the nearest 10.

[2] Medical staff, locum doctors, and locum consultants. Locum consultants cannot be separately identified for 1977, for consistency they are included with doctors for all years.

[3] Medical and dental consultants—but excluding locum consultants.

[4] The nursing and midwifery figures exclude agency nurses and agency midwives. Figures for 1977 are not directly comparable with 1982 and later years due to a reduction in the length of their working week from 40 hours to 37·5 hours. From 1989 Project 2000 nurse training was introduced. To maintain comparability with earlier years the figures for 1992 include 18,300 Project 2000 students. Unlike traditional nurse learners, these students are not employees and are not normally included in workforce figures.

[5] The "Others" figure includes the following staff groups; dental (excluding consultants), professional and technical, professions allied to medicine, scientific and professional, ancillary, maintenance, works, ambulance (including ambulance officers and control assistants), and others who have not been classified elsewhere.

Table 2

Expenditure on salaries and wages by health authorities and NHS trusts in England in real terms

	1982-83 £000s	1987-88 £000s	[7]1992-93 £000s
Doctors[1]	[1,285,586]	858,424	1,151,866
Consultants[2]	[note 1 refers]	785,139	960,449
Nurses and Midwives	4,627,292	5,338,438	6,089,087
Administrators[3]	1,155,881	1,245,645	1,992,881
Others[4]	3,341,250	3,302,913	3,335,078
Total	10,410,009	11,530,559	13,529,361

Source: Annual accounts and annual financial returns of district, regional and special health authorities and NHS trusts.

Notes:

[1] The yearly figures for doctors are not directly comparable because the 1982-83 figure for doctors includes expenditure on consultants. Separate figures were not available. For subsequent years separate figures have been provided.

[2] The consultant figure is for medical and dental consultants.

[3] 1987-88 and 1992-93 figures also include general and senior managers following redesignation of staff groups.

[4] "Others" consists of all salaries and wages not included in the four other categories.

[5] Figures for 1992-93 are provisional.

[6] Gross Domestic Product (GDP) deflator has been used to convert figures to 1992 prices.

[7] Comparable figures for 1977-78 are not available.

NHS Trusts

Ms Primarolo: To ask the Secretary of State for Health what was the conveyancing and start-up cost of each wave of NHS trusts.

Dr. Mawhinney *[holding answer 5 May 1994]:* I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Under-Secretary of State to the hon. Member for Greenwich (Mr. Raynsford) on 17 May 1993 at column 29 and to the reply I gave to the hon. Member for Leeds, West (Mr. Battle) on 18 May 1992 at column *63*. The final amount allocated towards start-up and conveyancing costs for fourth wave trusts was £34,742,000.

ATTORNEY-GENERAL

Scott Inquiry

Mr. Byers: To ask the Attorney-General how many current and former officials and Ministers in his Department have been asked to give written or oral evidence to the Scott inquiry.

The Attorney-General: To date, both I and my predecessor as Attorney-General have been asked to give evidence together with five officials currently in my departments.

PRIME MINISTER

United Nations Security Council

Q6. **Dr. Godman:** To ask the Prime Minister if, when he last met President Clinton, they discussed the structure, functions and membership of the Security Council of the United Nations; and if he will make a statement.

The Prime Minister: The structure, functions and membership of the United Nations Security Council were not discussed during my visit.

Ministerial Visits

Q9. **Dr. Liam Fox:** To ask the Prime Minister when he intends to pay an official visit to Woodspring.

The Prime Minister: I have no immediate plans to do so.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 12 May.

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 12 May.

Mr. Barry Jones: To ask the Prime Minister if he will list his official engagements for Thursday 12 May.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Tigris and Euphrates Valleys

Mr. Dalyell: To ask the Prime Minister what latest assessment Her Majesty's Government have received from medical sources of the latest disease position in the valleys of the Tigris and Euphrates, related to defective water-pump and water-filtering equipment.

The Prime Minister: I refer the hon. Member to the answer I gave on 21 April, *Official Report*, column 599. We have not received any subsequent assessments or reports.

Savings Disregard

Mr. Eastham: To ask the Prime Minister what the reasons were for the discrepancy between his oral answer of 5 May, *Official Report*, column 843, and the answer of the Parliamentary Under-Secretary of State for Social Security on 14 March, *Official Report*, column 480, in respect of the uprating of the savings disregard.

The Prime Minister: There is no discrepancy between my answer on the lower savings disregard and my hon. Friend's answer, which explained the basis of the formula affecting savings held between £3,000 and £8,000. There is no statutory requirement to increase the capital limits as part of the annual uprating of benefits. We keep the limits under review, but there are no current plans for change.

Scott Inquiry

Mr. Byers: To ask the Prime Minister how many current and former officials and Ministers in his Department, including the Cabinet Office, have been asked to give written or oral evidence to the Scott inquiry.

The Prime Minister: My predecesor and I have both given written and oral evidence to Lord Justice Scott's inquiry. In addition, one serving and one former official have given written and oral evidence relating to their respective service within the Prime Minister's Office and the Cabinet Office, and two former officials have submitted written evidence only.

TREASURY

Disposable Income

1. **Mr. Austin-Walker:** To ask the Chancellor of the Exchequer if he will estimate by how much the typical family's disposable income will change in 1994-95.

Mr. Portillo: Real personal disposable income is expected to rise by 1 per cent. in 1994.

Income Tax

2. **Mr. Evennett:** To ask the Chancellor of the Exchequer how much marginal rates on income tax have changed since 1979; and what evidence he has of the effect on incentives of cutting marginal rates of direct taxation.

Mr. Kenneth Clarke: Since 1979 we have cut the top rate of tax from 83 per cent. to 40 per cent. and the basic rate from 33 per cent. to 25 per cent. We have introduced a new 20 per cent. rate for those on low incomes. This has improved incentives and encouraged enterprise at all levels.

14. **Mr. Anthony Coombs:** To ask the Chancellor of the Exchequer what proportion of total income tax revenue is now paid by the highest 10 per cent. of earners; and what was the proportion in 1979.

Mr. Dorrell: The top 10 per cent. of income tax payers are currently estimated to pay 45 per cent. of total income tax compared with 35 per cent. in 1978-79.

8. **Mrs. Jane Kennedy:** To ask the Chancellor of the Exchequer if he will estimate the number of people in the United Kingdom who will be paying income tax in 1996.

Mr. Dorrell: Latest estimates suggest that 26·3 million individuals will be liable to income tax in 1996-97.

18. **Mr. Campbell-Savours:** To ask the Chancellor of the Exchequer what representations he has received in the last four weeks as to the level of income tax.

Mr. Dorrell: I have received a number of representations on the level of income tax.

Taxation

Mr. Winnick: To ask the Chancellor of the Exchequer what proportion of earnings was payable by a person on average income married with two children in direct and indirect taxation in 1978-79 and 1994-95.

Mr. Dorrell: I refer the hon. Member to the information placed in the House of Commons Library as noted in the answer to the hon. Member for Edinburgh, South (Mr. Griffiths) on 13 April 1989, *Official Report*, column *620*, for estimates, based on illustrative assumptions, of direct and indirect tax payments in 1978-79. Direct and indirect tax payments in 1994-95 will depend on what happens to prices, income and spending patterns.

United Kingdom Economy

Mr. Willetts: To ask the Chancellor of the Exchequer what plans he has to meet the director general of the Confederation of British Industry to discuss the state of the United Kingdom economy.

Mr. Kenneth Clarke: I will be meeting the Director General of the CBI later this month as part of the regular contact that I maintain with him.

Corporate Taxation

4. **Mr. Fabricant:** To ask the Chancellor of the Exchequer what analysis he has made of levels of corporate taxation in the United Kingdom compared with current levels in other EU member states.

Mr. Dorrell: The rate of corporate taxation in the United Kingdom is kept under frequent review. The United Kingdom continues to provide the lowest rate in the European Union.

Taxation Rates

Mrs. Roche: To ask the Chancellor of the Exchequer how many representations he has received since 1 April regarding increased taxation; and if he will make a statement.

Sir John Cope: My right hon. and learned Friend the Chancellor of the Exchequer has received a number of representations.

Sir Fergus Montgomery: To ask the Chancellor of the Exchequer what effect the changes in interest rates since 1990 have had on the disposable income, after mortgage payments, of an average family with an average mortgage.

Mr. Kenneth Clarke: The halving of mortgage rates since October 1990 has reduced interest payments on a typical £33,000 mortgage by about £160 a month.

Income Tax and National Insurance

7. **Mr. Streeter:** To ask the Chancellor of the Exchequer what is the difference between *(a)* the total annual amount of income tax and national insurance contributions that it is estimated that a married man on average earnings with two children will pay in 1995-96 and *(b)* the amount that the same person would pay in 1995-96 under the regimes of (i) 1977-78, indexed and (ii) 1978-79, indexed.

Mr. Dorrell: Income tax and national insurance payments in 1995-96 will depend on the levels of earnings in that year.

If a married man on average earnings with two children paid income tax and national insurance contributions in 1994-95 on the basis of the 1977-78 tax regime indexed to current prices he would be about £930 a year worse off; on the same basis, the 1978-79 regime would make him £690 a year worse off.

21. **Mr. David Evans:** To ask the Chancellor of the Exchequer how much tax and national insurance was payable on an income of £150,000 last year and in 1978.

Mr. Dorrell: Assuming that all income is earned, that the only income tax allowances and reliefs available are the married man's allowance for 1978-79 and the personal and married couple's allowance for 1993-94, and that class 1 national insurance contributions are paid at the contracted-in rate, the amounts payable were £116,542 in 1978-79 and £56,015 in 1993-94.

Economic Growth

9. **Mr. Lidington:** To ask the Chancellor of the Exchequer if he will make a statement on the rate of economic growth in the United Kingdom and that of other EC economies.

Mr. Kenneth Clarke: The United Kingdom grew faster than any other major European Community country in 1993, and is expected to do so again this year.

30. **Mr. Ottaway:** To ask the Chancellor of the Exchequer what plans he has to review his forecast of the economic growth rate for the next 12 months.

Mr. Portillo: Publication of the first Industry Act forecast of 1994 is planned for the summer.

27. **Mr. John Greenway:** To ask the Chancellor of the Exchequer what is the latest United Kingdom figure for economic growth.

Mr. Portillo: In the first quarter of 1994, United Kingdom gross domestic product grew by 0·7 per cent., to a level 2·6 per cent. higher than a year before. GDP has now grown for eight quarters in succession.

Inflation

10. **Mr. Pawsey:** To ask the Chancellor of the Exchequer what is the current rate of inflation in the United Kingdom, the United States of America, Germany and France.

Mr. Nelson: Headline inflation in the year to March was 2·3 per cent. in the United Kingdom, compared with 2·5 per cent. in the United States, 3·2 per cent. in Germany and 1·5 per cent. in France.

Mr. Simon Coombs: To ask the Chancellor of the Exchequer what has been the average rate of retail price inflation in each of the last five Parliaments; and what is the current average for the present one.

Mr. Nelson: The average rate of retail price inflation for the last five Parliaments are shown in the table:

Parliament Assembled	Dissolved	Average rate of Retail Price Inflation Per cent.
6 March 1974	20 September 1974	17·0
22 October 1974	7 April 1979	15·2
9 May 1979	13 May 1983	11·5
15 June 1983	18 May 1987	4·8
17 June 1987	16 March 1992	6·4

These compare with a current average of 1·4 per cent. for the present Parliament, assembled 27 April 1992 up to and including March 1994.

23. **Mr. Brazier:** To ask the Chancellor of the Exchequer what estimates he has made of the impact of non-seasonal sales and special offers on measurements of inflation.

Mr. Portillo: Non-seasonal sales discounts are recorded in the retail prices index in the same way as any other price change, as are special offers that involve a straightforward price reduction. However, some special offers, such as discounts on multi-pack buys or on the next purchase, are not measured in the RPI.

The RPI does not identify the reasons for price changes, so the impact of non-seasonal sales and special offers is not separately distinguishable.

Tax Changes

11. **Mr. Macdonald:** To ask the Chancellor of the Exchequer if he will estimate how much more a married man on average earnings with two children will pay in taxation over the next two years as a result of the changes in taxes announced in last year's Budgets.

Mr. Portillo: Since 1978-79 the real take-home pay of such a family has risen by around £83 a week. What happens to its tax payments and take-home pay in the next two years will depend on what happens to its income and its spending pattern.

VAT

12. **Mr. Morgan:** To ask the Chancellor of the Exchequer what percentage of an average household's income he estimates will be spent on value added tax in *(a)* 1994-95 and *(b)* 1995-96.

Sir John Cope: The latest published information shows that VAT paid by households averaged around 6·8 per cent. of household gross income in 1992.

Alcoholic Drink Excise Duty

15. **Mr. Couchman:** To ask the Chancellor of the Exchequer what was the change in excise duty on alcoholic drink during *(a)* 1993-94, *(b)* 1992-93 and *(c)* 1991-92; and if he will make a statement.

Sir John Cope: In the March 1992 Budget excise duties on all alcoholic drinks were increased by 4·5 per cent. In March 1993 most of these duties increased by 5 per cent., while the duty on spirits remained unchanged. On 1 January 1994 most alcohol duties increased by 1·9 per cent. but the duties on beer and spirits remained unchanged. Full details are available in the Budget documents and the relevant legislation.

Demand

16. **Sir David Knox:** To ask the Chancellor of the Exchequer if he will make a statement about the level of total demand in the economy.

Mr. Portillo: For domestic demand, the most recent figures available are for the fourth quarter of 1993. By then it had risen for seven successive quarters, to a level over 4½ per cent. above its trough in the first quarter of 1992.

Cross-border Shopping

17. **Mr. Steen:** To ask the Chancellor of the Exchequer what is the estimated loss of duty from alcoholic beverage sales in the United Kingdom for 1993-94 and for 1994-95 as a result of cross-border shopping in the single market.

Sir John Cope: Information on which to base an estimate is available only for the calendar year 1993. Customs and Excise estimate the loss of duty from additional cross-border alcohol sales as £70 million.

Late Payment

19. **Dr. Goodson-Wickes:** To ask the Chancellor of the Exchequer if he will make a statement about proposals for combating the practice of late payment by large companies to suppliers.

Mr. Portillo: We expect to announce our proposals shortly. These will take account of the responses to DTI's recent consultation paper on prompt payment.

Tax Revenues

20. **Mr. Chisholm:** To ask the Chancellor of the Exchequer what assessment he has made of the effect of the change in the number of full-time jobs on tax revenues.

Mr. Dorrell: I expect tax revenues to increase as the economy strengthens and unemployment falls.

Public Expenditure Debt Interest

22. **Mr. David Shaw:** To ask the Chancellor of the Exchequer what proportion of public expenditure debt interest represented *(a)* in 1979 and *(b)* currently.

Mr. Portillo: General Government gross debt interest payments accounted for 10½ per cent. of general Government expenditure in 1979-80. The figure in 1992-93 was 6¾ per cent.

Finance and the City Review

24. **Mr. Mudie:** To ask the Chancellor of the Exchequer what is the timetable for completion of the review of finance and the City.

Mr. Nelson: Work on the industrial finance initiative and the associated programme of consultations will continue tinto the second half of this year. The output from the exercise will, in the first instance, inform our Budget considerations in the autumn.

Public-private Initiative

25. **Mr. Berry:** To ask the Chancellor of the Exchequer how many of the projects announced in the public-private initiative are under construction; and how many have yet to begin construction.

Mr. Dorrell: Of the projects listed in "Breaking New Ground", published by the Treasury in November 1993, 30 are either completed or under construction. Decisions have still to be taken on some of the remaining projects, but the total value of those currently expected to proceed under the private finance initiative is over £6 billion, or approximately £8 billion if the Jubilee line extension is included.

Unemployment (Cost)

26. **Mr. Ronnie Campbell:** To ask the Chancellor of the Exchequer what is his latest estimate of the overall cost of unemployment since 1979.

Mr. Portillo: No accurate estimate can be made of the overall cost of unemployment because any such calcuation is highly sensitive to the assumptions on which it would have to be based.

Russian Economy

28. **Sir Thomas Arnold:** To ask the Chancellor of the Exchequer when he next expects to meet the managing director of the International Monetary Fund to discuss the Russian economy.

Mr. Nelson: My right hon. and learned Friend the Chancellor of the Exchequer had a meeting with the Managing Director of the IMF on 24 April before the spring meetings of the IMF and World bank. He discussed many issues during the meeting, including relations with Russia.

Economic Forecasts

29. **Mr. Ian Taylor:** To ask the Chancellor of the Exchequer what is the latest forecast for 1994-95 of *(a)* the rate of growth of gross domestic product and *(b)* the rate of inflation.

Mr. Portillo: In the November 1993, "Financial Statement and Budget Report", GDP was forecast to grow by 2·5 per cent. in 1994-95. Underlying inflation, as measured by the RPI excluding mortgage interest payments, was forecast to be 3·25 per cent. in the fourth quarter of 1994. A new forecast will be published in the summer.

Growth, Competitiveness and Employment White Paper

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer if he will make a statement on the progress being made on follow up work on the Delors White Paper on growth, competitiveness and employment.

Mr. Kenneth Clarke: The Brussels European Council in December 1993 discussed the Commission's White Paper on growth, competitiveness and employment. The presidency conclusions of the Council set out a framework for action, mainly by member states, to tackle unemployment and improve the European Community's competitive position. The main elements of this framework concern structural reform of labour markets; deregulation; completion of the single market; and work on a programme of infrastructure projects—trans-European networks. I welcome the shift in the Community's agenda towards priorities advocated by the Government which this framework represents. The Council of Economic and Finance Ministers will discuss progress on 16 May and 6 June, in preparation for the Corfu European Council. I shall be reiterating the importance which the Government attach to effective implementation of the Brussels European Council conclusions, on a basis consistent with the principle of subsidiarity, and shall be seeking further progress in a number of areas.

Common Agricultural Policy

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer if he will make a statement on the effect of reform of the common agricultural policy on the European Union budget.

Sir John Cope: The effect of reform is to reduce the overall economic burden of the common agricultural policy.

Reform results in payments to farmers based on area of land rather than output produced, and this, combined with a set-aside obligation, reduces the encouragement of surplus production. Area payments to farmers increase budgetary costs, while the accompanying lower support prices reduce consumer and resource costs.

The budgetary costs of CAP reform continue to be met within the agricultural guideline.

Illegal Weapons

Mr. Blair: To ask the Chancellor of the Exchequer how many illegal weapons were seized by Her Majesty's Customs and Excise in each year since 1979.

Sir John Cope: Customs do not hold central records of seizures of illegal weapons prior to 1983. The table sets out the number of illegal weapons seized by Customs and Excise nationally in each financial year since 1983-84.

Year ended 31 March	*Handguns*	*Rifles*	*Shotguns*	*CS Gas canisters*	*Stun guns*	*Total*
1984	908	155	10	152	11	1,236
1985	150	52	7	174	2	385
1986	108	156	11	141	30	446
1987	1,071	28	21	114	291	1,525
1988	168	31	6	276	309	790
1989	130	55	28	395	73	681
1990	1,489	144	44	414	301	2,392
1991	253	535	49	1,132	48	2,017
1992	176	126	82	692	53	1,129
1993	138	41	39	2,580	427	3,225
1994	304	349	68	6,266	216	7,203
Totals	4,895	1,672	365	12,336	1,761	21,029

Firearms Imports

Mr. Milburn: To ask the Chancellor of the Exchequer how many people *(a)* were found by Customs to be illegally importing firearms and ammunition and *(b)* were prosecuted for illegal importation of firearms and ammunition in (i) 1992 and (ii) 1993.

Sir John Cope: Customs do not hold central statistics on the number of people found to be illegally importing firearms and ammunition. The table shows, for 1992 and 1993, the number of: detected irregularities in firearms and ammunition importations; seized firearms; and resulting prosecutions. It is customs policy to take offence action, either by prosecution or compound penalty, when there is sufficient evidence to show that those concerned were knowingly concerned in a fraudulent evasion of United Kingdom prohibitions and restrictions. In all other cases action is restricted to seizure of the goods. The compound penalty procedure is used primarily in respect of non-commercial importations of CS gas canisters or undeclared firearms held for personal security reasons by visiting yachtsmen. These factors account for the low rate of prosecutions resulting from a large number of detections and seizures.

Year	*Detections*	*Firearms seized*[1]	*Prosecutions*
1992	N/A	1,427	6
1993	276	8,674	4

[1]The significant increase in the number of weapons seized in 1993 is the result of a small number of major seizures of CS gas canisters and the seizure of a major arms shipment at Teesport in November 1993.

VAT on Fuel

Mr. Barry Jones: To ask the Chancellor of the Exchequer if he will now review his policy of imposing VAT on domestic fuel; and if he will make a statement.

Sir John Cope: No.

Labour Statistics

Mr. Pawsey: To ask the Chancellor of the Exchequer what is the ratio of public sector employees to employees in the private sector; and what it was in *(a)* 1979, *(b)* 1985 and *(c)* 1990.

Mr. Nelson: The information requested is as follows:

	Ratio of public to private sector employees
Mid-year 1979	1 : 2·4
Mid-year 1985	1 : 2·7
Mid-year 1990	1 : 3·4
Mid-year 1993	1 : 3·5

Relevant information is available in the Central Statistical Office publication, *Economic Trends*, January 1994—Table C of "Employment in the public and private sectors". A copy is available in the Library.

Public Expenditure

13. **Dr. Spink:** To ask the Chancellor of the Exchequer what is his current target for public spending as a percentage of national wealth.

Mr. Portillo: The Government are committed to reducing public spending as a share of national income: the plans that we announced in the Budget in November imply that public spending will fall from 45 per cent. of national income in 1993-94 to 42·5 per cent. in 1996-97.

Ms Harman: To ask the Chancellor of the Exchequer (1) if he will publish outturn figures for 1993-94 for public expenditure on the Chancellor's departments within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(2) if he will publish outturn figures for 1993-94 for public expenditure on European Communities within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(3) if he will publish outturn figures for 1993-94 for public expenditure new control total by department on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(4) if he will publish outturn figures for 1993-94 for the public expenditure new control total and general Government expenditure on the same basis as table 5.2 of the "Financial Statement and Budget Report" 1994-95;

(5) if he will publish outturn figures for 1993-94 for public expenditure on local authority self-financed expenditure within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(6) if he will publish outturn figures for 1993-94 for public expenditure on agriculture, fisheries and food within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(7) if he will publish outturn figures for 1993-94 for public expenditure on the legal departments within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(8) if he will publish outturn figures for 1993-94 for public expenditure on defence within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(9) if he will publish outturn figures for 1993-94 for public expenditure on education within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(10) if he will publish outturn figures for 1993-94 for public expenditure on employment within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(11) if he will publish outturn figures for 1993-94 for public expenditure on housing, environment, the Property Services Agency and local government within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(12) if he will publish outturn figures for 1993-94 for public expenditure on Foreign Office activities and on overseas development within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(13) if he will publish outturn figures for 1993-94 for public expenditure on health within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(14) if he will publish outturn figures for 1993-94 for public expenditure on the Home Office within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(15) if he will publish outturn figures for 1993-94 for public expenditure on Northern Ireland within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(16) if he will publish outturn figures for 1993-94 for public expenditure on Scotland within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(17) if he will publish outturn figures for 1993-94 for public expenditure on social security within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(18) if he will publish outturn figures for 1993-94 for public expenditure on trade and industry and on the ECGD within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(19) if he will publish outturn figures for 1993-94 for public expenditure on transport within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(20) if he will publish outturn figures for 1993-94 for public expenditure on Wales within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95;

(21) if he will publish outturn figures for 1993-94 for public expenditure on the Office of Public Service and Science and on other Cabinet Office expenditure within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget report 1994-95;

(22) if he will publish outturn figures for 1993-94 for public expenditure on the national heritage within the new control total on the same basis as table 5B.3 of the "Financial Statement and Budget Report" 1994-95.

Mr. Portillo *[holding answer 6 May 1994]:* Outturn figures for 1993-94 for public expenditure, on the same basis as tables 5B.3 and 5.2 of the "Financial Statement and Budget Report 1994-95", will be published in the "Financial Statement and Budget Report 1995-96." The table gives the latest estimates for these figures, which are subject to revision and may differ from the eventual published figures.

Estimated outturn for 1993-94 new control total and general Government expenditure

	£ million
Ministry of Defence	23,450
Foreign and Commonwealth Office	1,450
Overseas Development Administration	2,250
Agriculture, Fisheries and Food (including IBEA)	3,010
Trade and Industry	3,340
Export Credits Guarantee Department	–60
Department of Employment	3,620
Department of Transport	6,10
DOE—Housing	7,650
DOE—Other environmental services	2,320
DOE—PSA	110
DOE—Local government	29,350
Home Office	5,960
Lord Chancellor and Law Officer's Departments	2,480
Education	9,830
Department of National Heritage	990
Department of Health	29,950
Department of Social Security	67,800
Scotland (including Forestry Commission)	13,620
Wales	6,330
Northern Ireland	7,110
Chancellor of the Exchequer's Departments	3,410
Cabinet Office—OPSS	1,240
Cabinet Office etc	460
European Communities	1,620
Local authority self-financed expenditure	9,700
Adjustment	–300
New control total	242,700
Cyclical Social Security	14,400
Central Government debt interest	19,400
Accounting adjustments	7,900
General Government expenditure excluding privatisation proceeds	284,400

SOCIAL SECURITY

Disability Living Allowance

Mr. Richards: To ask the Secretary of State for Social Security (1) how much has been paid in disability living allowance to people suffering from back ailments in each of the last three years;

(2) if it is standard practice for people who have applied for disability living allowance because of back ailments to be examined by a chiropractor; and if he will make a statement;

(3) how much has been paid in disability living allowance for each of the last three years;

(4) what proportion and number of people in receipt of disability living allowance suffer from back ailments.

Mr. Scott: Information is not available about the number of people receiving disability living allowance who have a back ailment. Available information dates from April 1993 and relates to people whose main disabling condition is attributable to a back ailment. Currently 8 per cent.—108,000—of DLA recipients have this as their main disabling condition. In 1993-94 we estimate that DLA expenditure on this group was around £200 million.[1]

Disability living allowance was introduced in April 1992. Total expenditure for 1992-93 was £1,973 million and for 1993-94 is estimated to have been £2,505 million.[2]

It is not standard practice for medical examinations to be undertaken in connection with claims for DLA. An independent adjudication officer decides in each individual case what additional evidence, if any, is required to reach a decision on entitlement.

[1] *Source:* DSS Analytical Services Division—based on a 5 per cent. sample.

[2] *Source:* Social Security Departmental Report The Government's Expenditure Plans 1994-95 to 1996-97 (March 1994) Cm 2513.

Detective Agencies

Mr. Martyn Jones: To ask the Secretary of State for Social Security how much his Department has spent on contracts with private detective agencies since 1991; and if he will make a statement.

Mr. Hague: This Department uses a private company to serve documents in connection with the collection of arrears of national insurance contributions. The cost of the contract for the period April 1991 to March 1994 was £302,461.

Disability Working Allowance

Mr. Bradley: To ask the Secretary of State for Social Security what is the take-up of disability working allowance; and what plans he has to improve the allowance.

Mr. Scott: Disability working allowance was introduced in April 1992. By 30 April 1994, 43,088 applications had been received and 12,416 claims had been successful.

We have announced six changes to improve the benefit. From October 1994 we will introduce a child care costs disregard of £40 which could increase disability working allowance by up to £28 a week. From April 1995 there will be automatic remission of NHS charges for those with savings of £8,000 or less, access to disability working allowance will be extended for those undertaking training for work, the rate for couples and lone parents will be increased from £63·75 to £72·10 a week, the threshold for single people will be increased from £43·00 to £53·75 and we will introduce a disabled child's premium of £19·45 a week.

These are significant improvements to the benefit.

Child Support

Mr. Kirkwood: To ask the Secretary of State for Social Security if he will list the savings made by the Child Support Agency in its first year of operation excluding *(a)* those savings made and passed on by the old liable relatives system, *(b)* moneys passed directly from parent to parent and taken into consideration and *(c)* those savings brought forward from the Child Support Unit prior to the agency's start-up.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member shortly.

Letter from Ros Hepplewhite to Mr. Archy Kirkwood, dated 12 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the benefit savings made by the Child Support Agency.

The Agency has so far achieved £335 million in benefit savings in 1993-94. This does not represent the total savings achieved as some will be scored retrospectively. It includes £195 million which arises for maintenance arranged under the old Liable Relative system, and which is not yet the subject of a new CSA assessment.

Some maintenance is collected by the Agency as part of its collection service and some is paid direct between parents. At the end of March the benefit savings figure included £172·9 million which had been paid direct.

I hoipe this reply is helpful.

Dr. Godman: To ask the Secretary of State for Social Security (1) how many maintenance application forms in relation to the Child Support Act 1991 have been issued in Scotland since April 1993 to *(a)* lone parents on income support, *(b)* lone parents on family credit, *(c)* disability working allowance and *(d)* lone parents not in receipt of social security benefits;

(2) how many maintenance application forms in relation to the Child Support Act 1991 have been returned in Scotland since April 1993 from *(a)* lone parents on income support, *(b)* lone parents on family credit, *(c)* disability working allowance and *(d)* lone parents not in receipt of social security benefits.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Dr. Norman A. Godman, dated 11 May 1994:

I am replying to your recent Parliamentary Questions to the Secretary of State for Social Security about the number of maintenance application forms issued by, and returned to the Child Support Agency in Scotland.

I am afraid that the figures requested are not available for Scotland separately. Figures are, however, available for Great Britain as a whole. From April 1993 to March 1994 maintenance application forms were issued to 320,400 parents with care on income support, 223,800 parents with care in receipt of either family credit or disability working allowance, and 29,650 parents with care not in receipt of social security benefits. 284,150 maintenance application forms have also been issued to clients who were receiving income support prior to April 1993.

In the same period 626,600 maintenance application forms were returned.

I hope this reply is helpful.

Dr. Godman: To ask the Secretary of State for Social Security (1) how many women in Scotland have claimed exemption under the Child Support Act 1991 because of undue harm or distress; how many have no information about the whereabouts of the father of their child or children; how many are unable to name the father; and if he will make a statement;

(2) how many lone parents in Scotland have had their claim for exemption under the Child Support Act 1991 *(a)* turned down and *(b)* accepted; and how many have withdrawn their claim;

(3) how many lone parents in Scotland have had a reduced benefit direction made against them under the Child Support Act 1991; and how many have had their benefit cut.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Dr. Norman A. Godman, dated 11 May 1994:

I am replying to your recent Parliamentary Questions to the Secretary of State for Social Security about cases in which the requirement to cooperate provisions of the Child Support Act have been waived or where Reduced Benefit Directions have been issued.

I am afraid that the figures requested are not available for Scotland separately. Figures are, however, available for Great Britain as a whole. From April 1993 to March 1994, 68,400 claims were considered in relation to the requirement to cooperate. Of these, the Agency accepted "good cause" in 15,800 cases where there was the risk of undue harm or distress; in 8,400 cases where the absent parent was unknown, and in 7,500 other cases. Figures are not available for the number of cases where the parent with care has no information about the absent parent's whereabouts.

In the same period, 627 cases were referred to the Benefits Agency to consider the implementation of a Reduced Benefit Direction. Details of the number of cases in which benefit was reduced is matter for the Benefits Agency, and I understand that such information is not available, except at disproportionate cost.

I hope this reply is helpful.

Dr. Godman: To ask the Secretary of State for Social Security how many absent parents in Scotland have been issued with a maintenance inquiry from under the Child Support Act 1991; how many have returned a maintenance inquiry form; how many have been assessed to pay maintenance; and how many have actually paid maintenance to the Child Support Agency or to the lone parent involved.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Dr. Norman A Godman, dated 11 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the number of maintenance enquiry forms issued by, and returned to the Child Support Agency in Scotland, and the number of absent parents who have been assessed for and who are paying maintenance in Scotland.

I am afraid that figures are not available for Scotland separately. Figures are available, however, for Great Britain as a whole. From April 1993 to March 1994, 466,600 maintenance enquiry forms were issued to absent parents, of which 296,600 have been returned. In the same period, 205,500 maintenance assessments were made.

With regard to how many absent parents are paying, the Child Support Computer System records client's details on an individual case by case basis, and it is not currently configured to produce information on the total number of absent parents paying maintenance.

I hope this reply is helpful.

Dr. Godman: To ask the Secretary of State for Social Security what is the average maintenance payment level in Scotland under the Child Support Act 1991; and if he will make a statement.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Dr. Norman A. Godman, dated 11 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the average maintenance level in Scotland.

I am afraid that estimates are not available for Scotland separately. In Great Britain as a whole, however, it is estimated that from April 1993 to March 1994, the average maintenance assessment was £45-£50 a week.

I hope that this reply is helpful.

Dr. Godman: To ask the Secretary of State for Social Security how many *(a)* lone parents on income support, *(b)* lone parents on family credit, *(c)* lone parents on disability working allowance and *(d)* lone parents not in receipt of social security benefits have received maintenance under the Child Support Act 1991; and if he will make a statement.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Dr. Norman A. Godman, dated 11 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about parents with care receiving maintenance.

The Child Support Computer System produces national statistics about the amount of maintenance collected, but it does not relate this to individual cases. An enhancement to provide this is planned for the summer.

I cannot, therefore, yet answer the question in the form in which you ask it, but you may wish to know that by the end of March 1994, the Agency had recorded £210 million maintenance as having been collected. This does not represent the total sum for 1993-94 because some amounts are recorded retrospectively. It also does not include payments made directly by an absent parent to a parent with care where benefit is not an issue.

Dr. Godman: To ask the Secretary of State for Social Security if he will estimate the number of *(a)* absent fathers and *(b)* absent mothers in receipt of income support who have had a 5 per cent. reduction in their benefit under the provisions of the Child Support Art 1991.

Mr. Burt: The administration of income support is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Michael Bichard to Dr. Norman A. Godman, dated 11 May 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many absent mothers and fathers on Income Support (IS) have had 5 per cent. deducted from their IS under the Child Support Act 1991.

The information is not available and could be obtained only at a disproportionate cost. To obtain the information would involve a physical examination of every live and closed file currently held; in excess of 12M cases.

The Benefits Agency does not keep a running total of the number of individual customers whose benefit has been reduced because a deduction has been made for child support. However, routine management statistics are maintained on a quarterly basis which show that the number of IS customers with a deduction for child support for the quarter ending 28 February was 16,413. Figures are not available which would break this total down by gender.

Although quarterly statistics have been kept since deductions for child support commenced, these do not represent the total number of customers who will have had deductions made, as many customers will feature in consecutive quarters dependent on the time they are in receipt of IS.

I hope you find this reply helpful.

NORTHERN IRELAND

Milk Marketing

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland for what reasons the timetable for the proposed reform of milk marketing has been changed; what progress is being made concerning the future of the Northern Ireland milk marketing board; and if he will make a statement.

Mr. Ancram: The Milk Marketing Board for Northern Ireland has accepted that the vesting date of 1 April 1994, as proposed in its reorganisation scheme, was not realisable. The board may now propose a new vesting date of up to 1 January 1995, but this does not preclude an earlier vesting date provided that their proposals have been approved. Ministers are still examining the proposals in the board's reorganisation scheme. An announcement will be made as soon as possible.

Health and Safety

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will publish details of health and safety legislation which is presently applicable in Great Britain but has still to be applied to Northern Ireland.

Mr. Tim Smith: Some Great Britain health and safety legislation relates to specific industries—mainly underground coal mining but including some others such as jute processing and nuclear power generation—which have no presence, or only a minimal presence, in Northern Ireland and it has not been considered necessary to replicate this legislation for Northern Ireland.

The following Great Britain health and safety provisions, of a more general nature, have still to be replicated for Northern Ireland:

Title	*Statutory instrument number*	*Footnote number*
1. The Mines and Quarries (Tips) Regulations 1971	1971/1377	1
2. The Mines and Quarries (Tipping Plans) Rules 1971	1971/1378	1
3. The Anthrax Prevention Order 1971 (Exemptions) Regulations 1982	1982/1418	2
4. The Gas Safety (Installation and Use) Regulations 1984	1984/1358	3
5. The Dangerous Substances in Harbour Areas Regulations 1987	1987/37	4
6. The Reporting of Injuries, Diseases and Dangerous Occurrences (Amendment) Regulations 1989	1989/1457	5
7. The Gas Safety (Installation and Use) (Amendment) Regulations 1990	1990/824	3
8. The Health and Safety (Fees) Regulations 1993	1993/1321	
9. The Miscellaneous Factories (Transitional Provisions) Regulations 1993	1993/2482	
10. The Railways (Safety Case) Regulations 1994	1994/237	
11. The Railways (Safety Critical Work) Regulations 1994	1994/299	
12. The Health and Safety (Fees) Regulations 1994	1994/397	
13. The Carriage of Dangerous Goods by Road and Rail (Classification, Packaging and Labelling) Regulations 1994	1994/669	
14. The Carriage of Dangerous Goods by Rail Regulations 1994	1994/670	

Footnotes:

1. It is now considered appropriate to replicate these items in view of the possible commencement of surface gold mining activities in Northern Ireland.

2. These regulations give powers to grant exemptions from the requirements of the Anthrax Prevention Order 1971 and while they have presently no significant relevance for Northern Ireland there is a possibility that they may have to be replicated at some time in the future in response to a requirement of the textile industry.

3. These items were not replicated because of the run-down of the towns gas industry in Northern Ireland. However, it is now appropriate to consider replication as the application of the regulations in Great Britain is to be extended to cover liquefied petroleum gas and also because of plans to bring a natural gas supply to Northern Ireland.

4. This item has been replicated in so far as it applies to dangerous substances other than explosives by the Dangerous Substances in Harbour Areas Regulations (Northern Ireland) 1991. It is hoped that regulations covering explosives will be in place later this year.

5. The application of these regulations to Northern Ireland would relate to mines only and they have not been replicated because there is minimal mining activity in Northern Ireland.

Stormont Estate

Mr. Barnes: To ask the Secretary of State for Northern Ireland if he will list *(a)* Government developments in buildings, car parks and other constructions on (i) the Stormont estate and (ii) within a 2 km radius, commenced since 1988 and specifying their purposes, *(b)* the developments for which planning permission was applied for and then granted, indicating any planning permission refused as well as specifying which developments and extensions went ahead without any planning permission, *(c)* which (i) temporary buildings have been pulled down and (ii) land returned to its original use as parkland or agricultural land, specifying the locations and *(d)* the number of civil service jobs decanted out of the Stormont area since 1988; and if it is his intention to return any land concerned from its use for civil service buildings and related developments to parkland.

Mr. Tim Smith: The information is as follows:

(a) (i) Within the Stormont estate there has been no new provision of general office accommodation or associated car parking since 1988.

(ii) Within a 2 km radius of Stormont estate, developments which have commenced since 1988 consist of three laboratories, one animal carcase incinerator, one temporary car park and additional car park spaces at Netherleigh, Massey avenue. Planning permission was obtained for all these developments.

(b) Planning permission was sought and obtained for all developments which required planning permission, which additionally comprised the following:

Dundonald house—disabled access ramp
Dundonald house—new entrance works and disabled access
Castle buildings—replacement of fire escape
Prince of Wales avenue public toilets—replacement building
Massey avenue public toilet and store—replacement buildings
Stormont estate boundary fence phase IV
Veterinary science division—three laboratories
Veterinary science division—one animal carcase incinerator
Veterinary science division—one temporary car park

The following are permitted developments and therefore do not require planning permission:

Courier headquarters—replacement temporary building
Stormont estate—erection of bus shelters
Stormont castle—works to extend car park

(c) (i) No temporary buildings have been pulled down.

(ii) No land has been returned to parkland or agricultural land as a result of the demolition of temporary buildings., However, a site beside Craigantlet buildings previously hardcored and earmarked for a computer contingency site, has been returned to parkland.

(d) Approximately 1,017 jobs have been permanently moved out of the Stormont estate since 1988.

No office accommodation has been declared surplus as a result of the outward movement of staff from the Stormont area and there are no plans at present to return any land to its former use.

Police (Clear-up Rates)

Mr. Barnes: To ask the Secretary of State for Northern Ireland what is the clear-up rate for recorded offences in each police district in the last year for which figures are available.

Sir John Wheeler: The last year for which figures are available is 1992. The clear-up rates are shown by police division.

Division	*Divisional headquarters*	*Clear-up rates Per cent.*
A	Musgrave street, Belfast	29·7
B	Grosvenor road, Belfast	30·6
D	Antrim road, Belfast	34·9
E	Strandtown, Belfast	29·3
G	Newtownards	35·6
H	Armagh	37·4
J	Mahon road, Portadown	42·1
K	Dungannon	39·5
L	Enniskillen	38·7
N	Strand road, Londonderry	42·3
O	Coleraine	36·1
P	Ballymena	40·0

TRANSPORT

Driving Licences

Mr. Nigel Evans: To ask the Secretary of State for Transport what conclusions the Driver and Vehicle Licensing Centre and Department of Transport have drawn so far regarding the benefits of introducing photocard licences.

Mr. Key: Credit-card-style driving licences which included a photograph and the driver's signature would help the enforcement authorities to identify drivers with more certainty. Drivers would be more likely to carry the new licences because of their convenient size and better durability. These changes would be of great benefit to the enforcement authorities and would help protect the motoring public against fraudulent use of stolen driving licences.

Transport Research Laboratory

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) if he will list research projects undertaken by the Transport Research Laboratory into *(a)* pedestrian safety, *(b)* public transport and *(c)* disabled drivers and pedestrians in the last five years;

(2) what research projects have been undertaken by the Transport Research Laboratory on behalf of foreign Governments in the last five years; and if he will list the value of these projects and the Governments involved.

Mr. Key: As the information requested by the hon. Member relates to operational matters of the Transport Research Laboratory I have asked the chief executive to write to the hon. Member.

Letter from J. Wootton to Mrs. Gwyneth Dunwoody, dated 4 May 1994:

PQ 2144/93/94, PQ 2141/93/94

The Minister for Roads and Traffic has asked me to reply to your two Questions on research projects undertaken in the last five years by the Transport Research Laboratory (TRL).

I enclose two lists of projects. One is a list of projects on (a) pedestrian safety, (b) public transport and (c) disabled drivers and pedestrians. The other is a list of projects carried out for foreign governments over the last five years giving the nature of the research, the total value of each project and the government for which the research was undertaken.

Road Traffic Growth

Ms Walley: To ask the Secretary of State for Transport, pursuant to the answer of the Secretary of State for the Environment of 25 April, *Official Report*, column *36*, if he will place in the Library details and applications of the econometric model employed by his Department for forecasting road traffic growth.

Mr. Key: The econometric model to which my right hon. Friend referred and on which the estimated carbon saving is based was described in detail in an article published in "Transport Policy 1993", volume. 1, No. 1. I am placing a copy of the article in the Library.

Motorway Use

Mr. David Nicholson: To ask the Secretary of State for Transport what estimates he has of the total amount of annual use that is made, in journey miles, of the United Kingdom motorway system; and if he will provide separate figures for *(a)* cars and vans and *(b)* larger freight vehicles and coaches.

Mr. Key: The provisional estimate of traffic on the motorway system in the United Kingdom in 1993 is 38·6 billion vehicle miles of which cars, taxis and light vans account for 32·7 billion vehicle-miles and goods vehicles 5·3 billion vehicle-miles. Figures for cars and light vans excluding taxis are not available. Provisional figures are not available for coaches.

Mr. Sykes: To ask the Secretary of State for Transport (1) what was the cost of road traffic accidents over the last five years on the A64 between Hopgrove roundabout and the Castle Howard dual carriageway and between Malton and Seamer;

(2) what was the cost of road traffic accidents on the A64 over each of the last five years for which figures are available.

Mr. Key: As the information requested relates to operational matters of the Highways Agency, I have asked the chief executive to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. John Sykes, dated 11 May:

I have been asked to reply to your questions numbered 14 and 15 on the Order Paper for Tuesday 10 May because the information requested relates to operational matters for which the Highways Agency is responsible.

The cost of road traffic accidents on the A64 trunk road between Leeds and Scarborough in each of the last 5 years was:

Year	*£ million*
1989	9·49
1990	11·45
1991	7·46
1992	7·68
1993	6·72

The cost of road traffic accidents over the last five years on the single carriageway of the A64 trunk road between Hopgrove Roundabout and the Castle Howard dual carriageway was £5·69m and between Malton and Seamer was £12·67 million.

School Transport

Mr. Kirkwood: To ask the Secretary of State for Transport if he will publish the terms of reference of the working party on investigating problems of safety in school transport; and when he expects to publish the findings of the working party.

Mr. Key: My Department is currently considering the full technical and cost implications of fitting seat belts to all seats in new minibuses and coaches. We hope to publish the conclusions shortly.

Channel Tunnel

Mr. Simpson: To ask the Secretary of State for Transport if spent nuclear fuel rods from *(a)* Germany and *(b)* other European countries will be transported through the channel tunnel.

Mr. Freeman: This is a decision for Eurotunnel. I understand that it will not be allowing spent nuclear fuel rods or any nuclear waste to be transported throught the tunnel.

Mr. Simon Hughes: To ask the Secretary of State for Transport (1) for what reasons his Department proposes to construct a split-level interchange on the A27 at Comps Farm; and what account he has taken in making this proposal of his decision not to proceed with the A26 Beddingham to Itford farm diversion scheme;

(2) what steps he is taking to incorporate the suggestions made by Lewes district council into his proposals for the A27 Lewes to Polegate improvement scheme; what assessment he has made of the environmental impact of his present proposals for the stretch of road at the foot of Mount Caburn; and if he will make a statement;

(3) if he will make it his policy in respect of the A27 Lewes to Polegate improvement scheme that he will undertake an assessment of the environmental damage lighting will cause before any decision is taken as to which stretches of the proposed new dual carriageway will be lit; and if he will make a statement;

(4) what percentage of land *(a)* used during construction of the proposed A27 Lewes to Polegate improvement scheme and *(b)* used as part of the new road or its immediate curtilage, falls within the Sussex downs area of outstanding natural beauty;

(5) what representations he has received from doctors in Lewes about the health implications of the proposed A27 Lewes to Polegate scheme; and if he will make a statement.

(6) what assessment he has made of the likely change in polluting gases from vehicle exhausts which will result from the construction of the proposed A27 Lewes to Polegate scheme; and if he will make a statement;

(7) what was the average daily flow of vehicles along *(a)* the A27 Lewes to Beddingham, *(b)* the A27 Beddingham to Polegate and *(c)* the A26 Beddingham to Newhaven for (i) 1983 and (ii) 1993; and what are the projected flows for (A) 2003 and (B) 2013;

(8) what steps he intends to take to improve road safety along the present A27 Lewes to Polegate road in advance of the construction of the proposed A27 Lewes-Polegate improvement scheme;

(9) what assessment he made of the potential growth in passenger and freight traffic of the Lewes to Polegate rail line before announcing his plans to construct a new dual carriageway from Lewes to Polegate;

(10) if he will indicate the location, frequency and severity of accidents along the A27 Lewes to Polegate road for each of the last 10 years; and if he will make a statement;

(11) how many hectares of countryside he estimates will be needed to enable the proposed A27 Lewes to Polegate improvement scheme to be built; how many of these hectares will be returned to countryside following the construction of this scheme; and if he will make a statement.

Mr. Key *[holding answer 9 May 1994]:* These questions relate to operational matters of the Highways Agency. I have asked the chief executive, Mr. Lawrie Haynes, to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Simon Hughes, dated 11 May 1994:

A27 Lewes to Polegate improvement

The Minister for Roads and Traffic, Mr. Key, has asked me to write to you in reply to your recent Parliamentary Questions about various aspects of the A27 Lewes to Polegate Improvement.

The total estimated land take for the Preferred route is 233 hectares, subject to detailed survey and design. It is proposed that some 60 hectares should be returned to agriculture after regrading. Of the remainder, about 60 hectares are required for the new carriageway construction (including verges and central reserves) and 113 hectares for cutting and embankment side slopes, landscaping and planting.

The accident data for the last 10 years is not readily available but data for accidents over the period between 1990 and 1994 is given below.

Number of accidents

	Slight	*Serious*	*Fatal*
1990	21	12	3
1991	21	6	2
1992	33	7	—
1993	24	7	1
1994[1]	9	2	1

[1] To March.

The accidents are spread along the length of the route from Lewes to Polegate with particular concentration in Firle Straight and between Ripe and Alciston. The 7 fatal accidents involved the deaths of 8 people.

The A27 Lewes-Polgate Improvement scheme is necessary to solve existing problems of safety and congestion along this section of the trunk road, and meets the demands of predicted future traffic flows. No detailed assessment of potential growth in passenger and freight traffic of the Lewes-Polegate rail line has been made but it is considered that the effect of any such growth would be small in terms of the overall traffic flow on the A27 and would not affect the need for the proposed improvement.

A number of small improvement schemes have recently been completed on the A27 between Polegate and Lewes as part of the Highways Agency's rolling programme of minor works. During 1994-95 the Agency will improve signing and carriageway markings between Salmeston and Alfriston roundabout as part of a maintenance scheme which will improve skidding resistance to the road surface and we have commissioned extra signing at Charleston Farmhouse where visibility is poor to warn drivers of possible queues ahead. We are also investigating whether safety

improvements which might help reduce accidents at Alfriston roundabout and the Wilmington crossroads are feasible and justified.

The recorded flows and the forecast flows of vehicles (Annual Average Daily Traffic) for the sections of road requested are summarised below—

	A27 (a)	A27 (b)	A26 (c)
1993	[1]14,500	[1]11,200	6,150
1993	22,200	15,300	9,600
1998[2]	31,200—34,200	22,200—24,300	12,100—13,300
2003[2]	39,500—48,300	28,100—34,300	15,300—18,700

[1] There is no automatic traffic counter data for 1983 on the A27. Flows are based on 1985 figures adjusted for growth from 1983 to 1985.
[2] Forecast flows represent a range based on the low and high expectations of economic growth. Forecast flows for 2003 are not currently available but flows for 1998 are given.

These sections of road, as currently constructed, are not designed to accommodate the forecast levels of traffic growth.

The pollution from vehicle exhausts will reduce in future years as a result of more stringent exhaust emission controls, irrespective of the scheme proposals. The scheme will however improve the free flow of traffic along the A27 and this is expected to contribute to a further improvement in air quality. Detailed air quality comparisons will be published as part of the Environmental Statement for the scheme.

A letter has just been received from the doctors at the St. Andrew's Surgery in Lewes. The doctors seek further information on and express concern about the possible health implications from vehicle pollution.

Of the areas of land so far identified for temporary construction works which will be returned to agriculture and for permanent use, about 50% would be within the Area of Outstanding Natural Beauty in both cases.

The case for lighting parts of the route between the junctions at Lewes, Beddingham and Polegate has yet to be assessed. The environmental effects of any proposed lighting will be given in the Environmental Statement for the scheme.

Lewes District Council have highlighted particular areas of concern where they believe the Preferred Route has an adverse effect on the landscape, on conservation interests or on people. Possible means of reducing these effects will be considered and detailed environmental assessments carried out before the draft Orders are published.

The proposed split-level junction at Comps farm is to provide access to and from the new route for traffic wishing to access the port of Newhaven. The siting of the junction makes use of the natural landform north of Comps Farm to contain as far as possible the visual intrusion of the slip roads and roundabouts, and is considered to be the best location for the junction either with or without improvement of the A26.

LORD CHANCELLOR'S DEPARTMENT

Magistrates Courts Committees

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) if he will list all the magistrates courts committees which have appointed a head of service and those magistrates courts committees whose head of service are *(a)* purely a chief executive to the committee and *(b)* both chief executive to the committee and a justices' clerk to a sole petty sessions area;

(2) if he will list those magistrates courts committees that have named their head of service *(a)* chief justices' clerk, *(b)* justices' chief executive, *(c)* chief executive and *(d)* another name; and if he will list those other names and the number of magistrates courts committees adopting each one.

Mr. John M. Taylor: Under the present statutory arrangements, every magistrates courts committee has a clerk who serves in an administrative capacity and is not a head of service. Sometimes the post is full time, sometimes part time with the postholder serving also as a justices' clerk for one or more petty sessional divisions or, in a few cases, as a local authority official. The Lord Chancellor's approval is not currently required for the appointment of clerks to committees and committees are free to give their own titles to the posts without consulting the Department.

All official correspondence from the Department is addressed to clerks to the magistrates courts committees. However, a number of committees have combined the role of clerk to the committee with that of a chief executive by appointing that individual as a joint justices clerk for all the petty sessional divisions in the committee's area.

Immigration Tribunals (Adjudicators' Expenses)

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement about the purpose of the new expenses forms for part-time adjudicators for the immigration tribunals.

Mr. John M. Taylor: The expense forms relate to the payment of fees for judicial employment. The use of forms to claim and monitor expenses is standard departmental practice and is not new.

The latest versions of these forms were introduced as part of a revised system for the payment of fees. This commenced on 5 April 1994 following a general review of accounting procedures. The earlier system had been set up when the workload of the Immigration Appellate Authorities—IAA—was smaller than now, and when part-time adjudicators were deployed less frequently. The revised system was set up to facilitate monitoring of expenses by the IAA's administration following a reversal of these trends.

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many representations he has had concerning the new expenses forms for part-time adjudicators for the immigration tribunals.

Mr. John M. Taylor: I have not received any representations concerning the new forms for payment of fees to part-time adjudicators.

Inner London Youth Court Panel

Mr. Cox: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the ethnic breakdown of the *(a)* male and *(b)* female members of the inner London youth court panel.

Mr. John M. Taylor: Information on the particular ethnic origin of magistrates serving on the inner London youth court panel is not currently available. In general terms there are 236 members of the inner London youth court panel of whom 88 are males and 148 females. Of these, 10 males and nine females are from the ethnic minority community.

Race Awareness Seminars

Lady Olga Maitland: To ask the Parliamentary Secretary, Lord Chancellor's Department what future plans he has for the judicial race awareness seminars.

Mr. John M. Taylor: I refer my hon. Friend to the answers I gave to her on 26 January 1994 at column 239 and to the hon. Member for Leicester, East (Mr. Vaz) on 30 March 1994 at column *748*. This programme of seminars is arranged by the Judicial Studies Board. I understand that the board plans to hold 35 seminars for the judiciary over the next two years at locations throughout England and Wales.

Crown Court

Mr. Byers: To ask the Parliamentary Secretary, Lord Chancellor's Department how many sitting days in the Crown court were lost as a result of listed trials being disposed of without a jury being sworn in in the latest year for which figures are available.

Mr. John M. Taylor: The information requested is not available and could be obtained only at disproportionate cost.

FOREIGN AND COMMONWEALTH AFFAIRS

Bosnia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he regards the external borders of Bosnia-Herzegovina as unchangeable in any Bosnian settlement.

Mr. Douglas Hogg: We remain of the view that the only way to a lasting peace is through a settlement acceptable to the parties. The terms of that settlement, including territorial and constitutional arrangements, must be for the parties themselves to decide. Within a settlement, the external borders of Bosnia-Herzegovina would remain unchanged unless the parties agreed otherwise.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has about the extent of Serb forces in the Brcko area.

Mr. Douglas Hogg: The Posavina corridor, and Brcko which lies within it, is an area held by Bosnian Serb forces. The United Nations has recently deployed military observers to the area to monitor the situation. The United Nations has not made data available on the detailed deployment of Bosnian Serb forces in the area.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the text of remarks made by the Minister of State, the right hon. and learned Member for Grantham, (Mr. Hogg), in Sarajevo about the retention of territory by the Serbs in any Bosnian settlement.

Mr. Douglas Hogg: My discussions with members of the Bosnian Government on Sarajevo on 3 May were confidential. No official statement was subsequently issued by either side. In comments to the press, I reiterated our support for the European Union action plan.

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs what was his initial estimate of how many civilians were wounded in the recent fighting in Gorazde and on what information it is based; how many wounded have been evacuated from Gorazde since the latest ceasefire; and if he will make a statement.

Mr. Douglas Hogg: Based on information provided by the local Bosnian authorities the United Nations High Commissioner for Refugees report that the number of people wounded on the Bosnian Muslim side in the recent fighting in Gorazde was 715 dead and 1,970 wounded. No distinction is made between civilian and military casualties. A total of 290 casualties have been medically evacuated.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is UN and Nato policy about the defence of Brcko in Bosnia.

Mr. Douglas Hogg: The Security Council agreed a presidential statement on 4 May calling on all parties to agree to a resumption of negotiations and demanding that they refrain from any offensive military action, or any action likely to lead to renewed fighting. The statement noted with concern indications of increased tension in the Posavina corridor area where Brcko is situated, welcomed the steps taken by UNPROFOR to deploy military observers there, and warned the parties of the serious consequences of any offensive military action in the area. The Security Council is keeping the situation under review.

NATO stands ready to support the United Nations and UNPROFOR in the performance of its mandate.

Conventional Arms Register

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs when the United Kingdom deposited its 1993 submission to the United Nations register of conventional arms; and if he will place a copy of the submission in the Library.

Mr. Douglas Hogg: I refer the hon. Gentleman to the answer I gave to my hon. Friend the Member for Norwich, North (Mr. Thompson) on 9 May 1994, *Official Report*, column *5*.

Macedonia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the mandate of United Nations personnel in Macedonia in the event of offensive activity against Macedonia.

Mr. Douglas Hogg: The mandate for UNPROFOR in the former Yugoslavia republic of Macedonia under United Nations Security Council resolution 795 is to monitor and report any developments in the border areas which could undermine confidence and stability in FYROM and threaten its territory.

Nuclear Non-proliferation Treaty

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what amendments he will be seeking to the nuclear non-proliferation treaty when it comes up for renegotiation next year.

Mr. Douglas Hogg: We are seeking the unconditional and indefinite extension of the non-proliferation treaty, in unamended form, at the 1995 extension and review conference.

Lockerbie

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the decision of the Arab League Council meeting of Foreign Ministers in Cairo in so far as it related to the Lockerbie case; and what response he is making.

Mr. Douglas Hogg: I refer the hon. Member to the written reply I gave to him on 12 April, *Official Report*, column *21*.

The Arab League, and our partners in the United Nations Security Council, are aware of our position on the proposal in the Arab League Council resolution for a Scottish trial of the two accused of the Lockerbie bombing to be held at the seat of the International Court of Justice in The Hague.

Our view remains that the Libyan Government should comply with the mandatory Security Council resolutions and, in particular, hand over the two accused for a trial in Scotland or the United States without further delay.

Iraq

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs when the question of the current sanctions against Iraq was last discussed by the Council of Ministers; and if he will make a statement.

Mr. Douglas Hogg: The Council of Ministers most recently discussed sanctions against Iraq at the EU-Gulf Co-operation Council on 8 May.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what Her Majesty's Government's policy will be on the renewal of sanctions against Iraq at the Security Council of the United Nations on 17 May; and if he will make a statement.

Mr. Douglas Hogg: The Security Council meeting on 17 May will be to review whether Iraq has met the conditions for the removal of United Nations sanctions. The meeting will not decide whether or not to renew sanctions. The sanctions regime against Iraq will continue to remain in place, without need for renewal, unless and until the Security Council passes a resolution specifically deciding on their lifting.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the Red Cross or the Red Crescent concerning medical supplies to Iraq; and if he will make a statement.

Mr. Douglas Hogg: The International Federation of Red Cross and Red Crescent Societies issued an appeal for funds for assistance to Iraq on 25 March, which included provision for medical supplies. The British Red Cross is clarifying one or two issues concerning the appeal, following which a decision on a possible contribution from us will be taken.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effects United Nations sanctions have had on the economic situation in Iraq; and if he will make a statement.

Mr. Douglas Hogg: We keep all aspects of the situation in Iraq under review. It is open to the Government of Iraq to ensure the removal of economic sanctions by complying fully with all relevant United Nations Security Council resolutions.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from United Nations Educational Scientific and Cultural Organisation concerning the effects the UN sanctions on Iraq have on the education and culture of Iraq.

Mr. Douglas Hogg: I have received no representations from UNESCO concerning the effects of UN sanctions on Iraq.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to him or to the United Nations by the United Nations Children's Fund concerning the effects sanctions have had on the children and young people of Iraq; and if he will make a statement.

Mr. Douglas Hogg: I am not aware of any UNICEF representations to us or the United Nations about the effect of sanctions on the children of Iraq.

Mr. Parry: To ask the Secretary of State for foreign and Commonwealth Affairs what assessment he has made on the effects the UN sanctions have had on the medical provision and supplies to the civilian population of Iraq; and if he will make a statement.

Mr. Douglas Hogg: The provision of medical supplies is specifically exempted from United Nations sanctions on Iraq. The Security Council has also provided means under its resolutions 706 and 712 for the Government of Iraq to export a fixed quantity of oil in order to pay for such supplies; although the Iraqis have refused to make use of this facility. With the help of information from UN agencies and British non-governmental organisations we keep all aspects of the humanitarian situation in Iraq under review.

MV Playa

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has in respect of the Yugoslav ship Playa detained in the port of Liverpool; what the policy is towards the crew of the ship; if communication with the outside world is permitted; when he expects the ship to be released; and if he will make a statement.

Mr. Douglas Hogg: The MV Playa is a Montenegran-owned ship. Under paragraph 24 of Security Council resolution 820, we are obliged to impound all vessels, freight vehicles, rolling stock and aircraft of the Federal Republic of Yugoslavia in the United Kingdom. The crew can be supplied with water, gas, solid fuel, medical products, goods for personal hygiene and goods for cleansing under an open licence which has been granted by the DTI. The supply of other goods may be authorised on request.

There are no restrictions on the crew's ability to communicate and they are free to leave the United Kingdom at any time.

The ship cannot be moved until it is either sold to non-Federal Republic of Yugoslavia nationals or until sanctions are lifted.

Scott Inquiry

Mr. Byers: To ask the Secretary of State for Foreign and Commonwealth Affairs how many current and former officials and Ministers in his Department have been asked to give written or oral evidence to the Scott inquiry.

Mr. Douglas Hogg: Thirty-one FCO officials—27 serving and four former—and eight FCO Ministers—two serving and six former—have been asked to supply written evidence to Lord Justice Scott's inquiry. Of these, 19 officials—16 serving and three former—and seven Ministers—one serving and six former—subsequently have been asked to attend to give oral evidence. All officials and Ministers asked to supply written evidence, and to give oral evidence, have done so.

Entry Clearance

Mr. Matthew Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs what amendments have been made to the list of posts designated to accept entry clearance applications overseas.

Mr. Lennox-Boyd: The latest list has been placed in the Libraries of the House today.

Written Answers to Questions

Friday 13 May 1994

ATTORNEY-GENERAL

Scott Inquiry

Mr. Byers: To ask the Attorney-General, pursuant to his answer of 6 May, *Official Report*, columns *666-67*, which client departments have received advice from the Treasury Solicitor's Department; and what has been the cost to each department of such advice.

The Attorney-General: The following charges have been invoiced as at 13 May 1994 to client departments by the Treasury Solicitor's Department for legal services provided in connection with the Scott inquiry:

	£
Foreign and Commonwealth Office	49,702·83
Department of Trade and Industry	85,193·39

In addition, the Treasury Solicitor's Department has submitted invoices to the Ministry of Defence which I understand are under consideration by it.

The Treasury Solicitor in the normal course of his duties has given legal advice to the Cabinet Secretary for which no charge falls to be made.

Mr. Byers: To ask the Attorney-General how many employees have worked on a full or part-time basis with the Scott inquiry liaison unit set up within his Department; when the unit was established; and when its work will be completed.

The Attorney-General: There are no Scott inquiry liaison units in my Departments. Liaison is undertaken by staff in my Departments as part of their normal duties.

OVERSEAS DEVELOPMENT

Sudan

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the recent Intergovernmental Authority on Drought and Development Operation Lifeline Sudan sub-committee talks in Nairobi to increase access for aid in Sudan; and what progress was made in gaining access by international aid agencies to the Nuba mountains.

Mr. Lennox-Boyd: The IGADD-OLS sub-committee on relief access met from 6 to 9 May in Nairobi, without agreement. Informal discussions are continuing.

No progress has been made on the Nuba mountains since my answer on 10 May at column *79*.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his assessment of the present military situation in Sudan; and how this is affecting the delivery of aid by international relief organisations.

Mr. Lennox-Boyd: The conflict in the south is continuing but may be curtailed by the recent onset of the rainy season. The security situation in parts of Equatoria and Upper Nile has caused the temporary withdrawal of some relief staff. Relief deliveries have also been affected. The Government of Sudan refused clearance to six air-supplied destinations in April and four in May.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current estimate of the number of refugees from Rwanda now in neighbouring countries; and what is being done by the European Union and Her Majesty's Government to increase the levels of support.

Mr. Lennox-Boyd: According to reports of the United Nations High Commissioner for Refugees there are about 250,000 Rwandan refugees in Tanzania, 47,000 in Burundi, 8,000 in Uganda and 10,000 in Zaire. I refer the hon. Member to the answer that I gave him on 10 May at column *81* about support to these refugees by Her Majesty's Government and the European Union.

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs how much assistance his Department has pledged for Rwanda since the beginning of April; and if he will make a statement.

Mr. Lennox-Boyd: Since 6 April 1994, Britain has committed £3·35 million bilaterally of humanitarian assistance for Rwandans fleeing the violence.

TRADE AND INDUSTRY

Water and Sewerage Industry

Mrs. Helen Jackson: To ask the President of the Board of Trade, pursuant to his answer of 26 April, *Official Report*, column *104*, regarding the making and terminating of appointments by regulatory authorities, if Ofwat is required to operate under the terms of the civil service management code in relation to staff appointments and dismissals.

Mr. Eggar: This is the responsibility of my right hon. Friend the Secretary of State for the Environment.

Ofwat

Mrs. Helen Jackson: To ask the President of the Board of Trade, pursuant to his answer of 26 April, *Official Report*, column *104*, who is responsible for the appointment of the Director General of Ofwat.

Mr. Eggar: My right hon. Friend the Secretary of State for the Environment and my right hon. Friend the Secretary of State for Wales are jointly responsible for the appointment of the Director General of Ofwat.

British Coal

Mr. Simpson: To ask the President of the Board of Trade what arrangements have been made for meeting the residual obligations of British Coal; what level of financial resources has been set aside to meet these obligations; and if he will make a statement.

Mr. Eggar: Residual obligations remaining temporarily with British Coal after privatisation would be funded principally by residual payments grant under the provisions of clause 18 of the Coal Industry Bill currently before Parliament. Estimates will be put before Parliament in due course.

Gas Industry

Mr. Dafis: To ask the President of the Board of Trade how he proposes to ensure that the consultation process on the future of the gas industry will include adequate consideration of energy efficiency.

Mr. Eggar: The consultation document, "Competition and Choice in the Gas Market", contains a chapter on the efficient use of gas. Views have been invited over the coming weeks.

Energy Efficiency

Mr. Dafis: To ask the President of the Board of Trade what are the objectives of the Director General of Ofgas; and what importance is assigned to the promotion of energy efficiency.

Mr. Eggar: The duties of the Director General of Gas Supply are set out in section 4 of the Gas Act 1986. They include, as one of her several secondary duties, a requirement to exercise her functions in the manner that she considers is best calculated to promote the efficient use of gas supplied through pipes.

TREASURY

Parliamentary Questions

Mr. Meacher: To ask the Chancellor of the Exchequer how many parliamentary questions, in the period November 1992 to March 1993 were answered with the response that the information requested is not held centrally and could be obtained only at disproportionate cost; how many were referred on to an agency chief executive; and, in each case, what percentage of the total number of questions asked this constituted.

Mr. Nelson: Between November 1992 and March 1993, 11 out of 1,265 written questions to Treasury Ministers—0·9 per cent.—were not answered substantively because the information requested was not held centrally and could be obtained only at disproportionate cost. During the same period two questions—0·2 per cent.—were referred to agency chief executives for reply.

Sudan

Mr. Worthington: To ask the Chancellor of the Exchequer what is the present relationship between the International Monetary Fund and Sudan; and what are the IMF's major grounds for concern about Sudan's financial position and conduct.

Mr. Nelson: As of 5 May, Sudan had arrears to the IMF amounting to SDR 1·177 billion or $1·664 billion. Sudan was declared ineligible to use the general resources of the fund on 3 February 1986, a declaration of non-cooperation was issued on 14 September 1990, its right to use special drawing rights other than for settling its arrears to the fund was suspended on 2 November 1990 and its voting rights were suspended as from 9 August 1993. The fund has initiated proceedings that could lead to compulsory withdrawal of Sudan from the fund.

The fund took these measures as a result of Sudan's persistent failure to co-operate with the fund in addressing the problem of the arrears evidenced by failure to formulate appropriate economic adjustment measures and failure to agree a schedule of payment to the fund with a view to stabilising the arrears.

Tax Deposit Certificates

Mr. Burns: To ask the Chancellor of the Exchequer if he will make a statement about holders of certificates of tax deposits disadvantaged by the introduction of independent taxation.

Mr. Nelson: The Government have decided to provide compensation for certain holders of certificates of tax deposit—CTDs—disadvantaged by the introduction of independent taxation of husbands and wives in April 1990.

The Government now propose that anyone who bought a CTD before 6 April 1990 and subsequently cashed it in to pay a spouse's tax liability may apply for a payment equivalent to the difference between the higher and lower interest rates. Effective immediately, anyone still holding a CTD bought before 6 April 1990 will be able to use it to pay his/her own or his/her spouse's liability and receive the higher rate of interest. Legislation to introduce these compensation payments will be included in the next Finance Bill.

CTDs are typically purchased by people or companies in dispute with the Inland Revenue about their tax liabilities. CTD holders receive a higher rate of interest if they use the CTD to pay off their own tax liabilities, and a lower rate if they cash the CTD in instead.

Before 6 April 1990, when independent taxation was introduced, a married couple was treated as single tax unit. So a CTD in one partner's name could be used to pay the tax liability of the couple. Once independent taxation was introduced, tax liabilities were separated. So a CTD in, say, the husband's name could not be used to pay the liability of his wife. Instead, he would have to cash in the CTD, receiving the lower rate of interest.

The test of whether the CTD was cashed in to pay a spouse's liability will be whether any such payment was made within a month either side of the CTD being cashed in.

Local Government Reorganisation

Mr. Dalyell: To ask the Chancellor of the Exchequer what are his latest estimates of the costs to the Exchequer of local government reform in the United Kingdom.

Mr. Portillo *[holding answer 12 May 1994]:* The costs of local government reform in the United Kingdom as a whole will depend on the final structures adopted in England. Any costs should be more than offset by the on going savings that the new arrangements are expected to

generate. The proportion of those costs and savings which will fall to the Exchequer will depend on the outcome of future public expenditure surveys.

NATIONAL HERITAGE

Television and Radio Licences

Mrs. Dunwoody: To ask the Secretary of State for National Heritage what consultations he has had with the European Community concerning the directive proposing to abolish licence fees for television and radio.

Mr. Brooke: None.

HOME DEPARTMENT

Ethnic Minorities

Mrs. Helen Jackson: To ask the Secretary of State for the Home Department if he will make a statement on the future role of section 11 grant in the Government's programme to combat racial inequality.

Mr. Peter Lloyd: We continue to attach much importance to tackling the root causes of racial disadvantage—lack of English being a prime example—so that members of ethnic minorities can play a full part in the social and economic life of the country.

We envisage that the particular needs of ethnic minorities in the future will be met either through section 11 funding or through wider regeneration programmes under the single regeneration budget.

Mrs. Helen Jackson: To ask the Secretary of State for the Home Department (1) what target figures he has for the *(a)* national and *(b)* regional areas to spend on section 11 related projects for 1995-96;

(2) what is the planned level of expenditure in 1994-95 on section 11 grant to local authorities, *(a)* nationally and *(b)* regionally.

Mr. Peter Lloyd: Current Home Office provision for the payment of section 11 grant to local authorities in 1994-95 is £46·6 million and the corresponding figure in 1995-96 is £41 million. It is not possible to give precise Home Office grant expenditure figures for 1994-95 as a whole, which will be affected by actual expenditure incurred by grant recipients. The following figures, broken down by regions, reflect budget allocations notified to local authorities in England in relation to their expenditure in 1994-95:

	£
London	13,947,117
South-East	5,231,780
Eastern	5,190,023
South-West	1,042,756
West Midlands	1,981,374
East Midlands	6,535,306
North-West	5,981,235
Merseyside	—
Yorkshire and Humberside	1,475,385
North-East	598,728

In addition, authorities in Wales have been notified of allocations amounting to £645,528.

Section 11 grant is paid by the Home Office in relation to approved projects reflecting local needs; there can be no pre-determined expenditure targets for particular areas.

Mentally Disordered Offenders

Mr. Hinchliffe: To ask the Secretary of State for the Home Department (1) what assessment is made of the requirements of mentally disordered offenders in determining appropriate staffing levels for individual prisons;

(2) what steps he takes to ensure that mentally disordered offenders awaiting transfer from prison to NHS establishments receive appropriate care and treatment prior to transfer;

(3) what is his current estimate of the number of mentally disordered offenders within HM prison, Wakefield who are awaiting transfer to national health service facilities; and what is the maximum waiting period.

Mr. Peter Lloyd: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mr. David Hinchliffe, dated 13 May 1994:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Questions about mentally disordered offenders.

The health care staffing of an establishment is a matter on which the governor is advised by the head of health care and by senior health professionals at Prison Service Headquarters. It is open to the governor to recruit more health care staff within the constraints of his/her budget or to seek extra funds for this purpose. The second floor of the Wakefield health care centre, which HM Inspectors found was not in use because of staffing problems, has been in continuous use for the past three months.

As of 10 May 1994 there were 30 prisoners in Wakefield Prison who, in the opinion of the Senior Medical Officer, require in patient treatment in a psychiatric hospital. One prisoner has been waiting over six months for transfer to a regional secure unit.

The Prison Service strives to provide a service for mentally disordered prisoners equivalent to that which they would receive in the community. To this end consultant psychiatrists provided 16,737 consultations in 1992/93. Since June 1993 the Newcastle Mental Health Trust has been contracted to provide a multi-disciplinary service to Durham, Frankland and Low Newton prisons. We aim to extend contracting-in to other parts of the prison system. There is also a strategy to increase the number of professionally qualified health care staff, through the recruitment of nursing grades and improved training for health care officers. Between March 1992 and March 1994 the number of nursing grades working in prisons rose from 257 to 539 and the percentage of all health care staff with professional qualifications increased from 35 per cent. to 51 per cent.

Mr. Hinchliffe: To ask the Secretary of State for the Home Department what steps he is taking to respond to the references in the report of 10 May by Judge Stephen Tumin into the number of mentally disordered offenders within HM prison, Wakefield who would be more appropriately placed in national health service establishments.

Mr. Peter Lloyd: It is Government policy that offenders who have mental disorders requiring in-patient care should receive it from the national health service. Every effort is made to ensure the swift transfer of such prisoners to appropriate outside hospitals. In England and Wales the number of Mental Health Act transfers to hospital has more than doubled from 325 in 1990 to 755 in

1993. We hope that this figure will continue to rise in future years, although any further increase in transfers will depend on sufficient capacity in outside hospitals.

Campsfield Detention Centre

Mr. Andrew Smith: To ask the Secretary of State for the Home Department what are the capital and revenue costs of security measures at Campsfield detention centre.

Mr. Charles Wardle: These costs are commercially confidential and it would not be proper to disclose them.

HOUSE OF COMMONS

Private Members' Bills

Ms Lynne: To ask the Lord President of the Council if he will make the support and advice of Parliamentary Counsel available to all hon. Members.

Mr. Newton: The role of the Office of Parliamentary Counsel is to draft legislation at the request of Ministers. I have no plans to change this.

Mr. Barron: To ask the Lord President of the Council how many amendments for consideration at the report Stage of the Tobacco Advertising Bill have been drafted by the Office of Parliamentary Counsel.

Mr. Alfred Morris: To ask the Lord President of the Council how many amendments for consideration at the report Stage of the Tobacco Advertising Bill have been drafted by the Office of Parliamentary Counsel; and on whose instructions such amendments were drafted.

Mr. Newton: None of the amendments for consideration at the Report stage of the Bill has been drafted by the Office of Parliamentary Counsel.

Ms Lynne: To ask the Lord President of the Council how many private members have had the support of Parliamentary Counsel in drafting amendments to other private Members' Bills since April 1992.

Mr. Newton: Parliamentary Counsel draft amendments on the instructions of Departments acting on the authority of Ministers. How many of these were subsequently tabled by private Members is not recorded.

Business of the House

Mr. Nicholas Brown: To ask the Lord President of the Council if he will give the business of the House for the week commencing 16 May.

Mr. Newton: The business for next week will be:

MONDAY 16 MAY—There will be a debate on the European Union on a Motion for the Adjournment of the House.

TUESDAY 17 MAY—Progress on remaining stages of the Local Government Etc. (Scotland) Bill.

WEDNESDAY 18 MAY—Progress on remaining stages of the Local Government Etc. (Scotland) Bill.

THURSDAY 19 MAY—Conclusion of remaining stages of the Local Government Etc. (Scotland) Bill.

FRIDAY 20 MAY—Private Members' Bills.

MONDAY 23 MAY—Motion on the Coal Industry (Restructuring Grants) Order.

Motion on the Value Added Tax (Education) Order.

Motion on the Railways Pension Scheme Order.

Motion on the Railway Pensions (Protection and Designation of Schemes) Order.

European Standing Committee will meet at 10·30 am on Wednesday 18 May to consider European Community Documents as follows:

Standing Committee A

Document No. 6428/94 relating to the application of the milk quota scheme to Italy.

Standing Committee B

Document No. 4715/94 and the unnumbered explanatory memorandum submitted by the Department of Education on 9 May relating to the Socrates programme on education and training.

EDUCATION

Study Regulation

Ms Walley: To ask the Secretary of State for Education if he will reconsider his decision not to extend the previous study regulation to one year; and if he will make a statement.

Mr. Boswell: Mandatory awards for students underwrite one opportunity for personally eligible students to undertake a course of higher education. Under the Education (Mandatory Awards) Regulations, attendance of 20 weeks or less on one course with the benefit of [illegible] award is disregarded in deciding if a student is eligible for an award for a second course. My right hon. Friend has no plans to change these long-standing arrangements, which already allow attendance for more than half an academic year to be disregarded.

Doncaster College

Mr. Redmond: To ask the Secretary of State for Education what was the level of funding by the Further and Higher Education Council to Doncaster college in 1993-94; and what is the planned level in 1994-95.

Mr. Boswell: The Further Education Funding Council's allocations to Doncaster college for the 16-month period April 1993 to July 1994, the first financial year in the new FE sector, as given in its document "Funding Allocations 1993-94" are as follows:

	£
Recurrent funding	14,798,129
Capital equipment	351,000
Minor works	3,337,365

In addition, the college received £11,00 from the FEFC for the period April 1993 to March 1994 in respect of continuing PICKUP—professional industrial and commerial updating—activity.

The FEFC is currently consulting colleges on their provisional allocations for the period August 1994 to July 1995. Final allocations will be announced in mid-June.

The Higher Education Funding Council for England's funding for Doncaster college in the 1993-94 academic year is some £1·15 million. This includes £29,000 for a special initiative to provide new higher education courses in localities with limited current provision. The college will receive some £1·88 million in 1994-95 and may also submit proposals for further special initiative funding which, if successful, will provide additional funds.

Grant-maintained Schools

Mrs. Ann Taylor: To ask the Secretary of State for Education what loans or other special arrangements have been made for any grant-maintained school in deficit or with an expected deficit for the last financial year or the current financial year.

Mr. Robin Squire: In the last financial year loans were made to three grant-maintained schools in accordance with the Education (Grant-maintained Schools) (Loans) Regulations 1993. On the basis of its monitoring, the Department is not aware of any grant-maintained school that had a cash deficit in 1993-94 or the previous financial year.

SOCIAL SECURITY

War Pensions

Mr. Cox: To ask the Secretary of State for Social Security what is the number of ex-service personnel who fought in either the Falklands or Gulf wars and are now in receipt of a war pension.

Mr. Hague: Records indicate that, of those ex-service personnel who fought in the Falklands conflict and who made claims for a war pension up to June 1991, 104 are now receiving a war disablement pension. No information is held about any who may have claimed since June 1991.

Sixty-five war disablement pensions are in payment to ex-service personnel who fought in the Gulf war.

Invalidity Benefit

Mr. Bradley: To ask the Secretary of State for Social Security, pursuant to his answer of 7 February, *Official Report*, column *32* how many and what proportion of those claimants of invalidity benefit who receive an occupational pension had been receiving such pension payments for *(a)* up to six months, *(b)* up to one year, *(c)* up to two years and *(d)* more than two years; and if such pensions had been in payment to the claimant during (i) the first six months of incapacity, (ii) between six and 12 months of the start of the incapacity and (iii) only after the first year of incapacity.

Mr. Scott: This information is not available.

Mr. Bradley: To ask the Secretary of State for Social Security, pursuant to his answer of 8 February, *Official Report*, column *210*, of the claimants of invalidity benefit also receiving an income from investment, what were the sources of this investment income; and of those with net earnings, how many and what proportion had payments from former employers, classified by type of employer payment.

Mr. Scott: The table shows the main sources of investment income with recipients as a proportion of all invalidity benefit recipients with investment income.

Information is not available on the number and proportion of invalidity benefit recipients with net earnings who receive payments from former employers.

Type of investment income	*Proportion per cent.*
Interest from bank accounts (net and gross)	30
Interest from building society accounts (net and gross)	75
Income from stocks and shares and British savings bonds interest	30
Other investment income	15

Notes:

1. Total may sum to more than 100 per cent. as individuals can have more than one source of investment income.
2. Figures are based on information from the 1990 and 1991 Family Expenditure Sources Investment income in the survey is subject to large margins of uncertainty.
3. Figures are rounded to the nearest 5 per cent.

Incapacity Benefit

Mr. Bradley: To ask the Secretary of State for Social Security how many people claiming incapacity benefit after April 1995 he estimates will also receive payments from occupational or private schemes for long-term incapacity.

Mr. Scott: We have no estimates of the number of people who will be claiming incapacity benefit after April 1995 who will also receive payments from an occupational or a private scheme.

Invalid Care Allowance

Mr. Andrew Smith: To ask the Secretary of State for Social Security (1) how many invalid care allowance claimants have had payments of arrears of this benefit restricted to 12 months where an award of attendance allowance or disability living allowance to the person they are caring for has taken more than 12 months to determine;

(2) if he will trawl all existing invalid care allowance claims and awards to identify cases where payment of arrears of invalid care allowance has been restricted to a period of 12 months where the time taken to determine the related attendance allowance or disability living allowance claim has taken more than 12 months; and if he will make payment of invalid care allowance or a compensation payment for the further back period;

(3) if he will amend social security regulations to allow back payment of invalid care allowance for more than 12 months where a determination and award on a related claim for attendance allowance or disability living allowance has taken more than 12 months.

Mr. Scott: To date, 241 claimants have had their invalid care allowance arrears limited to the statutory 12 months due to delays by this Department in processing the related attendance allowance or disability living allowance claims. Such ICA claims were identified at the outset and all claimants have been, or will be, paid the equivalent of their ICA arrears in full by way of ex-gratia payments. Any similar claims will be dealt with in the same way.

There are no plans to amend the relevant legislation.

Private Members' Bills

Ms Lynne: To ask the Secretary of State for Social Security on what occasions Ministers from his Department have requested Parliamentary Counsel to assist in preparing amendments to private Members' Bills on behalf of other private members.

Mr. Lilley: None. In the case of the Civil Rights (Disabled Persons) Bill, my right hon. Friend the Minister of State authorised officials to instruct Parliamentary Counsel to prepare amendments which were subsequently passed to private Members.

ENVIRONMENT

European Commissioner

Mr. McGrady: To ask the Secretary of State for the Environment when he will next meet the European Commissioner for the Environment; and what items he will discuss.

Mr. Atkins: My right hon. Friend the Secretary of State will next meet the Commissioner at the informal Environment Council on 13 to 15 May. The Council will discuss tourism and the environment.

Ofwat

Mr. Watson: To ask the Secretary of State for the Environment how consumer interests are represented on Ofwat's customer service committees.

Mr. Atkins *[holding answer 11 May 1994]:* Section 29 of the Water Industry Act 1991 places a duty on each customer service committee to keep under review, to consult and to make representations to companies allocated to the committee about all matters appearing to the committee to affect the interests of customers or potential customers of those companies; and to investigate any complaint made by a customer or potential customer relating to the carrying out of any of the functions of a water or sewerage undertaker.

The CSCs report to the Director General of Water Services and advise him on issues which affect customers, to inform his decision making.

Housing Investment

Ms Armstrong: To ask the Secretary of State for the Environment what *(a)* further Government grants and *(b)* supplementary credit approvals were allocated specifically for local authority housing investment in addition to the housing investment programme allocation in each local authority in each year since 1978-79.

Sir George Young *[holding answer 15 April 1994]:* Before the introduction of the present local authority capital finance system in April 1990, the allocation in-year of additional capital resources for housing investment was reflected in increases to housing investment programme allocations. Powers to issue supplementary credit approvals are contained in the Local Government and Housing Act 1989, and SCAs have therefore been issued only since 1990-91.

Resources have been set aside since 1990-91 outside the envelope of the annual housing investment programme allocations for the following programmes of SCAs and capital grants for housing investment by local authorities:

SCAs
Estate action (1990-91 to 1993-94)
Homelessness (1990-91 and 1991-92)
Ex-new town defects (1991-92 to 1994-95)
Energy efficiency (1991-92 to 1993-94)
Rural housing (1991-92 and 1992-93)
Flats over shops (1992-93 to 1994-95)
Cash incentive schemes (1992-93 and 1994-95)
Housing partnership fund (1993-94 and 1994-95)
Admissible credit approvals (1993-94)
Renovation grants (1990-91 to 1992-93)
Area improvement (1990-91)

Capital grants
Ex-new town defects (1990-91 to 1994-95)
Estate action (1990-91 to 1993-94)

Ms Armstrong: To ask the Secretary of State for the Environment how much *(a)* further Government grants and *(b)* supplementary credit approvals were allocated specifically for local authority housing investment in addition to the housing investment programme allocation in each local authority for the years 1978-79, 1993-94 and 1994-95.

Sir George Young *[holding answer 15 April 1994]:* Before the introduction of the present local authority capital finance system in April 1990, the allocation in-year of additional capital resources for housing investment was reflected in increases to housing investment programme allocations.

Powers to issue supplementary credit approvals are contained in the Local Government and Housing Act 1989, and SCAs have therefore been issued only since 1990-91. SCAs may be issued up to six months after the end of the financial year during which the relevant expenditure is defrayed, and the bulk of housing SCAs for 1993-94 will be issued in the coming months. No housing SCAs have yet been issued for 1994-95.

Details of payments to local authorities in 1993-94 of capital grant which is outside the envelope of the annual housing investment programme allocations have been placed in the Library. No such grant has yet been paid in 1994-95.

Drinking Water

Mr. David Nicholson: To ask the Secretary of State for the Environment if he will list those mineral waters produced in the United Kingdom that have been, or are to be, prohibited for public consumption under the EC drinking water directive 80/778; and if he will make a statement.

Mr. Soames: I have been asked to reply.

The provisions of EC directive 80/778 relating to the quality of water intended for human consumption do not apply to natural mineral waters approved under EC directive 80/777 on the approximation of the laws of the member states relating to the exploitation and marketing of natural mineral waters.

EMPLOYMENT

Personnel Data Processing

Mr. Mudie: To ask the Secretary of State for Employment what was the total expenditure on the aborted personnel data processing system.

Mr. Michael Forsyth: The total expenditure, excluding staff and training costs, on the Department's personnel data processing system was £2·43 million.

Mr. Mudie: To ask the Secretary of State for Employment how much was paid to McDonnell Douglas

in respect of *(a)* project supplies, *(b)* software development, *(c)* computer hardware and *(d)* other items connected with the personnel data processing system.

Mr. Michael Forsyth: The amount paid to McDonnell Douglas, in respect of the Department's personnel data processing system, were:

(a) Project supplies	£2,930
(b) Software development	£782,555
(c) Computer hardware	£625,202
(d) Other items	£351,714

Mobile Telephones Pagers

Mr. Vaz: To ask the Secretary of State for Employment how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Mr. Michael Forsyth: The information requested could be provided only at disproportionate cost.

Detective Agencies

Mr. Martyn Jones: To ask the Secretary of State for Employment how much his Department has spent on contracts with private detective agencies since 1991; and if he will make a statement.

Mr. Michael Forsyth: Fees for private detective agencies instructed by the Employment Service since 1991 amount to £175 plus VAT.

Training and Enterprise Councils

Mr. Morgan: To ask the Secretary of State for Employment what further steps he is taking to request information from training and enterprise councils in relation to the numbers of secondees from his Department continuing to work for the same training and enterprise councils after having applied successfully under the voluntary early retirement scheme for early retirement *(a)* in England and *(b)* in Wales.

Miss Widdecombe: The Permanent Secretary has written to the chairman of every training and enterprise council in England and Wales to ensure that the Department's policy on this matter is fully understood and to seek their support and co-operation in implementing that policy.

Labour Statistics

Mr. Winnick: To ask the Secretary of State for Employment what was the number of those unemployed for 12 months and more in May 1979; and what are the current figures.

Miss Widdecombe *[holding answer 12 May 1994]:* The unadjusted number of United Kingdom claimants unemployed for over a year stood at 1,106,771 in January 1983, the earliest date for which equivalent figures are available. The figure for January 1994 was 1,087,877.

WALES

Library Services

Mrs. Clwyd: To ask the Secretary of State for Wales (1) what resources will be available to the new local authorities in Wales to carry out their statutory duty under the Public Libraries and Museums Act 1964 to provide a comprehensive and efficient library service;

(2) what plans will be made to facilitate joint arrangements between the new local authorities to enable them to carry out their statutory responsibilities in relation to public libraries.

Sir Wyn Roberts: I refer the hon. Member to the reply given to the hon. Member for Ogmore (Mr. Powell) on 21 March at column *73*.

Wind Energy

Mr. Llew Smith: To ask the Secretary of State for Wales, pursuant to his answer to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) of 4 May, *Official Report*, column *537*, if he will name the individuals or bodies who made representations to him on the annexe on wind energy in planning policy guidance note 22.

Mr. Gwilym Jones: The Wales Wind Energy Forum and the Campaign for the Protection of Rural Wales.

Local Government Reorganisation

Mr. Barry Jones: To ask the Secretary of State for Wales what representations he has received concerning the effect of the impending local government reforms on the local government superannuation scheme; and if he will make a statement.

Mr. Gwilym Jones: The Welsh Office has recently consulted all Welsh local authorities, the two local authority associations and other interested organisations on proposals for the administration of superannuation funds under section 7 of the Superannuation Act 1972. The closing date for comments is 30 June.

Public Bodies

Mr. Win Griffiths: To ask the Secretary of State for Wales how many non-departmental public bodies or similar agencies to which holders of his office make appointments existed in 1979 and in 1993; and if he will list in cash and real terms the total administrative costs, the salaries of each appointed worker and the amount spent in implementing their statutory duties.

Mr. Redwood: The information available is as follows:

Number of public bodies in Wales

	Executive	*Advisory*	*Tribunals*	*NHS*	*Total*
1978-79	16	12	3	9	40
1 April 1993	23	28	4	33	88

Number of Staff Employed

	Executive	NHS	Total
1978-79	7,548	[1]50,321	57,869
1 April 1993	2,000	[2]55,900	57,900

[1] Estimated figure
[2] At 1 September 1993

Gross Expenditure

	Executive	NHS	Expenditure by Welsh Office in support of Executive and Advisory Bodies and Tribunals	Total
				£ million
1978-79	[3]212·32	[3]411·000	n/a	[3]623·320
	[4]589·876	[4]1,141·857	—	[4]1,731·733
1992-93	510·00	[5]1,871·862	4	2,385·862

[1] Estimated figure.
[2] At 1 September 1993.
[3] About in cash.
[4] Amount at 1992-93 prices.
[5] Provisional figure.

Information on the salaries of each appointed worker and the amount spent in implementing their statutory duties is not available.

The information given is taken from the Report on Non-Departmental Public Bodies (January 1980 Cmnd. 7797) and Public Bodies 1993 (HMSO) which are available in the Library of the House.

The figures include public bodies to which the Secretary of State for Wales does not make appointments; it is not possible to disaggregate the data to include only those bodies to which he makes appointments.

Health Cash Allocations

Mr. Ainger: To ask the Secretary of State for Wales when he informed the district health authorities in Wales of their cash allocation for 1994-95.

Mr. Gwilym Jones: My right hon. Friend announced the cash allocations to health authorities in Wales for 1994-95 on 16 March.

Mr. Ainger: To ask the Secretary of State for Wales how many representations he has received from health authorities and trusts in Wales concerning the cash increase for 1994-95.

Mr. Gwilym Jones: A number of trusts have made representations to the Welsh Office regarding the 1994-95 allocations to health authorities but none has related to the level of cash increase provided.

NHS Trusts

Mr. Ainger: To ask the Secretary of State for Wales when his Department informed NHS trusts in Wales that they would be required to absorb the pay award to nurses, doctors and midwives in 1994-95.

Mr. Gwilym Jones: Following the Government's acceptance of the recommendations of the review bodies on the 1994-95 pay increases to doctors, dentists, nurses and midwives and the profession supplementary to medicine, my right hon. Friend the Secretary of State for Health, in a press release on 3 February, made it clear that we looked to the NHS to fund this award through improved efficiency and productivity, allowing the extra money for the NHS announced in the Budget to go directly to patient services. This press release was circulated to NHS trusts in Wales and discussed with their chief executives at a meeting on 15 February.

NHS Job Losses

Mr. Ainger: To ask the Secretary of State for Wales what representations he has received on job losses within the national health service in Wales in 1994-95.

Mr. Gwilym Jones: The possibility of job losses has been raised in correspondence received by my right hon. Friend from the chairman of the NHS trust chairmen's group and from some individual trusts. No other representations have been received.

NORTHERN IRELAND

Radiation Monitoring Stations

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many radiation monitoring stations there are in Northern Ireland; what plans he has to establish further stations; and if he will make a statement.

Mr. Tim Smith: The gamma dose rate in air is measured at 49 fixed coastal locations on a quarterly basis. This is in addition to the monitoring of locally caught seafood and sediments from the intertidal areas. The results of this monitoring show that radioactivity levels measured are of no radiological significance to the health of the Northern Ireland population and these results have been confirmed by monitoring undertaken by the Northern Ireland radiation monitoring committee, representing district councils in the Province. In recent years, joint surveys undertaken by my Department and colleagues in the Republic of Ireland, into radioactivity levels in Foyle and Carlingford loughs, also confirm that levels are very low. My Department's environmental monitoring programme is under continual review and we are committed to providing public reassurance and information in this way.

In addition to these local measures, under RIMNET —the radiation incident monitoring network, designed to give early warning in the event of an overseas nuclear emergency—five continuous stations are operational in the Province.

Detective Agencies

Mr. Martyn Jones: To ask the Secretary of State for Northern Ireland how much his Department has spent on contracts with private detective agencies since 1991; and if he will make a statement.

Sir John Wheeler: Since 1991 Northern Ireland Civil Service Departments and the Northern Ireland Office have spent £25,017 on inquiries undertaken by private detective agencies as follows:

	£
Department of the Environment for Northern Ireland	[1]9,401
Department of Economic Development	[2]15,616

[1] Investigations into the circumstances relating to persons claiming compensation against the Department as a result of alleged personal injuries through tripping incidents.
[2] Investigations pertinent to economic development.

Prisoners

Mr. Redmond: To ask the Secretary of State for Northern Ireland if he will list by Her Majesty's prison and remand home/centre for the latest date he has figures available, the number of inmates whose place of residence is South Yorkshire; and what were the figures *(a)* 12 months and *(b)* 24 months ago.

Sir John Wheeler: There were no prisoners with a last known address in South Yorkshire being held in Her Majesty's prisons in Northern Ireland on 1 May 1994, 1993 or 1992.

Police Sick Leave

Mr. Redmond: To ask the Secretary of State for Northern Ireland if he will list by sex, and by year for the last 10 years, the average number of police officer days lost for reasons of sickness in each police division.

Sir John Wheeler: The available information is as follows:

Table 1—Average days lost per member

Year	Male	Female	Force	Day type
1984	n/a	n/a	14·37	Total
1985	n/a	n/a	14·94	Total
1986	n/a	n/a	16·71	Total
1987	n/a	n/a	16·77	Total
1988	n/a	n/a	19·00	Total
1989	18·95	31·98	19·79	Total
1990	19·27	33·11	20·19	Total
1991	13·71	23·61	14·40	Work
1992	13·70	21·06	14·49	Work
1993	13·80	18·93	14·16	Work

Table 2 Average Work Days Lost per Member

Police Division	Year 1991	1992	1993
	1991	1992	1993
A	16·2	16·8	14·7
B	13·6	13·5	11·2
D	16·3	17·5	16·9
E	15·7	17·0	17·4
G	16·7	17·8	17·9
H	13·9	12·6	12·6
J	16·4	21·2	16·7
K	12·7	12·4	12·4
L	10·2	10·3	10·4
N	13·2	11·8	10·0
O	15·4	18·8	19·3
P	19·6	16·3	18·9

Notes:—

(i) Sick absence includes both RUC Regular and Full-Time Reserve officers;

(ii) Breakdown by police division for male/female absence is not available;

(iii) Force headquarters staff and specialist units ie Traffic Branch etc. are not included within divisional figures;

(iv) TOTAL days lost are based on 365-day calendar year; whereas WORK days lost are based on a 228-day year (ie calendar year less rest days, Public Holidays etc);

(v) The police divisional headquarters are located as follows:

A Musgrave street, Belfast
B Grosvenor road, Belfast
D Antrim road, Belfast
E Strandtown, Belfast
G Newtownards
H Armagh
J Mahon road, Portadown
K Dungannon
L Enniskillen
N Strand road, Londonderry
O Coleraine
P Ballymena

PRIME MINISTER

Scott Inquiry

Mr. Byers: To ask the Prime Minister how many employees have worked on a full-time or part-time basis with the Scott inquiry liaison unit set up within the Cabinet Office; when the unit was established; and when its work will be completed.

The Prime Minister: The Scott inquiry unit in the Cabinet Office was established in December 1992 with three full-time members, increased to five in April 1993. I am unable at this stage to say when the work of the unit will be completed.

Veterans

Mr. Mackinlay: To ask the Prime Minister if he will reconsider his decision not to appoint a veterans' Minister.

The Prime Minister *[holding answer 9 May 1994]:* Responsibility for matters affecting war veterans, their widows and dependants, forms part of the departmental remit of a number of Ministers, as appropriate. There are no plans to change this arrangement.

HEALTH

Nurses and Midwives

Mr. Redmond: To ask the Secretary of State for Health how many *(a)* qualified national health service nurses and midwives, *(b)* unqualified national health service nursing staff and *(c)* nursing learners were employed in each regional health authority in each year since 1989 (i) in numbers and (ii) as a percentage of the total NHS nursing and midwifery staff.

Mr. Sackville: The information requested will be placed in the Library.

Consultancies

Mr. Milburn: To ask the Secretary of State for Health how much was spent by *(a)* regional health authorities, *(b)* district health authorities, *(c)* family health service authorities and *(d)* other health authorities on consultancies in the latest year for which figure are available.

Mr. Sackville: Expenditure on consultants is included under the category "external contract staffing and consultancy services", and cannot be separately identified. This information is published in Health and Personal Social Services Statistics, copies of which are available in the Library. The figures could include non-clinical services provided by outside bodies in areas such as cleaning, accountancy and computer services.

Mr. Milburn: To ask the Secretary of State for Health how much was spent by NHS trusts on consultancies in the latest year for which figures are available.

Mr. Sackville: National health service trust expenditure on consultancy services alone is not available centrally. The provisional aggregate figure for NHS trust spending on external contract staffing and consultancy services was £43 million in 1992-93, the latest year for which a figure is available. This expenditure relates to services purchased from other trusts, health authorities and the private sector and includes, for example, linen supplies, transport and computing services as well as consultancy services.

The difference between the above figure and previous estimates is the result of further validation of source data by the NHS Executive.

Great Ormond Street Hospital

Ms Primarolo: To ask the Secretary of State for Health what was the charitable income of Great Ormond Street hospital in the last two years.

Dr. Mawhinney: This is a matter for the Hospitals for Sick Children national health service trust. The hon. Member may wish to contact the chairman, Sir Brian Hill, for details.

Children in Care

Ms Primarolo: To ask the Secretary of State for Health how many children aged 15 years at 31 March 1991 were looked after by local authorities under care orders by placement.

Mr. Bowis: There were 2,920 children aged 15 in the care of English local authorities at 31 March 1991 by placement. A breakdown of the forms of placement is shown in the table.

Children aged 15 under care orders in the care of local authorities at 31 March 1991 by placement

	Number
All children aged 15 under care orders	2,920
Foster placements	1,363
In lodgings, living independently or residential employment	3
In community homes provided under the Child Care Act 1980	775
In voluntary children's homes and hostels	48
In accommodation for children with special educational needs	117
Under charge and control of parent, guardian, relative or friend	452
Young offender institution or prison establishment	18
Other placements[1]	144

[1] Other placements include: youth treatment centres, mother and baby homes, NHS or other establishments providing medical and/or nursing care, placed for adoption, children absent from agreed placement, and unspecified placements.

Pacemaker Leads

Mrs. Bridget Prentice: To ask the Secretary of State for Health (1) how many Medtronic pacing leads 4012 have been implanted into patients since 1987; and when the lead came on to the market in the United Kingdom; (2) how many deaths of patients implanted with Medtronic pacing lead 4012 have taken place each year since 1987.

Mr. Sackville: According to the national pacemaker database, the number of patients implanted with the Medtronic 4012 lead model since 1987 is 1,037.

The number of patient deaths since 1987, on a yearly basis has been:

	Number
1987	8
1988	11
1989	18
1990	31
1991	37
1992	37
1993	33

None of which was lead-related.

These statistics include retrospective data since added to the NPD and updates information provided in the reply that I gave to the hon. Member on 21 March at columns *69-70*. The NPD is subject to continual update.

The lead first became available on the United Kingdom market in late January/early February 1984.

Health Visitors and Nurses

Ms Primarolo: To ask the Secretary of State for Health what work previously done by health visitors is now being done by other staff; and which other staff are doing this work.

Mr. Sackville: Many routine immunisations are now undertaken by practice nurses, freeing health visitors to target their skills more effectively. Among others, Strelley nurse development unit in Nottingham provides a fine example where health visitors are leading teams and managing patient care.

Ms Primarolo: To ask the Secretary of State for Health how many *(a)* student health visitors, *(b)* student district nurses, *(c)* student community psychiatric nurses and *(d)* school nurses in training there were in each of the last five years, by regional health authority.

Mr. Sackville: The available information is included in the English National Board for Nursing, Midwifery and Health Visiting annual report 1992-93, copies of which are available in the Library.

Ms Primarolo: To ask the Secretary of State for Health what is the number of practice nurses, expressed as whole-time equivalents, employed in the NHS for each of the last five years, by regional health authority.

Mr. Sackville: Between 1989 and 1993 the number of whole-time equivalent practice nurses in England increased by 107 per cent. from 4,629 to 9,606. The detailed information is shown in the table.

Numbers of whole-time equivalent practice nurses at 1 October

RHA	*1989*	*1990*	*1991*	*1992*	*1993*
Northern	282	427	502	549	548
Yorkshire	277	570	611	648	754
Trent	464	767	851	929	960
East Anglia	271	443	545	511	551
North West Thames	389	610	681	698	753

RHA	1989	1990	1991	1992	1993
North East Thames	279	536	642	701	755
South East Thames	360	657	627	651	740
South West Thames	276	488	545	558	560
Wessex	330	534	677	587	611
Oxford	339	449	492	535	577
South Western	462	683	707	760	739
West Midlands	487	751	827	914	1,020
Mersey	166	333	343	442	391
North Western	248	491	642	638	647

West Lindsey NHS Trust

Ms Primarolo: To ask the Secretary of State for Health whether she has yet responded to the request by West Lindsey NHS Trust to reduce the size of its trust board; what representations she has received from local nursing professional organisations in respect of the effect of such a reduction; what consideration she has given to the possible child protection implications of the reduction in nurse management; and how she will ensure that her Department's guidance on this issue is followed locally.

Dr. Mawhinney: Ministers are considering whether to agree to the trust's request to reduce the number of its board members. Whatever the outcome of this consideration, the trust will continue to be required to appoint a registered nurse or registered midwife as an executive director under the National Health Service Trusts (Membership and Procedure) Regulations 1990. We expect all trusts to develop the role of nurse director in a way which will guarantee high standards of leadership and care.

Health System

Mr. Campbell-Savours: To ask the Secretary of State for Health, pursuant to the Minister for Health's oral answer to the hon. Member for Derbyshire, North-East (Mr. Barnes) of 22 March, *Official Report*, column 125, and her written answer of 10 May, *Official Report*, column *90*, what evidence has been drawn to her attention of the existence of a two-tier health system within the NHS.

Dr. Mawhinney: A two-tier system does not operate in the national health service.

Occasionally, information about alleged differentials in service provision is brought to my attention from both within and outside the NHS. Such claims are investigated; they have been shown to reflect different purchasing contracts not "two-tierism". Trusts are reminded of the agreement with the British Medical Association that they may not offer contracts to one purchaser which would thereby disadvantage the patients of another. They are expected to ensure that any services provided conform with this agreement.

Health Authorities (Cash Allocation)

Mr. Ainger: To ask the Secretary of State for Health what was the total cash allocation for regional health authorities in England in 1993-94 and in 1992-93.

Mr. Sackville: The final cash limits—capital and revenue—for regional health authorities for 1992-93 and 1993-94 are shown in the table.

Region	1992-93	1993-94
	£000	£000
Northern	1,370,941	1,473,779
Yorkshire	1,562,561	1,700,945
Trent	1,965,026	2,129,054
East Anglian	822,342	890,919
North West Thames	1,686,329	1,710,749
North East Thames	1,799,855	1,962,615
South East Thames	1,711,480	1,843,394
South West Thames	1,355,515	1,407,170
Wessex	1,206,750	1,329,116
Oxford	962,826	1,020,765
South Western	1,403,724	1,517,492
West Midlands	2,119,674	2,310,655
Mersey	1,086,571	1,157,617
North Western	1,772,401	1,878,398
Total	20,825,995	22,332,668

NHS Trusts

Mr. Blunkett: To ask the Secretary of State for Health if she will estimate expenditure on NHS trusts for 1994-95.

Dr. Mawhinney: *[holding answer 12 May 1994]:* Expenditure by national health service purchasers for patient services provided by NHS trusts for 1994-95 is estimated at £17,058,059,000.

Source: Common Information Core Plan 94-95 All RHA aggregate.

DUCHY OF LANCASTER

Civil Service

Mr. Morgan: To ask the Chancellor of the Duchy of Lancaster what satistics he has on the number of former parliamentary candidates who have been recruited to the permanent home civil service.

Mr. Waldegrave: No such statistics are kept.

Mr. Morgan: To ask the Chancellor of the Duchy of Lancaster what consultations he has had with the chairman of the Civil Service Commission in relation to the recruitment of Mr. Paul Martin to the permanent home civil service, and in relation to the recruitment of former parliamentary candidates generally.

Mr. Waldegrave: I have had no consultations with the First Civil Service Commissioner on this subject. There is no bar to the employment in the civil service of a person who, although previously politically active, takes a decision to seek a career in the service and is willing to abide by the rules on the political activities of serving civil servants once appointed.

Mr. Morgan: To ask the Chancellor of the Duchy of Lancaster what guidelines he has issued in relation to the recruitment of previous parliamentary candidates into the permanent home civil service; what proposals he has for maintenance of party political neutrality within the permanent home civil service in circumstances where previous parliamentary candidates have been recruited; and if he will make a statement.

Mr. Waldegrave: The principle of selection on merit on the basis of fair and open competition precludes previous political activity being a consideration in civil

service recruitment. The rules on political activities in the conduct chapter of the Civil Service Management Code, a copy of which is in the Library, apply to all staff according to the nature of their work. A recruit accepts those rules as a condition of service.

Mr. Morgan: To ask the Chancellor of the Duchy of Lancaster what guidelines he has issued in relation to the treatment of references from party political or ministerial sources in relation to recruitment to the permanent home civil service.

Mr. Waldegrave: No guidelines have been issued by my Department relating specifically to references from party political or ministerial sources in relation to recruitment to the permanent home civil service. Where references are sought, their purpose is to assist the selectors in assessing suitability for the grade or post concerned in relation to the qualities, experience and qualifications required.

Mr. Morgan: To ask the the Chancellor of the Duchy of Lancaster on what date the application of Paul Martin for recruitment to the permanent home civil service was received by the Civil Service Commission; and on what date Mr. Martin *(a)* took his examination, *(b)* was interviewed, *(c)* had his references taken up and *(d)* commenced employment in the permanent civil service.

Mr. Waldegrave: Mr. Martin submitted an application form for the administrative fast stream entry in September 1992, sat the qualifying test in October 1992, attended the civil service selection board in December 1992 and the final selection board in February 1993, and took up employment in the civil service in June 1993. References were taken up in November 1992.

TRANSPORT

Public Transport Fares

Mr. Raynsford: To ask the Secretary of State for Transport if he will publish an index showing the real increase in fares on *(a)* London buses, *(b)* London Underground, *(c)* all London transport, *(d)* Network SouthEast and *(e)* all British Rail in each year since 1984-85, taking 1984-85 as the base and showing the increase in both actual and real terms.

Mr. Norris: The information requested is given in the table.

Real fares indices (1984-85 = 100)

	London Buses	London Underground	London Transport	Network SouthEast	British Rail
1984-85	100·0	100·0	100·0	100·0	100·0
1985-86	102·5	101·3	101·7	101·2	100·9
1986-87	105·2	103·8	104·1	104·9	105·1
1987-88	106·1	106·1	105·9	106·1	106·5
1988-89	111·0	110·5	110·1	107·1	107·7
1989-90	113·6	113·8	113·2	107·7	107·9
1990-91	114·2	115·4	114·4	108·2	108·4
1991-92	119·5	121·1	119·8	113·1	113·0
1992-93	124·9	126·5	125·2	118·1	117·2
1993-94	132·6	133·9	132·7	125·1	122·0

Actual fares indices (1984-85 = 100)

	London Buses	London Underground	London Transport	Network SouthEast	British Rail
1984-85	100·0	100·0	100·0	100·0	100·0
1985-86	108·6	107·2	107·7	107·2	106·9
1986-87	115·0	113·4	113·7	114·7	114·9
1987-88	120·6	120·6	120·3	120·6	121·1
1988-89	133·7	133·1	132·7	129·0	129·8
1989-90	147·5	147·8	147·1	140·0	140·1
1990-91	162·6	164·4	163·0	154·1	154·4
1991-92	178·2	180·7	178·8	168·8	168·7
1992-93	192·2	194·7	192·7	181·8	180·4
1993-94	207·6	209·6	207·7	195·8	191·0

Mr. Raynsford: To ask the Secretary of State for Transport if he will publish an index showing the increase in child fares on *(a)* London buses, *(b)* London Underground, *(c)* all London transport, *(d)* Network SouthEast and *(e)* all British Rail, for each year since 1984-85 taking 1984-85 as the base and showing the increase in both actual and real terms.

Mr. Norris: The information available for London buses, London Underground and London Transport bus and underground services combined is shown in the tables. Comparable figures for British Rail and Network SouthEast are not readily available.

The figures shown in the tables are for child ordinary tickets only. They do not include the effect of changes in the price of child season tickets, travelcards and passes, as this information is not available.

Real fares indices for child ordinary tickets

(1984-5=100)

	London Buses	London Underground	London Transport
1984-85	100	100	100
1985-86	116	101	112
1986-87	112	103	109
1987-88	113	116	113
1988-89	129	123	128

	London Buses	London Underground	London Transport
1989-90	142	133	140
1990-91	136	148	140
1991-92	153	159	155
1992-93	165	160	165
1993-94	166	177	169

Actual fares indices for child ordinary tickets
(1984-85=100)

	London Buses	London Underground	London Transport
1984-85	100	100	100
1985-86	123	107	118
1986-87	122	112	119
1987-88	128	132	129
1988-89	155	149	154
1989-90	184	172	182
1990-91	194	210	199
1991-92	228	237	232
1992-93	255	247	255
1993-94	259	277	264

Consultants

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list all consultants engaged by *(a)* the Driving Standards Agency, *(b)* the Vehicle Inspectorate and *(c)* the Driver and Vehicle Licensing Agency over the last two years, the services that they provided and the cost.

Mr. Key: The information is as follows:

Consultants	*Service*	*Cost [1] £ thousand*
(a) Driving Standards Agency		
Brian Cattle	Educational training	12
Michael Page	Preparations for commercial style accounts	16
Comshare	Software design	40
Public Attitude Surveys	Customer survey	16
Armstrong Laing	Payroll model design	19
BASIS Ltd.	Market testing support	21
Shreeveport	Support for in-house bid team	[2] N/a
(b) Vehicle Inspectorate		
KPMG Peat Marwick	IT/IS strategy advice	90
Anthony Hancock	Inspection of compressed air systems	37
Smith and Williamson	Citizen's charter market research	40
Proctor and Stevenson	Design/image work for VI	6
MIRA	Assessment of diesel smoke emissions	110
Ernst and Young	Consultancy support for VI IT Strategy	38
Povall Worthington	Supervision of the Carlisle Heavy Goods Vehicle Test Station re-roofing	1
Anthony York	Supervision of Exeter HGVTS re-roofing	1
Wimpey Environmental	Air test consultancy	10
Peratec	Total quality management consultancy	59
Hoskyns	Provision of technical advice during development of IS strategy	[2] N/a
Electronic Data Systems Limited (EDS)	Development of User Requirement for IS strategy	239
(c) Driver and Vehicle Licensing Agency		
Shreeveport	Advising for DVLA's preparation for the privatisation of DVOIT	37
Topix	Design and development of a resource allocation model for VED enforcement	67
Penn PR	Annual Report	22
Textmill	Combine form D1/D2 and D100/D200	7
Breifi Group	Training Review	5
Price Waterhouse	Senior staff review	77
Ernst and Young	DVOIT privatisation	76
Coopers and Lybrand	Evaluation of telesales tenders	36
Forvus Forecasting	Enhancement of DVLA forecasting system	44
Stern Rozier Durrant	Food service consultancy	3
Coopers and Lybrand	Sale of anonymised data	25
Touche Ross	Provision of consultancy support—market testing—customer/client	178
CSL	Market test—in-house bid construction	96
Prime Strategy	Provision of consultancy support—market testing—customer/client	252
CAPITA	Market testing—in-house bid construction	52
PA Consulting	VRO Review	86
Chinal Management	Support for office work measurement	1
Rowe and Maw	Consultancy commission to lead internal inquiry at the DVLA	20
Research International	Accuracy of DVLA data base	58
Research International	Customer satisfaction survey	14
Coopers and Lybrand	Review into payments made to ex-LTO 10 staff	10

[1] Excluding VAT.
[2] N/a—Not available, recent appointment.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list, by agency, all consultants or other advisers engaged to assist in market-testing work; and if he will list the nature of their work and the cost to date.

Mr. Key: The information requested is given in the table. It includes all the items in the competing for quality programmes of the Department's agencies, including contracting out and privatisation.

	Expenditure to 31 March 1994 £000s, excl. VAT
Driver and Vehicle Licensing Agency:	
CSL (support for in-house bids)	83
Touche Ross (support for client side and strategy advice)	152
Prime (support for client side and strategy advice)	215
Capita (support for in-house bids)	44
Driving Standards Agency:	
Shreeveport (support for in-house bids)	—
Basis (support for client side)	20
DVOIT:	
KPMG Peat Marwick (financial advice)	553
Theodore Goddard (legal advice)	317
Dibb Lupton Broomhead (legal advice)	227
Price Waterhouse (reporting accountants)	91
CSL (customer advice)	37
Ernst & Young (customer advice)	106
Transport Research Laboratory:	
KPMG Peat Marwick—study of options for privatisation and their feasibility	78
Highways Agency:	
Touche Ross—advice on approaches to property management	—

Railway Deaths

Mr. Redmond: To ask the Secretary of State for Transport if he will list in rank order by year for the last 10 years, the five most significant causes of passenger fatalities on the railways.

Mr. Freeman: The Health and Safety Executive's railway inspectorate maintains records of railway accidents and casualties. It publishes a breakdown of these records in the "Annual Report on Railway Safety in Great Britain". Copies are available in the House of Commons Library.

The table sets out the five most common causes of passenger fatalities and the number which occurred in each year from 1983.

Significant Causes of Passenger Fatalities on the Railways—1983 to 1993

Year	*Falling out of Carriages*	*Falling from Platform*	*Train Collisions*	*Entering/ Alighting*	*Other Passenger Non-Movement*
1983	13	4	—	5	—
1984	14	3	5	3	—
1985	16	6	—	6	—
1986	12	6	—	3	—
1987	26	—	—	5	28 (Kings Cross)
1988	19	5	34 (Clapham)	5	—
1989	19	1	6	2	—
1990	19	10	—	2	—
1991-92	19	8	2	3	—
1992-93	9	8	—	3	1
Total	166	51	47	37	29

Note:
The publication of accident information changed from calendar to financial years from 1 April 1991.

West Coast Main Line

Mr. Worthington: To ask the Secretary of State for Transport, pursuant to his answer of 6 May, *Official Report*, column *652*, regarding the modernisation of the west coast main line, what was his original estimate of the time necessary for modernisation; what is his current estimate; and if he will make a statement.

Mr. Freeman: When my right hon. Friend announced the project last December the best estimate available, from the work done by our banking advisers, was seven to 10 years. That remains our most recent advice. The current project definition study will produce firmer estimates of the options for carrying out the improvements, consistent with the need to keep train services running.

Vehicle Licensing

Mr. Meacher: To ask the Secretary of State for Transport what change has been requested by Teledata Ltd. to the target level of sales of marks specified in the contract with the DVLA.

Mr. Key: There have been no representations from Teledata Ltd to change the basis of its contractual agreement with the agency for the provision of its telesales facility.

Driving Standards Agency

Mrs. Dunwoody: To ask the Secretary of State for Transport what has been the cost of work associated with the market testing and preparation of the in-house bid for the booking service of the Driving Standards Agency.

Mr. Key: Responsibility for the subject of the question has been delegated to the Driving Standards Agency under its chief executive, Dr. John Ford. I have asked him to arrange for a reply to be given.

Reply from S. J. Ford to Mrs. Gwyneth Dunwoody, dated 12 May 1994:

The Secretary of State for Transport has asked me to reply to your question about the costs of work associated with the market testing and preparation of the in-house bid for the booking service of the Driving Standards Agency.

Expenditure up to the end of March 1994 has been £30,000 of which £20,000 was for consultancy support for the DSA market testing unit and the remainder for the salary costs of that unit. Expenditure on consultancy support for the preparation of the in-house bid will be included in the figures for the current financial year.

Asthma

Mr. Barry Jones: To ask the Secretary of State for Transport if he will list the research papers he has commissioned on the possible link between motor car pollution and asthma; and if he will make a statement concerning the risk of asthma in respect of children at roadside level.

Mr. Key: The Department of Health's committee on the medical effects of air pollutants has appointed a sub-group to examine the evidence of links between air pollution and asthma. The sub-group is due to report around the end of this year.

While links between air pollution and the incidence of asthma are not yet proven, there is evidence that pollution from vehicles can worsen symptoms for existing asthmatics. The Government have taken stringent measures to reduce emissions from vehicles, so that levels of nitrogen oxides, carbon monoxide, hydrocarbons and particulates are expected to fall significantly in future years.

Concessionary Fares

Mr. Barry Jones: To ask the Secretary of State for Transport if he will review his policies concerning concessionary travel for pensioners and introduce initiatives to widen the use of concessionary schemes.

Mr. Freeman: We have no plans to review our policies nor do we think new initiatives are required, as we have put in place the framework that gives local authorities discretion to provide concessionary travel if they wish. Since most pensioners use public transport services for local journeys, we believe that the decision on whether to provide concessionary travel for elderly people is a matter for individual local authorities. They are best placed to judge local needs, and to weigh the costs involved against their other priorities.

We have consistently said that the current link between eligibility for concessionary travel and pensionable age would be reviewed if the state pension age is changed. We therefore indicated in the Department of Social Security's White Paper about the phased equalisation of the state pension age, issued last year, Cm 2420, para 3.17, that the difference in treatment of men and women for concessionary fares should clearly not continue when it has been abolished for state pensions. We said that we would be consulting on the precise phasing-in of the change.

British Rail

Dr. Lynne Jones: To ask the Secretary of State for Transport what has been the total cost to date of erecting signs at British Rail stations informing the public about the ownership of the track and rolling stock; and what will be the total cost of the programme on completion.

Mr. Freeman: I am not aware of any such changes in signing of stations managed by British Rail. My reply to a question by the hon. Member for Cunninghame, North (Mr. Wilson) on 27 April at column *223* gave information on the renewal of signs at the 13 major stations managed independently by Railtrack.

Road Improvements

Mr. Don Foster: To ask the Secretary of State for Transport what features have been incorporated into the design of the Swainswick bypass to minimise the environmental impact on Solsbury hill;

Mr. Key *[holding answer 12 May 1994]:* We have avoided Little Solsbury hill routeing the new road some 500 m west of the summit and we have minimised the land taken for this bypass. In addition, we intend to plant many thousands of indigenous trees and shrubs in this locality and throughout the scheme, both on-site and off, to mitigate the effects of the route on the landscape.

Mr. Don Foster: To ask the Secretary of State for Transport what are his latest estimates of the costs of the Swainswick and Batheaston bypasses; how these differ from earlier estimates; and if he will make a statement.

Mr. Key *[holding answer 12 May 1994]:* Our latest estimate was contained in the recently published "Trunk Roads in England 1994 Review" as £75·2 million. In 1990, at the time of the public inquiry, we estimated the cost at £59·1 million.

Mr. Don Foster: To ask the Secretary of State for Transport what plans his Department has for incorporating the A46/A36 route from Southampton to the M4 into the trans-European network, for developing it as a motorway link.

Mr. Key *[holding answer 12 May 1994]:* None.

Mr. Don Foster: To ask the Secretary of State for Transport what are the reasons for making the Swainswick and Batheaston bypasses dual rather than single carriageway.

Mr. Key *[holding answer 12 May 1994]:* A single carriageway road would not be adequate for the amount of traffic using this trunk route.

Mr. Don Foster: To ask the Secretary of State for Transport (1) what criteria would justify the reopening of a public inquiry into a road improvement scheme after a decision by him; what procedures would need to be followed to request such a move; and if he will make a statement;

(2) on how many occasions within the last 10 years following a decision by the Secretary of State after a public inquiry into a road improvement scheme the inquiry has been reopened; and if he will make a statement.

Mr. Key *[holding answer 12 May 1994]:* There have been no such instances of an inquiry being re-opened after

my right hon. Friends the Secretaries of State for Transport and for the Environment have announced their decision on a road improvement scheme. Indeed, there are no provisions for re-opening an inquiry in such an event. There are, however, certain circumstances, under the provisions of the Highways (Inquiries Procedure) Rules 1976, whereby an inquiry can be re-opened before a final decision on a scheme is made.

Driver and Vehicle Licensing Agency

Mr. Meacher: To ask the Secretary of State for Transport what reasons underlay his decision to terminate the contract for the sale of marks at the DVLA won by Teledata Ltd. in 1989.

Mr. Key: The contract awarded in 1989 to the company then trading as Teledata Ltd. was terminated because of contractual difficulties over the sales techniques that the company wanted to employ.

FOREIGN AND COMMONWEALTH AFFAIRS

Addis Ababa Meeting

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the meeting in Addis Ababa between 25 and 29 April between General Aideed and the head of the Somali National Movement; and what his position is on this.

Mr. Lennox-Boyd: I understand that General Aideed and Abdirahman Tur agreed that the Somali National Movement would consider participating in a federal system in Somalia. We welcome all constructive efforts at reconciliation in Somalia.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the meeting in Arusha on 5 May concerning Rwanda; if Britian was represented; and what are the implications for the relief effort.

Mr. Lennox-Boyd: We regret that the meeting in Arusha, which was attended by our high commissioner in Tanzania as an observer, failed to reach an agreement on a cease-fire. We hope that the countries of the region will continue their efforts to bring a halt to the killing, without which it will be impossible to make the relief effort fully effective.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what action is being taken to impose an arms embargo on Rwanda.

Mr. Douglas Hogg: The statement of the President of the United Nations Security Council of 30 April underlined the willingness of the council in principle to consider an arms embargo against Rwanda. Options for United Nations action in Rwanda are under consideration by the United Nations secretariat in New York.

Ancestral Graves

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the proposed visit by Ilois and their associates to the British Indian Ocean Territory and Chagos archipelago and what was his response to the approaches of the Comité Ilois de l'Organisation Fraternelle on proposed visits to see ancestral graves.

Mr. Lennox-Boyd: An application has been made to the Commissioner of the British Indian Ocean Territory to allow a group of Ilois and their associates to visit ancestral graves in the territory. The application has been referred to the British Indian Ocean immigration authorities for a decision.

"Dispatches" Interview

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the full interview given by the Under-Secretary for Foreign Affairs, the hon. Member for Morecambe and Lunesdale (Mr. Lennox-Boyd), to Fulmar Television and Film, part of which was broadcast on the "Dispatches" programme on Channel 4 on 4 and 6 May.

Mr. Lennox-Boyd: The hon. Member should approach Fulmar Television and Film.

Nuclear Non-proliferation Treaty

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy towards the Canadian proposals put to the preparatory committee meeting for the 1995 nuclear non-proliferation treaty conference, in respect of the division of the conference into a review group and an extension group.

Mr. Douglas Hogg: Canada has circulated informally a paper on the 1995 non-proliferation treaty extension and review conference putting forward a number of ideas, one of which is that an extension committee should be established at the conference, in addition to the three main committees that have been set up by previous review conferences. The proposal has yet to be discussed formally. We expect this may happen in the context of discussion on the rules of procedure at the remaining two preparatory committee meetings.

China

Mr. Jon Owen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will hold talks with the representatives of the Government of China to ensure that the continued trading in *(a)* rhinoceros horn and *(b)* other prohibited products is effectively policed during the transfer of the colony to China; and what talks have already been held.

Mr. Lennox-Boyd: Both United Kingdom and China are parties to CITES—the convention on international trade in endangered species—which effectively bans international trade in the most endangered species such as the rhino. Hong Kong is included in the United Kingdom's ratification of the convention and was recently commended by the CITES standing committee for its rigorous implementation.

Yemen

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the situation in Yemen and the position of British nationals there.

Mr. Douglas Hogg: We are deeply concerned about the fighting that has erupted in the Republic of Yemen and call on all parties to cease hostilities and negotiate a peaceful settlement.

A specially chartered British Airways flight evacuated 218 British, European Union and Commonwealth nationals on 9 May. Two RAF Hercules carried out a further evacuation on 12 May. Consular advice to those who have chosen to remain in the Yemen is to act with extreme caution and to keep in regular contact with the embassy.

Bosnia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs on what dates and in what numbers patients from Bosnia have been flown to Britain for treatment in British hospitals.

Mr. Douglas Hogg: Statistics are available only for patients who come here under the United Nations medical evacuation programme for treatment by the NHS. The details are: 9 August 1993—one; 15 August 1993—21; 27 November 1993—three; 20 December 1993—seven; 19 January 1994—one; 18 February 1994—12; 9 March 1994—four; 26 April 1994—12; 10 May 1994—one.

Oxford Research Group Seminar

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs who represented his Department at the seminar on "Britain and the Non-Proliferation Regime: 1995 and Beyond," held in Oxford on 19 April, organised by the Oxford research group; and what benefits accrued from the departmental representation.

Mr. Douglas Hogg: The head of the non-proliferation department within the Foreign and Commonwealth Office attended. He delivered a statement on the United Kingdom's policy on nuclear non-proliferation.

East Timor

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has received from his Portuguese counterpart in regard to the outcome of the United Nations sponsored talks between Portugal and of Indonesia on East Timor.

Mr. Andrew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has about the outcome of the talks between Portugal and Indonesia on East Timor held on 6 May.

Mr. Goodlad: The Portuguese Government have provided European Union partners with the text of the communiqué issued at the end of the latest round of talks with Indonesia on East Timor. The two sides have agreed on a number of confidence-building measures, including meetings with leading East Timorese supporters and opponents of integration, and a visit to East Timor in June by the special rapporteur of the United Nations Commission on Human Rights. The UN Secretary-General has been asked to identify a series of issues for consideration by the Foreign Ministers of Portugal and Indonesia in advance of the next round of talks in January 1995, including possible avenues towards achieving a just, comprehensive and internationally acceptable solution.

I am arranging for a copy of the communiqué issued by the UN Secretariat to be placed in the Library of the House.

Kosovo

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what statement the Minister of State, the right hon. and learned Member for Grantham (Mr. Hogg), made in Pristina on 5 May about the relationship of Kosovo to Serbia and the rights of Albanians.

Mr. Douglas Hogg: My discussions in Pristina on 5 May were confidential. I did not make a formal statement, but in comments to the press I repeated our view that the political, civil and cultural rights of the ethnic Albanian population should be respected and their autonomy restored within existing international borders.

Environmental Impact Assessment Directive

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what will be the effect of the infringement procedures begun on 20 April by the EFTA surveillance authority against Finland, Austria and Norway for failing to implement within the set time period the environmental impact assessment directive, on the elegibility of those countries to join the European Union.

Mr. Heathcoat-Amory: Proceedings by the EFTA surveillance authority under the European Economic Area agreement will not effect the eligibility of Finland, Austria and Norway to join the European Union. Article 171 of the treaty of accession—a copy of which is in the House of Commons Library—provides for any cases pending before the EFTA surveillance authority at the time of accession to be transmitted without delay to the European Commission, which will continue to deal with them under the relevant Community provisions.

Tunisia

Mr. Jon Owen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made, or plans to make in the future, to the Tunisian Government on the incidence of arbitrary arrests, torture and detention without trial and that country's public commitment to the promotion of human rights.

Mr. Douglas Hogg: With our European Union partners, we raised our concerns with Habib Ben Yahia, the Tunisian Foreign Minister, during the last EC/Tunisia Co-operation Council meeting.

Kyrgyzstan

Mr. Alex Carlile: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on diplomatic, cultural and commercial relations with the Government of Kyrgyzstan.

Mr. Douglas Hogg: Diplomatic relations with Kyrgyzstan are good. Her Majesty's ambassador to Kazakhstan is also accredited to Kyrgyzstan. Embassy staff visit Bishkek regularly.

Commercial links with Kyrgyzstan are still developing. My right hon. Friend the Minister for Housing, Inner Cities and Construction is due to lead a trade-related construction mission to Kazakhstan and Kyrgyzstan from 30 May to 4 June.

South Africa

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British passport holders resident in South Africa renewed their passports in *(a)* 1993 and *(b)* the first four months of 1994.

Mr. Lennox-Boyd: In 1993 a total of 30,591 passports were issued to British citizens and other British nationals resident in South Africa. In the first four months of this year, 13,247 passports were also issued.

Scott Inquiry

Mr. Byers: To ask the Secretary of State for Foreign and Commonwealth Affairs how many employees have worked on a full or part-time basis with the Scott inquiry liaison unit set up within his Department; when the unit was established; and when its work will be completed.

Mr. Douglas Hogg: The FCO's Scott inquiry unit has three full-time posts. A total of seven people have filled these posts since the unit was established in December 1992. An eighth person was seconded full time to the unit for a short period in 1993. In addition, other officials have given part-time assistance on an ad hoc basis.

The unit's work will be completed when Lord Justice Scott publishes his report and follow-up work by the unit has been undertaken.

Mr. Byers: To ask the Secretary of State for Defence how many employees have worked on a full or part-time basis with the Scott inquiry liaison unit set up within his Department; when the unit was established; and when its work will be completed.

Mr. Aitken: The Ministry of Defence Scott inquiry unit is made up of three officials, all of whom are employed on a full-time basis. A fourth full-time official was employed between September 1993 and March 1994. The unit was established on 30 November 1992 and its work will be completed after Lord Justice Scott has reported.

DEFENCE

Vacant Properties

Mr. Cox: To ask the Secretary of State for Defence how many vacant residential properties were owned by his Department as of 20 April.

Mr. Hanley: As at 31 March 1994, the latest date for which figures are available, my Department owned 9,882 vacant married quarters and 105 vacant MOD civilian houses. In addition 1,431 vacant married quarters and 38 vacant MOD civilian houses were in the process of being sold. The majority of the vacant married quarters were either undergoing or awaiting major works or modernisation, held for unit deployments, or already allocated to service families who were due to move in shortly.

Mr. Paul Martin

Mr. Morgan: To ask the Secretary of State for Defence whether Paul Martin was recruited as an unestablished civil servant; by what means the posts in his Department were advertised for recruitment; on what date; which kind of recruitment panel interviewed him; and for what length of contract.

Mr. Aitken: Mr. Martin was recruited as an established and permanent civil servant by Recruitment and Assessment Services. This followed advertising for the central competition for fast stream administrators and managers in the national press and through graduate careers services during 1992. The recruitment process involved interviews and other selection tests by the civil service selection board and the final selection board, whose members include serving civil servants and external representatives.

Mr. Morgan: To ask the Secretary of State for Defence on what date Mr. Paul Martin commenced employment as a permanent civil servant; and on what date he became an established civil servant in his Department.

Mr. Aitken: On 14 June 1993 in both cases.

Mr. Morgan: To ask the Secretary of State for Defence whether he provided a reference for Mr. Paul Martin for the purposes of his recruitment into the permanent home civil service.

Mr. Aitken: No.

Mr. Morgan: To ask the Secretary of State for Defence if he will set out the grade, duties and job description of Mr. Paul Martin *(a)* at the time of his suspension, *(b)* at the commencement of his employment and *(c)* at the time of any material change during the course of his employment.

Mr. Aitken: Mr. Martin joined the Ministry of Defence as a higher executive officer (development), a training grade.

He has held only one post, in which his duties have involved policy work on bilateral defence relations with Austria, Finland, Sweden and Switzerland, on questions relating to defence and the development of the European Union and, since January 1994, on arrangements to implement the partnership for peace initiative taken at the NATO summit. In carrying out these duties, he has been responsible for providing his line managers with draft written briefing for Ministers, senior officials and senior military officers.

Anti-personnel Mines

Mr. Andrew Smith: To ask the Secretary of State for Defence, pursuant to his answer of 18 April, *Official Report*, column *416*, if he will make a statement on his plans for introducing anti-personnel mines with self-destruct and self-neutralising mechanisms; and what percentage failure rates for these mechanisms will be set.

Mr. Aitken: We are currently considering our future requirements for anti-personnel mines. We anticipate that if any new mines were introduced they would have a self-destruct or self-neutralising capability. The specifications for these mines, including failure rates of the self-destruct or self-neutralising mechanism, would be determined as part of the procurement process.

Service Personnel (Redundancy)

Dr. David Clark: To ask the Secretary of State for Defence how many service personnel *(a)* successfully and *(b)* unsuccessfully applied for redundancy in each of the last three years.

Mr. Hanley *[holding answer 12 May 1994]:* The information requested is as follows:

Royal Naval Services (RN and RM)

	Successful	Unsuccessful
Officers		
Phase 1	65	25
Phase 2	365	146
Phase 3	70	8
Ratings/Marines		
Phase 1	273	n/a
Phase 2	758	822
Phase 3	2,326	1,020

n/a = Not available.

Notes:

1. Phase 1 redundees left by 31 March 1993, phase 2 by 30 November 1993 and phase 3 redundees will have left by November 1994.
2. Detailed records of unsuccessful applicants for phase 1 are no longer available.

Army

	Successful	Unsuccessful
Officers		
Phase 1 (1992-93)	695	n/a
Phase 2 (1993-94)	628	n/a
Phase 3 (1994-95)	578	n/a
Soldiers		
Phase 1 (1992-93)	2,500	n/a
Phase 2 (1993-94)	5,152	n/a
Phase 3 (1994-95)	5,342	n/a

Note:

Details of those who applied unsuccessfully for redundancy are not held centrally by the Army.

Royal Air Force

	Successful	Unsuccessful
Officers		
Phase 1	281	46
Phase 2	315	213
Airmen/women		
Phase 1	687	84
Phase 2	1,769	5

Note:

Royal Air Force redundancies in Phase 1 relate to financial year 1992-93 and part of financial year 1993-94; Phase 2 redundancies cover remainder of financial year 1993-94 and financial year 1994-95.

Pregnant Service Women

Sir Teddy Taylor: To ask the Secretary of State for Defence what estimate he has made of the costs of compensation to Army officers and other Army ranks who have lost employment and possible promotion by becoming pregnant following the decision of the tribunal in Glasgow on the application of European guidance; and if he will make a statement.

Mr. Hanley *[holding answer 12 May 1994]:* The High Court ruled in December 1991 that the policy of discharging service women compulsorily if they became pregnant was in breach of the European equal treatment directive which had taken effect in August 1978. Service women who were discharged on the grounds of pregnancy between August 1978 and August 1990, when the policy was discontinued, are therefore eligible for compensation for any losses sustained as a result of their unlawful discharge.

As at 4 May 1994, 1,288 valid claims for compensation had been received from former Army officers and other ranks in response to which my Department has made offers of compensation totalling about £7 million. So far, 758 of these claims have been settled at a cost of about £4·6 million, mostly as a result of claimants accepting MOD offers. It is not possible to say how many of the remainder will do so or will choose instead to pursue their cases to industrial tribunals. Nor can my Department predict how much the tribunals will choose to award.

The upper limit of £11,000 on the amount that tribunals could award in sex discrimination cases has been removed following a decision of the European Court of Justice. My Department will, however, continue to press for awards to be based on realistic career prospects, taking account of the fact that only a small proportion of service women or, indeed, service personnel generally, choose to complete their term of engagement. Cases such as that in Glasgow, where the tribunal decided that the claimant would have remained in the Army until the age of 55 and would have reached the rank of colonel, are not necessarily typical, and we shall continue to appeal against individual awards whenever there are good grounds for doing so.

SCOTLAND

Anton Piller Orders

Mr. David Marshall: To ask the Secretary of State for Scotland how many times in each of the last 10 years an Anton Piller order has been served on someone residing in Scotland; and whether he will make a statement as to the operation of such orders in Scotland.

Lord James Douglas-Hamilton: This information is not held centrally.

AGRICULTURE, FISHERIES AND FOOD

Pigmeat

Mr. Robert Banks: To ask the Minister of Agriculture, Fisheries and Food what are the subsidies and support provided by each member country of the EC for the production of pigmeat.

Mr. Jack: Community-wide information on national support for pig producers in EC member states is not available from the European Commission. The European Commission is responsible for monitoring and approving nationals aids in all member states and has power to require the withdrawal or alteration of aids it considers to be incompatible with Community law, including the repayment of any aid paid illegally.

Internet

Mr. David Shaw: To ask the Minister of Agriculture, Fisheries and Food what plans her Department has *(a)* to utilise the Internet, *(b)* to make available on the Internet press releases and other departmental information which the public may wish to have access to and *(c)* to use the Internet as a means of increasing the openness of her Department.

Mr. Jack: MAFF's press releases are issued electronically by the Central Office of Information and

available to subscribers to FT Profile, Reuters Textline and POLIS. They are also accessible to users of the Internet via the Date-Star Dialogue (Europe) or Mead/Lexis/Nexis systems.

There are no plans for MAFF to use the Internet.

Marine Conservation

Mr. Morgan: To ask the Minister of Agriculture, Fisheries and Food when she expects publication of the consultative paper on the marine conservation and enforcement duties for the coastal zone between the low water mark and the six-mile offshore limit; and what representations she has had from the Association of Sea Fisheries Committees in relation to its contents.

Mr. Jack: I intend to consult shortly on new environmental powers for sea fisheries committees.

EC Directives (Effect on Business)

Mr. Byers: To ask the Minister of Agriculture, Fisheries and Food what representations were made to her Department by Unipac Packaging Industries, Sunzest Trading Ltd., Del Monte Ltd. or Polly Peck International about the effect of EC directives on their business; which were the directives concerned; and when such representations were made.

Mr. Soames *[holding answer 12 May 1994]:* The information is not readily available and could not be produced without disproportionate cost.

Diseased Animals

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what steps she has taken to prevent potentially diseased cattle originating outside the EU from being imported to the United Kingdom via European Union countries; and if she will make a statement.

Mr. Soames: All member states are required to operate common control measures to prevent diseased cattle from third countries entering the Community. Live animals may be imported into the Community only through an approved border inspection post and must undergo full documentary, identity and physical checks by an official veterinarian before being permitted to enter into free circulation within the Community. Animals originating in a third country destined for the United Kingdom but imported into the Community via another member state are also subject to spot checks at their place of destination in the United Kingdom. Where there is evidence that checks have not been properly applied in another member state we take the matter up with the Commission and the veterinary authorities of the member state of entry.

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food (1) how many head of cattle were targeted in the tracing by her Department to be tested for the presence of foot-and-mouth disease vaccination antibodies; how many were actually traced and tested; and if she will make a statement;

(2) if she will make a statement on the policy of the branding on each shoulder with a V of traced cattle displaying foot-and-mouth disease vaccination antibodies and allowing these cattle to remain with the herds in which they have been found;

(3) which parties were consulted before deciding on the policy of branding of cattle displaying foot-and-mouth disease vaccination antibodies; and if she will make a statement;

(4) if she will make a statement on the outcome of her Department's plans to remove all cattle displaying foot-and-mouth disease vaccination antibodies from the national herd by 1 August 1993;

(5) if all the cattle involved in the tracing of foot-and-mouth disease vaccination antibodies by her Department have been found.

Mr. Soames: Of the 994 cattle known to have been imported into Great Britain from the Czech Republic and Poland since the autumn of 1992, 933 were traced and tested for the presence of antibodies to foot and mouth disease. It was not possible to trace all the animals because of poor movement records at the importers' premises and problems caused by re-tagging and subsequent onward movements. A total of 190 Czech and 59 Polish animals were found to be seropositive to FMD. All the animals concerned had undergone a documentary check after arrival in Great Britain and all were certified by the veterinary authorities in their country of origin as being in accordance with Community import rules.

Community rules permit the importation only of those animals which have never been vaccinated against FMD. Vaccinated animals can carry the FMD virus without showing clinical signs of the disease. Although there was no evidence that the seropositive cattle were carrying live virus and could thus be a threat to native livestock, the implications of the incident were potentially serious. In order not to jeopardise the United Kingdom's health status, the cattle were initially placed under restriction on their holdings until arrangements could be made for their re-export or slaughter. A deadline of 1 August 1993 was originally given for this to take place. Ministry veterinary officials visited both the Czech Republic and Poland and their veterinary authorities accepted that the animals had been certified incorrectly. However, despite lengthy and intensive negotiations between MAFF and the Czech authorities, and between the original British importer and the Czech export company, arrangements for the return of the affected animals to the Czech Republic could not be agreed. Similarly, discussions between the Ministry and the Polish veterinary authorities proved fruitless. As a result the deadline of 1 August was extended and owners of seropositive animals were given the option of slaughter of the animals or their permanent retention on their current holdings subject to restrictions, including freeze branding, until they are slaughtered.

There is no requirement to consult outside parties about measures intended to prevent the possible spread of disease.

Fishing Industry

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food how many fishing vessels owned in other EC countries are registered in the United Kingdom; how many United Kingdom-owned fishing vessels are registered in other EC countries; and if she will make a statement.

Mr. Jack: I understand from the Registrar General of Shipping and Seamen that at the end of 1993 there were about 100 fishing vessels registered in the United Kingdom

which are either wholly or largely owned by nationals of another Member State. There are more than 11,000 fishing vessels on the United Kingdom register. RSS does not hold figures for United Kingdom-owned vessels registered abroad.

Drift Nets

Mr. Speller: To ask the Minister of Agriculture, Fisheries and Food, pursuant to her answer of 9 May, *Official Report,* column *40,* what measures she will propose to the Fisheries Council to enforce compliance with the European Union ban on drift nets longer than 2·5 km.

Mr. Jack: It is for the Commission to make proposals to the Council. Their proposals, to which I referred in my answer of 9 May, include additional enforcement measures for the drift net fisheries.

Written Answers to Questions

Monday 16 May 1994

DUCHY OF LANCASTER

Civil Servants (Business Appointments)

Mr. Milburn: To ask the Chancellor of the Duchy of Lancaster how many civil servants in his Department have applied through the business appointments system to take up an outside appointment *(a)* as an independent consultant, *(b)* in a firm of consultants and *(c)* in other employment; how many have been referred to the Advisory Committee on Business Appointments; and how many were granted.

Mr. Waldegrave: I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister on 6 May 1994, *Official Report*, column *668*.

TREASURY

Beer Imports

Mr. Couchman: To ask the Chancellor of the Exchequer what steps he is taking to prevent unaccompanied duty-paid imports of beer.

Sir John Cope: The European Commissioner responsible for taxation policy has confirmed the United Kingdom Government's view that United Kingdom excise duty and VAT must be paid on unaccompanied duty-paid imports of excise goods. Customs are performing checks using intelligence techniques to detect individuals attempting to avoid duty payment. In this way illegal unaccompanied imports may be detected in transit, at the recipient's premises, or subsequently.

Mr. Couchman: To ask the Chancellor of the Exchequer what estimate he has made of the regional distribution throughout the United Kingdom of the destination of duty-paid imports of beer.

Sir John Cope: Duty-paid beer in quantities below the indicative limits may be imported freely by private travellers for their own use. The distribution can be anywhere throughout the United Kingdom. Customs have no means of knowing the final destination of such travellers and have therefore made no estimate of their regional distribution.

Mr. Couchman: To ask the Chancellor of the Exchequer what evidence he has of the involvement of individuals with a criminal record, and of organised criminal groups, in the illegal importing and resale of duty-paid beer brought into the United Kingdom ostensibly for personal use.

Sir John Cope: Although there is evidence of petty criminals engaging in this illegal activity, there is no evidence of organised crime being involved.

Open Government

Mr. David Shaw: To ask the Chancellor of the Exchequer if he will make a statement on his Department's plans to create more openness in government by publishing Government press releases and other information on a free access electronic news or bulletin board system.

Mr. Nelson: I have no plans at present to provide a free access service.

VAT

Mr. McFall: To ask the Chancellor of the Exchequer whether the Government will continue to support the present VAT zero rate floor limit for refunds of goods bought in the United Kingdom by tourists from outside the European Union.

Sir John Cope: The Government support the present arrangements and have registered their opposition to the European Commission proposal for a minimum threshold before non-EC visitors can claim a VAT refund.

Trade Deficit

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what was the change in the visible trade deficit with non-European Union countries between February and March.

Mr. Nelson *[holding answer 12 May 1994]:* Latest data show a visible trade deficit of £718 million in March, compared with £657 million in February.

Alcohol (Duty)

Mr. Andrew Smith: To ask the Chancellor of the Exchequer what procedures are in place for assessing and collecting duty from cross-channel travellers who return with opportunity purchases of alcohol for sale through businesses; what advice is given to small businesses on the procedures; and what plans he has to introduce a duty collection facility at Dover.

Sir John Cope *[holding answer 13 May 1994]:* The movement of commercial consignments of excise goods between member states is subject to procedures laid down in EC legislation, and these have been reproduced by Customs in notices which are freely available to the trade and public. Customs recognise the need to facilitate purchasers who have acquired excise goods outside of the established procedures. They are examining the existing arrangements to see if greater flexibility can be introduced. This includes the possibility of duty collection points at the ports.

AGRICULTURE, FISHERIES AND FOOD

Genetically Engineered Foods

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food what specific proposals she has to ensure the labelling of all foods the production of which has involved genetic engineering; and if she will make a statement.

Mr. Soames: The Government have accepted the recommendations of the Food Advisory Committee on the

labelling of foods produced as a result of genetic modification. They are that mandatory labelling rules should apply in all cases where a foodstuff:

(a) contains a copy gene originally derived from a human;
(b) contains a copy gene originally derived from an animal which is the subject of religious dietary restrictions; or
(c) is a plant or microbial material containing a copy gene originally derived from an animal.

These rules would not apply if the inserted gene had been destroyed during processing and was not, therefore, present in the food.

Labelling of such foods is being considered by the EC Council of Ministers as part of a proposal on novel foods.

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food if she will make it her policy to make mandatory the assessment procedures for the safety of genetically engineered foods in the United Kingdom; and if she will make a statement.

Mr. Soames: We are currently at an advanced stage in negotiating mandatory procedures to apply throughout the whole of the European Union.

Parliamentary Questions

Mr. Meacher: To ask the Minister of Agriculture, Fisheries and Food how many parliamentary questions, in the period November 1992 to March 1993 were answered with the response that the information requested is not held centrally and could be obtained only at disproportionate cost; how many were referred on to an agency chief executive; and, in each case, what percentage of the total number of questions asked this constituted.

Mr. Jack: According to the POLIS database eight parliamentary questions answered by Ministers in this Department in the period 1 November 1992 and 31 March 1993 were given a response either that the information requested was not held centrally or that the information could be provided only at disproportionate cost and eight were referred to agency chief executives. Both those figures represent less than 1 per cent. of all written answers given in the same period.

Milk Marketing

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if she will list the objections she has received in response to the second consultation document of reorganisation in the milk marketing scheme; and if she will make a statement.

Mr. Jack: I am placing in the Library of the House a copy of those formal responses to the consultation exercise which the Ministry has made publicly available.

My right hon. Friends the Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales will consider the responses to the consultation exercise when deciding whether to approve the reorganisation scheme under the terms of the Agriculture Act 1993.

Animal Welfare

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food, pursuant to her answer of 18 April, *Official Report*, column *412*, if she will describe the procedures in place for prosecuting non-United Kingdom companies in breach of the Welfare of Animals During Transit Order 1992.

Mr. Soames: Acting directly or from information received from an inspector of this Department or a local authority, the police have general powers of arrest and detention under section 25 of the Police and Criminal Evidence Act 1984 in respect of non-United Kingdom nationals suspected of having committed an offence under the Welfare of Animals during Transport Order 1992. These powers have been exercised on a number of occasions and offenders successfully prosecuted.

If a non-United Kingdom company has an agent in the United Kingdom authorised to accept service of a summons, it would, according to the circumstances of the case, be possible to bring a prosecution against such a company for offences against the order.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food, pursuant to her answer of 13 April, *Official Report*, column *180*, to which local authorities statements have been given by her Department's staff with respect to possible prosecutions.

Mr. Soames: Such statements have been given to Hampshire county council.

Pig Producers

Mr. Hicks: To ask the Minister of Agriculture, Fisheries and Food when she expects to receive from the EC its report into allegations of subsidising of pig producers and pigmeat processors by certain member states; and if she will make a statement.

Mr. Jack *[holding answer 9 May 1994]:* As a direct result of United Kingdom pressure on the Commission to investigate aid to French pig producers, the Commission published in its *Official Journal* of 15 April its intention to open proceedings under article 93(2) of the treaty against two French aid schemes.

We have sent in our comments to the Commission urging an immediate decision that the schemes be declared illegal and demanding the recovery of any aid paid. If the Commission cannot take an immediate decision, we have asked that interim measures be introduced prohibiting any further payment of aid pending a final decision.

TRADE AND INDUSTRY

Renewable Energy Advisory Committee

Mr. Mudie: To ask the President of the Board of Trade if he will list the members and dates of membership of the Renewable Energy Advisory Committee and of each committee established by the Renewable Energy Advisory Committee on each major technology.

Mr. Eggar: The list of members and dates of membership of the Renewable Energy Advisory Committee is as follows:

Renewable Energy Advisory Committee

Member	*Organisation*	*Joined committee*
Dr. C. Hicks *(Chair)*	DTI	March 1994
Dr. A. Wheldon	Reading University	January 1992
Mr. A. Tweedale	Energy Supplies Ltd.	January 1985
Mr. G. Leach	Independent consultant	January 1985
Mr. G. Walker	EPSRC	January 1985
Mr. I. Mitchell	Countryside Commission	March 1994
Mr. R. Morris	Portlea Ltd.	August 1989
Mr. P. White	NORWEB	August 1989

Member	Organisation	Joined committee
Mr. G. Bevan	DTI	December 1985
Mr. J. Penman	DoE	June 1991
Mr. R. Penn	DTI	October 1991
Mr. R. Meir	DTI	November 1986
Mr. A. Hyde	DTI	March 1994
Dr. K. Brown	ETSU	April 1993
Ms C. Gray *(Observer)*	OST	September 1993
Mr. A. Brown *(Observer)*	ETSU	December 1993

The REAC has not established any committees on major technologies. There are, however, currently three advisory committees which provide advice to the Energy Technology Support Unit on the development and formulation of the Government's wind energy, solar energy and biofuels programmes. Details of membership and dates of membership of these three committees are as follows:

Wind Energy Advisory Committee

Member	Organisation	Joined committee
Dr. A. Brown *(Chair)*	ETSU	December 1993
Dr. J. Halliday	EPSRC	December 1992
Dr. A. Shuttleworth	Scottish Power	August 1993
Mr. A. S. Kennedy	North of Scotland Hydro-Electric	January 1991
Professor M. Lowson	Bristol University	1979
Mr. D. Milborrow	Independent consultant	September 1984
Professor Wootton	City University	October 1993
Mr. M. Trinick	Bond Pearce Solicitors	October 1993
Dr. R. R. Wilson	James Howden and Co. Ltd.	July 1983
Mr. P. Simpson	Wind Energy Group Ltd.	December 1990
Mr. G. Swarbrick	South Western Electricity plc	June 1991
Dr. J. Halliday	EPSRC	December 1992
Mr. R. Meir	DTI	1986
Mr. D. I. Page	ETSU	1983
Miss Y. Rizzi	DoE	February 1993

Solar Energy Advisory Committee

Member	Organisation	Joined committee
Dr. K. Brown *(Chair)*	ETSU	May 1993
Professor P. O'Sullivan	Bartlett School of Architecture	October 1983
Dr. J. Wiltshire	Newcastle University	June 1984
Mr. G. Oldham	Independent consultant	March 1991
Mr. B. Heppel	Independent consultant	March 1989
Professor R. Hill	University of Northumbria	November 1993
Professor B. Brinkworth	University of Wales	November 1993
Dr. V. Crisp	BRE	September 1991
Mr. A. Field	DoE	November 1991
Mr. R. Meir	DTI	December 1986
Dr. A. J. Cole	ETSU	May 1991
Mr. J. Newman	DTI	November 1991
Dr. D. Vincent	DoE	January 1987

Biofuels Advisory Committee

Member	Organisation	Joined committee
Dr. A. Brown *(Chair)*	ETSU	July 1986
Dr. A. V. Bridgewater	Aston University	July 1986
Mr. P. F. Hufton	NEI International Combustion Ltd.	December 1990
Mr. Burdekin	Forestry Commission	March 1990
Mr. M. Jones	North London Wastes Authority	November 1989
Mr. H. D. T. Moss	Shanks & McEwan	March 1990
Professor G. Noone	Severn Trent Water	December 1992
Mr. D. Thirkell	Independent	July 1992
Professor D. Hall	University of London	December 1993
Mr. R. Boon	Shell Petroleum	December 1993
Mr. K. Reilly	Associated Energy projects plc	July 1993
Mr. L. Parry	United Kingdom Waste Management	July 1993
Dr. K. Richards	ETSU	June 1993
Dr. M. Dwyer	MAFF	July 1992
Dr. P. Hinchcliff	DoE	May 1992
Mr. R. Kettle	DTI	September 1991
Mr. R. Meir	DTI	December 1986
Mr. S. Norgrove	DTI	July 1992
Mr. E. Winiarski	EPSRC	December 1992

Key: DTI—Department of Trade and Industry.
DoE—Department of the Environment.
MAFF—Ministry of Agriculture, Fisheries and Food.
ETSU—Energy Technology Support Unit.
EPSRC—Engineering and Physical Sciences Research Council.
BRE—Building Research Establishment.
OST—Cabinet Office; Office of Science and Technology.

Aircraft Projects

Mr. Barry Jones: To ask the President of the Board of Trade what is his policy concerning the future of large aircraft projects.

Mr. Sainsbury: DTI assists United Kingdom aerospace companies to participate in international collaborative projects wherever this is appropriate, and is in close contact with the United Kingdom industry on the proposed future large aircraft development.

Electricity Industry

Mr. William O'Brien: To ask the President of the Board of Trade if he will investigate the circumstances of the departure of the chairman of East Midlands Electricity, and the closure of the electrical contracting business.

Mr. Eggar: Both issues are commercial matters for East Midlands Electricity plc.

Mr. William O'Brien: To ask the President of the Board of Trade if he will hold an inquiry in the joint venture of the East Midlands and the Yorkshire electricity boards on the retailing operations following the closure of the electrical contracting business operations in Ossett in West Yorkshire.

Mr. Eggar: These are commercial matters for the companies concerned.

Mr. Burns: To ask the President of the Board of Trade if he will make a statement about the appointment of the Director General of Electricity Supply.

Mr. Eggar: I am pleased to announce the reappointment of Professor Stephen Littlechild as Director General of Electricity Supply for a second five-year term. The new term will commence on 1 September 1994. Since 1989 Professor Littlechild has played an important role in the creation of a competitive electricity market and I welcome his continuing involvement in the development of this sector of the economy.

Coal Industry

Mr. Clapham: To ask the President of the Board of Trade (1) what discussions he has had with British Coal about the proposal to contractualise the basic element of the current British Coal redundancy scheme;

(2) what discussions he has had with British Coal about the proposed employment package which is currently being put to the mining unions.

Mr. Eggar: Both my right hon. Friend the President of the Board of Trade and I meet the chairman of British Coal as necessary to discuss a variety of coal industry matters.

Mr. Clapham: To ask the President of the Board of Trade who will guarantee the contractualised redundancy scheme in the event of a colliery business failure after privatisation of the coal industry.

Mr. Eggar: The Government, through the statutory redundancy payments scheme, ensure that all qualifying redundant employees receive a basic level of compensation. Where employers are unable to pay, for example in the case of receivership, this payment is met by the Department of Employment.

Any redundancy arrangements after the privatisation of British Coal in excess of the statutory requirements will be a matter for private sector employers. Where employees are transferred to a new employer and the Transfer of Undertakings (Protection of Employment) Regulations 1981 apply, the new employer will take on contractual obligations which exist at the time of transfer.

Trade Marks Bill

Dame Peggy Fenner: To ask the President of the Board of Trade if he will make a statement about the consultation exercise his Department has been carrying out on the subject of lookalikes in the context of the Trade Marks Bill.

Mr. McLoughlin: The consultation exercise was carried out via the Standing Advisory Committee on Industrial Property, because this afforded a readily available mechanism for seeking the views of those with experience in this field. The consultation was not, however, restricted to members of SACIP, and comments were received from others, including the British Producers and Brand Owners Group and individual companies.

The overwhelming majority of the views received was against taking action in the Bill. Many made the point that this is not a trade marks issue, as the main characteristic of a lookalike product is that it does not copy a trade mark. This is also the Government's view.

There was a widespread feeling among those who commented that—compared with other countries—there may be an issue of unfair competition to be addressed. The Government believe, however, that the Bill, which broadens the definition of what may be registered as a trade mark and also widens the rights conferred, will improve the position by allowing shapes and distinctive packaging to be registered, and should be given a chance to work. If, once the Bill has been in force for a reasonable period, brand owners can demonstrate that there continues to be a problem, the Government would be prepared to look again at the situation.

Letter (Combat 18)

Mr. Hain: To ask the President of the Board of Trade if he will consult the chairman of the Post Office about the circumstances in which the contents of a letter posted at Streatham High Road main post office on 29 April at 11.30 am became known to a member of Combat 18; and if he will make a statement.

Mr. McLoughlin: This is an operational matter for the Post Office. It is, of course, a criminal offence under sections 56 and 58 of the Post Office Act 1953 to tamper with mail.

Cable Companies

Mr. David Howell: To ask the President of the Board of Trade what procedures have been laid down to enable members of the public to raise complaints against the operation of cable companies installing their equipment on highways and also on private property; and whether he will make a statement.

Mr. McLoughlin: Cable television operators are granted powers under section 10 of the Telecommunications Act 1984 to install cable systems in the maintainable highway and, with appropriate consent, on private land. Their licences include conditions designed to ensure that they operate in a responsible manner and adhere to all relevant street works legislation. Street works in the maintainable highway are subject to the New Roads and Street Works Act 1991, and its associated regulations, which are enforced by local highway authorities. Where work is undertaken on private land, it should be with the consent of the landowner, and any complaint arising from that work is a matter for the landowner and the cable operator concerned. Many cable operators provide freephone numbers to deal with inquiries.

Chernobyl

Mr. Worthington: To ask the President of the Board of Trade if he will make a statement about the progress being made in discussions between the Ukrainian Government and representatives of the G7 to eliminate the danger of radiation threat from the Chernobyl nuclear power plant.

Mr. Eggar: A G7 mission met representatives of the Ukrainian Government on 2 to 4 May. These were exploratory talks designed to prepare the ground for consideration, at the forthcoming G7 economic summit, in the context of nuclear safety in eastern Europe and the former Soviet Union, of how best we might work with Ukraine to secure the G7 objective of early closure of high-risk reactors such as Chernobyl.

Consultants

Mr. Milburn: To ask the President of the Board of Trade, pursuant to his answer of 24 March, *Official Report*, columns *428-29*, how many consultancy contracts have been let by his Department's executive agencies in the last five years; and at what cost.

Mr. Eggar *[holding answer 29 April 1994]:* I have asked the chief executives of the agencies to reply to this question, as it falls into the category of day-to-day operational matters.

Letter from Mike Hoddinott to Mr. Alan Milburn, dated 16 May 1994:

Your recent Parliamentary Question to the President of the Board of Trade asked how many consultancy contracts have been let by the Department's executive agencies in the last five years; and at what cost. Details in respect of Accounts Services Agency are as follows:

Contracts	*Number*	*Cost in £'000*
1989-90	1	21
1990-91	0	0
1991-92	0	0
1992-93	34	248
1993-94	19	164

The costs for each year include VAT although Account Services Agency had separate VAT registration for the years 1992-93 and 1993-94.

Letter from David Durham to Mr. Alan Milburn, dated 16 May 1994:

You tabled the following Parliamentary Question:

"To ask the President of the Board of Trade, pursuant to his Answer of 24th March, *Official Report*, columns *428-9*, how many consultancy contracts have been let by his Department's executive agencies in the last five years; and at what cost."

I have been asked to reply to this question, as Chief Executive of Companies House Executive Agency. The following information is, of course, only relevant to this Agency.

The number of consultancy contracts let and the costs involved were as follows:

	Number	*Cost £*
1993-94	20	147,271
1992-93	23	205,075
1991-92	17	231,653

The cost of consultancy in 1990-91 was £283,441. Because of changes to our financial systems in 1991, I regret that the precise numbers of contracts before 1991-92, or their cost before 1990-91, is not readily available.

I hope this information is helpful.

Letter from Peter Joyce to Mr. Alan Milburn, dated 16 May 1994:

The President of the Board of Trade has asked me to reply to your Question about contracts let by The Insolvency Service. Since The Insolvency Service became an Executive Agency in March 1990, eight contracts have been awarded to management consultants at a total cost of £0·33 million.

The Service also uses the private sector for advice on, development of and delivery in relation to specialist areas such as training, design and information technology systems.

Letter from R. D. Worswick to Mr. Alan Milburn, dated 16 May 1994:

I have been asked to answer with respect to the Laboratory of the Government Chemist your question to the President of the Board of Trade concerning the cost and number of consultancy contracts let by the Executive Agencies of the Department of Trade and Industry.

Over the last five years (up to and including 1993-94) the Laboratory of the Government Chemist has let fourteen consultancy contracts at a total cost of £442,000.

Letter from W. Edgar to Mr. Alan Milburn, dated 16 May 1994:

PARLIAMENTARY QUESTION NO. 29

"To ask the President of the Board of Trade, pursuant to his answer of 24 March, Official Report, columns 428-9, how many consultancy contracts have been let by his Department's executive agencies in the last five years, and at what cost".

Over the past five years NEL has let 22 consultancy contracts at a total cost of £360,447.

You should note that the above consultancies were in respect of activities such as the development of commercial systems and investigation of new markets for NEL services.

Letter from P. B. Clapham to Mr. Alan Milburn, dated 16 May 1994:

I am writing in response to your question to the President of the Board of Trade about the number and cost of consultancy contracts which have been let by his Department's Executive Agencies during the last five years.

The total number of external consultancies let by the National Physical Laboratory during the period was 82. The total cost was £1,472,325 excluding VAT.

I hope this provides the information need.

Letter from Seton Bennett to Mr. Alan Milburn, dated 16 May 1994:

Parliamentary question: Consultancy contracts

I have been asked to reply, in respect of this Agency, to your recent question to the President of the Board of Trade concerning consultancy contracts let in the last five years.

The Number of consultancy contracts let by the National Weights and Measures Laboratory between April 1989 and March 1994 was 8, at a cost of £42,376.

Letter from P. R. S. Hartnack to Mr. Alan Milburn, dated 16 May 1994:

I am replying in respect of the Patent Office to the question you tabled in Parliament on 29 April, regarding consultancy contracts let by DTI executive agencies over the last five years.

The Patent Office has been empowered to let contracts since it became an agency in March 1990. Since then, we have let five "general" or "management" consultancy contracts, at a cost of £10,100. Three of these involved advice on recruitment advertising or the establishment of training projects. Over this period we have also placed ten contracts for advice on building works and other property services (at a cost of £53,600) in connection with the seven sites from which we operate; and three contracts (£34,800) for legal and information technology advice: the Patent Office is very dependent upon its IT systems in order to perform its statutory duties.

I hope that this is helpful.

Letter from Jim Norton to Mr. Alan Milburn, dated 16 May 1994:

I have been asked to reply to your Parliamentary Question to the President of the Board of Trade about the number of consultancy contracts let by this Agency in the last five years; and at what cost.

The Radiocommunications Agency was created as an Executive Agency of the DTI in April 1990. Before that date all contracts were let through the DTI. The figures in the table below therefore relate only to the years from 1990-91. Details are given concerning all contracts let to external consultants. Some of these contracts span financial years with payments being made on a staged basis across the life of the contract.

Financial year	*Number of contracts*	*[1]Value £ thousands*
1990-91	10	471
1991-92	10	746
1992-93	14	1,058
1993-94	8	768

[1]Including VAT.

In addition, the Radiocommunications Agency funds academic institutions and other research bodies to carry out research into radio propagation as part of our research programme.

I hope this information is useful.

Letter from D. Cormack to Mr. Alan Milburn, dated 16 May 1994:

PARLIAMENTARY QUESTION

PQ from Mr. Alan Milburn (Darlington):

To ask the President of the Board of Trade, pursuant to his Answer of 24 March, Official Report, columns 428-9, how many consultancy contracts have been let by his Department's executive agencies in the last five years; and at what cost.

Warren Spring Laboratory Executive Agency has let no consultancy contracts in the last five years.

Market Overt

Mr. Robert Banks: To ask the President of the Board of Trade if he will list the markets and locations coming within the ancient statute of market overt.

Mr. McLoughlin *[holding answer 13 May 1994]:* By long-standing custom, every retail shop in the City of London is a market overt. Outside London, a market overt must be one established by charter or statute; the exact number is not known.

DEFENCE

Thermal Oxide Reprocessing Plant

Mr. Austin-Walker: To ask the Secretary of State for Defence if spent fuel from nuclear submarine reactors will be processed in THORP.

Mr. Aitken: My Department has no plans to process spent fuel from nuclear submarine reactors in THORP.

HMS Valiant

Mr. Terry Davis: To ask the Secretary of State for Defence how much was spent on repairs to HMS Valiant during the last financial year; and what repairs to HMS Valiant will be undertaken following its arrival at Plymouth.

Mr. Aitken: Around £2·4 million was spent on repairs to HMS Valiant during the last financial year.

It is not our practice to comment on the nature of defects in nuclear-powered submarines.

Low Flying

Dr. Marek: To ask the Secretary of State for Defence what percentage of total low flying activity took place over Wales for the last six months of 1993.

Mr. Hanley: I refer the hon. Member to the answer I gave to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) on 16 February, *Official Report*, column *818*.

PRIME MINISTER

Sir Robin Butler

Mr. Simpson: To ask the Prime Minister, pursuant to his answer to the hon. Member for Thurrock (Mr. Mackinlay) of 28 April, *Official Report*, columns *254-55*, if he will set out the criteria to be adopted to judge the disproportionate time or effort in preparing information as stated at paragraph *(c)* of the Cabinet Secretary's note to which he refers.

The Prime Minister: The criteria are set out in the guidance on interpretation of the code of practice on access to Government information, which has been issued to all Departments and placed in the Library of the House. The guidance states that consideration should be given to the amount of information sought in an application and the difficulties in identifying, locating or collating the information requested. The guidance goes on to say:

"In each case, the test is whether these factors would mean that meeting an access request would require an unreasonable diversion of resources or otherwise undermine the work of the department (because files are kept out of circulation for extended periods, for example, or staff have to be diverted a considerable amount of time from other more urgent work)."

Wrafton Laboratories, Devon

Mr. John Evans: To ask the Prime Minister on how many occasions he has visited the north Devon factory of Wrafton laboratories since January 1993; and what was the date and purpose of each visit.

The Prime Minister: I have made one visit, on Friday 5 February 1993, as part of a series of regional visits throughout the country.

Consultants

Mr. McAllion: To ask the Prime Minister when he intends to publish the report of the Cabinet Office efficiency unit on the use of outside consultants to identify savings in the civil service.

The Prime Minister: The final report of the efficiency unit's scrutiny on the Government's use of external consultants will be completed shortly. It is the normal practice for the efficiency unit's reports to be published. A decision on publishing the report will be made when the final report has been received.

Lockerbie

Mr. Dalyell: To ask the Prime Minister what information has been made available to Her Majesty's Government as a result of the opening of Stasi files in East Germany about the acquisition of timing devices of the type manufactured by Edwin Bollier and Ulrick Lumpert, which featured in the destruction of Pan Am 103 over Lockerbie and of the approach to Bollier and Lumpert by United States authorities on 30 December 1988.

The Prime Minister: The exchange of information with the German authorities in the Lockerbie investigation is a matter for my right honourable and learned Friend the Lord Advocate. He has repeatedly made clear that he cannot comment on details of the available evidence while criminal proceedings are pending.

OVERSEAS DEVELOPMENT ADMINISTRATION

World Bank Documents

Mr. Denham: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to make those World bank documents which are available to American non-governmental organisations available to hon. Members.

Mr. Lennox-Boyd: Her Majesty's Government will continue to follow the procedure that has been agreed by all members of the World bank whereby documents are made available under the bank's policy on disclosure of information. A list of those documents is available to hon. Members in the House of Commons Library.

Somalia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has about the incidence of cholera in Somalia; and what has been the international community's response.

Mr. Lennox-Boyd: As at 29 April, 12,444 cases, including 491 deaths, had been reported. The international community continues to respond within the framework set out in my answer of 27 April, columns *194-95.*

Family Planning

Mr. Clifton-Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs what contributions are being made to the International Planned Parenthood Federation, the United Nations population fund and the World Health Organsiation human reproduction programme in 1994.

Mr. Lennox-Boyd: We have made the following contributions to the core costs of the International Planned Parenthood Federation, the United Nations population fund and the World Health Organisation's progamme of research and training in human reproduction in 1994:

	£ million
IPPF	7·5
UNFPA	7·0
WHO/HRP	2·5

Additional contributions for specific programme activities may also be made during the year.

Mr. Clifton-Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Blaby (Mr. Robathan) of 19 January, *Official Report,* column *590,* regarding United Kingdom bilateral disbursements on population activities, if he can now given the total figures for 1993.

Mr. Lennox-Boyd: Bilateral expenditure in 1993 on population activities, including HIV/AIDS and reproductive health and the joint funding scheme, has provisionally been estimated at £16·125 million. A final figure will be produced as soon as possible.

Aid and Trade Provision

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what review he has conducted of the extent to which aid under the aid and trade provisions has been linked to arms sales and the implications of this for overseas aid policy.

Mr. Lennox-Boyd: I know of no case in which a project funded under the aid and trade provision has been conditionally linked to the sale of arms. As a matter of policy, the British Government would not countenance any such link.

LORD CHANCELLOR'S DEPARTMENT

Justice (Delays and Costs)

42. **Mr. Steen:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will set up a review to look at the delays in the administration of justice and the cost of obtaining it.

Mr. John M. Taylor: As well as continuing to evaluate and implement the outstanding recommendations of the civil justice review and the relevant recommendations of the Royal Commission on criminal justice, we have several other reviews in hand, including Lord Woolf's work on access to justice and the departmental fundamental review.

Police and Magistrates Courts Bill

44. **Mr. Mike O'Brien:** To ask the Parliamentary Secretary, Lord Chancellor's Department what representations he has received in the last month on the Police and Magistrates Courts Bill *[Lords].*

Mr. John M. Taylor: In the month since 17 April, the Lord Chancellor and I have received 45 representations from hon. Members and peers and 11 from magistrates and other members of the public.

Judges

Mr. Skinner: To ask the Parliamentary Secretary, Lord Chancellor's Department what discussions he has had with other Law Officers with a view to election of judges.

Mr. John M. Taylor: None.

Justices' Clerks

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department by how many magistrates courts committees, and for how many petty sessions areas, justices' clerks have been put on *(a)* fixed-term contracts and *(b)* performance-related pay; and how many, and what proportion of, justices' clerks and petty sessions areas are currently affected by *(a)* or *(b)* or both.

Mr. John M. Taylor: The terms and conditions of individual members of staff are a matter for magistrates courts committees as employers. The Department has no record of the numbers of justices' clerks who are either on fixed-term contracts or receiving performance-related pay.

CHURCH COMMISSIONERS

Investments

34. **Mr. Jenkin:** To ask the right hon. Member for Selby, representing the Church Commissioners, who is responsible for deciding the overall balance of the Church Commissioners' investments; and what policy is currently being pursued.

Mr. Alison: The commissioners' assets committee is responsible for deciding the balance of the investment portfolio with general rules made by the board of governors. The commissioners' long-term aim is to achieve a diversified portfolio which bears comparison with those held by other institutions with similar responsibilities. This will mean a reduction, over a period, in the commissioners' property holdings, although, of course, this can be achieved only as market conditions allow.

Women Priests

35. **Mr. Fabricant:** To ask the right hon. Member for Selby, representing the Church Commissioners, what is the number of women currently ordained into the priesthood of the Church of England for those stipends for which the Church Commissioners are responsible.

Mr. Alison: As at 8 May, there were 146 women priests receiving a stipend through the Church Commissioners' payroll.

London Offices

36. **Mr. Lidington:** To ask the right hon. Member for Selby, representing the Church Commissioners, what is the annual cost to the commissioners of their office accommodation in London.

Mr. Alison: The commissioners own the freehold of No. 1 Millbank and the Church of England records centre at Galleywall road, Bermondsey. The cost of maintaining, heating and lighting the commissioners' office accommodation was £0·47 million in 1993.

Lambeth Report

37. **Mr. Clifton-Brown:** To ask the right hon. Member for Selby, representing the Church Commissioners, if he will make a statement on the implementation of the recommendations contained in the Lambeth report.

Mr. Alison: I refer the hon. Member to the reply I gave to the hon. Member for Staffordshire, South (Mr. Cormack) on 25 April, column 13.

Priests' Incomes

38. **Mr. Harry Greenway:** To ask the right hon. Member for Selby, representing the Church Commissioners, what are the average fees, stipends or salaries paid to ordained *(a)* women and *(b)* men; and if he will make a statement.

Mr. Alison: Clergy remuneration is linked to the category of post, with no differentiation on the ground of gender. In 1993 the average stipend for clergy of incumbent status was £12,830. The equivalent figure for assistant staff was £12,140. Both figures take account of fee income, which was on average about £750 per head. Accommodation, free of rent, is provided.

HOUSE OF COMMONS

Parliamentary Statistics

Sir Peter Emery: To ask the Lord President of the Council if he will list for the first 100 sitting days of sessions (1) 1990-91, (2) 1992-93 and (3) 1993-94, (i) the average hour of rising of the House, (ii) the number of divisions, (iii) the number of Public Bills *(a)* passed and *(b)* reported from Standing Committee, (iv) the number of affirmative statutory instruments *(a)* debated in Standing Committee and *(b)* debated on the Floor of the House, (v) the number of prayers against statutory instruments *(a)* debated in Standing Committee and *(b)* debated on the Floor of the House, (vi) the number of Opposition days and (vii) the number of Bills guillotined.

Mr. Newton: The information sought is contained in the following table.

	1990-91	*1992-93*	*1993-94*
Average hour or rising of the House	11.58 pm	11.27 pm	11.43 pm
Number of divisions	134	118	236
Public Bills passed	32	23	21
Bills reported from Standing Committee	37	11	17
Affirmative Statutory Instrument debated in Standing Committee	58	67	14
Prayers against Statutory Instruments debated in Standing Committee	10	6	1
Affirmative Statutory Instruments debated on floor of House	38	28	66
Prayers against Statutory Instruments debated on floor of House	12	0	1
Number of Opposition Days	9½	7½	11
Number of Bills guillotined	1	2	4

Private Members' Bills

Mr. Alan Williams: To ask the Lord President of the Council on how many and which occasions in the current Session Government Departments or Parliamentary counsel have drafted amendments for the use of Government Back Benchers in the Report stage of private Members' Bills.

Mr. Newton: I refer the hon. Gentleman to the answer I gave to the hon. Member for Rochdale (Mrs. Maddock) on 13 May, *Official Report*, column 259.

Photo-identity Passes

Mr. Rooker: To ask the Chairman of the Administration Committee how many right hon. and hon. Members have not obtained a photo-identity pass for the House of Commons.

Mr. Michael J. Martin: I shall write to my hon. Friend.

ANZAC Memorial

Mr. Cummings: To ask the Chairman of the Accommodation and Works Committee if he will consider relocating the ANZAC memorial, at present situated in the passage between the florist and the Strangers' Bar, to a more fitting location.

Mr. Ray Powell: I have referred the hon. Member's suggestion to the Advisory Committee on Works of Art.

LORD PRESIDENT OF THE COUNCIL

Mobile Telephones and Pagers

Mr. Vaz: To ask the Lord President of the Council how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Mr. Tony Newton: The answer to the first part of the hon. Member's question is five, none and two respectively. The operating cost of this equipment, which is used only by Ministers and their private secretaries, was £5,530 in 1993-94.

EDUCATION

Grant-maintained Schools

Mr. Jamieson: To ask the Secretary of State for Education (1) whether the Funding Agency for Schools will continue to share responsibility with local education authorities in those areas where over 10 per cent. of schools have opted out but where local government reorganisation reduces the numbers of opted-out schools to below 10 per cent;

(2) whether the Funding Agency for Schools will continue to have responsibility for the provision of school places in local authority areas where over 75 per cent. of schools have currently opted out but where local government reorganisation reduces the number of opted-out schools to below 75 per cent.

Mr. Robin Squire: My right hon. Friend would need to consider this matter in the light of the individual circumstances applying in any new LEA areas.

Outdoor Activity Centres

Mr. Jamieson: To ask the Secretary of State for Education if he will make a statement about the contribution made by the Sports Council in drawing up the "Guidance for Safety in Outdoor Activity Centres".

Mr. Forth: The Sports Council was represented on the steering group which the Department established to help prepare guidance on safety in outdoor activity centres. The draft circular which the Department prepared in the light of the steering group's advice was issued on 13 May; a copy is in the Library.

TASC Unit

Mr. Enright: To ask the Secretary of State for Education what was the budget of the Teaching as a Career unit for each year of its existence in relation to its English functions.

Mr. Robin Squire: The Teaching as a Career unit was set up in 1987 to serve both England and Wales. The table shows the annual expenditure for running costs and publicity. The Welsh Office contributes one eighteenth of the running costs of the unit, but has a separate budget for Welsh-only advertising and publications.

Annual expenditure of the Teaching as a Career Unit

Year	*Running costs (England and Wales)*	*Publicity*
1987-88	345,611	166,988
1988-89	375,000	558,999
1989-90	400,000	553,853
1990-91	698,928	788,284
1991-92	954,139	647,500
1992-93	818,000	588,000
1993-94	751,500	312,020
1994-95 (planned)	844,000	350,000

Teacher Training

Mr. Enright: To ask the Secretary of State for Education what were the budgets subvented to the Higher Education Funding Council for England in respect of teacher training in England in each year of its existence.

Mr. Boswell: The Department has not earmarked amounts for teacher training within the annual grants to the Higher Education Funding Council for England. We shall determine in due course the amount to be allocated to the Teacher Training Agency for the funding responsibilities which will be transferred to it in 1995-96, subject to the passage of the Education Bill.

Mr. Enright: To ask the Secretary of State for Education what budget is proposed annually for the Teacher Training Agency in England; and what is its breakdown.

Mr. Robin Squire: We shall determine in due course the annual budget of the Teacher Training Agency, reflecting the funding and other responsibilities which will transfer to it in 1995-96, subject to the passage of the Education Bill.

NORTHERN IRELAND

Ministerial Visits

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when each of the present Ministers in the Northern Ireland Office was appointed; and on how many nights each month since their appointment they have remained overnight in Northern Ireland.

Sir John Wheeler: The information requested is provided in the table.

Sir Patrick Mayhew MP—Date appointed: 12 April 1992
Number of Overnights Spent in Northern Ireland Since Appointment

	Number
1992	
April	9
May	14
June	8
July	10
August	7
September	15
October	19
November	16
December	13
1993	
January	11
February	8
March	9
April	9
May	8
June	13
July	8
August	8
September	13
October	11
November	10
December	12
1994	
January	13
February	13
March	4
April	6

Michael Ancram MP—Date appointed: 27 May 1993
Number of Overnights Spent in Northern Ireland Since Appointment

	Number
1993	
May	—
June	1

	Number
July	9
August	8
September	11
October	9
November	10
December	3
1994	
January	9
February	9
March	12
April	5

Sir John Wheeler—Date appointed: 25 June 1993
Number of overnights spent in Northern Ireland since appointment

1993	*Number*
June	1
July	8
August	12
September	10
October	10
November	7
December	11
1994	
January	6
February	5
March	5
April	8

Mr. Smith—Date appointed: 5 January 1994
Number of overnights spent in Northern Ireland since appointment

1994	*Number*
January	4
February	8
March	10
April	7

Baroness Denton—Date appointed: 11 January 1994
Number of overnights spent in Northern Ireland since appointment

1994	*Number*
January	9
February	12
March	13
April	14

The above information does not, however, accurately reflect the amount of time which Ministers devote to Northern Ireland. A more accurate reflection is shown by the number of days spent in Northern Ireland which is given in the table below.

	Total Number of days since appointment	*Number of days as percentage of total working days available*[1]
Secretary of State	378	75
Sir John Wheeler	126	60
Michael Ancram	145	63
Baroness Denton	51	67
Mr. Smith	50	63

[1] Number of days excluding public and bank holidays.

Emergency Provisions Act

Mr. Trimble: To ask the Secretary of State for Northern Ireland when he expects Mr. John Rowe's report on the operation in 1993 of the Northern Ireland (Emergency Provisions) Act 1991 to be available.

Sir Patrick Mayhew: I have today arranged for copies of Mr. John Rowe's report to be placed in the Library of the House. I welcome this independent report which will serve as a basis for Parliament to debate the annual renewal of the Northern Ireland (Emergency Provisions) Act 1991.

I am most grateful to Mr. Rowe for his work in carrying out his review of the operation of the Act in 1993. His report will receive careful and detailed consideration.

Parliamentary Questions

Mr. McMaster: To ask the Secretary of State for Northern Ireland how many parliamentary questions to his Department have not been answered because of disproportionate costs or because the information requested was not held centrally over the last five years; how many could be answered now due to computerisation and/or more effective operational systems; and if he will list each such question along with the name and constituency of the hon. Member who tabled it.

Sir John Wheeler: The number of answers given to parliamentary questions from 1990 to April 1994 recorded in the POLIS database as including a reference to part or all of the information not being held centrally or being available only at disproportionate cost was 187. As a result of computerisation and/or more effective operational systems more detailed information is now available in respect of 19 questions which are listed. However, in some cases the full information would still not be available.

Dr. Joe Hendron (Belfast West): To ask the Secretary of State for Northern Ireland how the average waiting time for those people waiting for their first appointment with a cardiac surgeon has increased or decreased during the last 12 months.

Mr. William O'Brien (Normanton): To ask the Secretary of State for Northern Ireland what is the total expenditure, including legal costs and compensation payments, incurred by each health and social services board in defending religion and sex discrimination cases over the past three years to 30 April.

Mr. Martin Redmond (Don Valley): To ask the Secretary of State for Northern Ireland what were the number of patients waiting for out-patient treatment on 31 March for each individual health authority *(a)* in total and *(b)* by main speciality for periods (i) under 12 months; (ii) 12 to 24 months and (iii) over 24 months.

Mr. Seamus Mallon (Newry and Armagh): To ask the Secretary of State for Northern Ireland how many deaf people in Northern Ireland, are in receipt of * Attendance Allowance in each age bracket *(a)* under 10 years, *(b)* 10 to 18 years, *(c)* 18 to 65 years and *(d)* over 65 years.

(*The question would now refer to Disability Living Allowance and not Attendance Allowance as in the original question.)

Mr. William Ross (East Londonderry): To ask the Secretary of State for Northern Ireland if he will publish a table to show the current length of waiting lists at each acute hospital in Northern Ireland; and what are the comparable figures in each of the last 5 years.

Mr. John Hume (Foyle): To ask the Secretary of State for Northern Ireland what information is available to indicate the number of hip replacement operations which were done privately in each of the last 3 years in National Health Service hospitals.

Mr. Seamus Mallon (Newry and Armagh): To ask the Secretary of State for Northern Ireland how many individuals: *(a)* over 65 years, *(b)* physically disabled and *(c)* mentally disabled were receiving hospital, residential or nursing home care in each year since 1985 in each health board area in Northern Ireland.

Rev. Martin Smyth (Belfast, South): To ask the Secretary of State for Northern Ireland if he will list, for each health and social

services board, the number of *(a)* administrative and clerical staff, by grade and *(b)* managerial staff by grade since 1989.

Mr. John Hume (Foyle): To ask the Secretary of State for Northern Ireland what has been the total take-up of student loans to date in Northern Ireland by *(a)* institution and *(b)* area board expressed as a percentage of the estimated number of eligible students, and if he will make a statement.

Mr. William Ross (East Londonderry): To ask the Secretary of State for Northern Ireland if he will list in official report those firms and employers which are registered with the Northern Ireland Fair Employment Commission for each District Council in the County of Tyrone: and if he will indicate for each such firm and employer the number of employees.

Mr. William Ross (East Londonderry): To ask the Secretary of State for Northern Ireland if he will list in the official report those firms and employers which are registered with the Northern Ireland Fair Employment Commission for each District Council in the County of Fermanagh; and if he will indicate for each such firm and employer the number of employees.

Mr. William Ross (East Londonderry): To ask the Secretary of State for Northern Ireland if he will list in the official report those firms and employers which are registered with the Northern Ireland Fair Employment Commission for each District Council in the County Londonderry; and if he will indicate for each such firm and employer the number of employees.

Mr. William Ross (East Londonderry): To ask the Secretary of State for Northern Ireland if he will list in the official report those firms and employers which are registered with the Northern Ireland Fair Employment Commission for each District Council in the County Down; and if he will indicate for each such firm and employer the number of employees.

Mr. William Ross (East Londonderry): To ask the Secretary of State for Northern Ireland if he will list in the official report those firms and employers which are registered with the Northern Ireland Fair Employment Commission for each District Council in the County Antrim; and if he will indicate for each such firm and employer the number of employees.

Mr. William Ross (East Londonderry): To ask the Secretary of State for Northern Ireland if he will list in the official report those firms and employers which are registered with the Northern Ireland Fair Employment Commission for each District Council in the County Armagh; and if he will indicate for each such firm and employer the number of employees.

Rev. Ian Paisley (Antrim North): To ask the Secretary of State for Northern Ireland, how much money has been expended in the Ballymoney Borough Council area out of the various EEC funds.

Rev. Ian Paisley (Antrim North): To ask the Secretary of State for Northern Ireland how much money has been expended in the Moyle Council area out of the various EEC funds.

Rev. Ian Paisley (Antrim North): To ask the Secretary of State for Northern Ireland how much money has been expended in the Ballymena Borough Council area out of the various EEC funds.

Dr. Marek (Wrexham): To ask the Secretary of State for Northern Ireland what has been the total cost so far of the market-testing initiative in his Department since November 1991.

FOREIGN AND COMMONWEALTH AFFAIRS

Chechen Republic

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what communications he has had from the Chechen Republic in Russia about the state of relationships with Britain, the reasons for changes and any consequent actions by the Chechen Republic.

Mr. Douglas Hogg: We have no direct relations with the Chechen Republic of the Russian Federation, nor have we received any communication from it recently. However, I understand that it issued a public statement on 5 May denying Chechen involvement in the murder of Karen Reed and suspending links with Britain.

Kuwait

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the contemporary environmental conditions in Kuwait in the aftermath of the Gulf war; and what continuing involvement there is by British companies and agencies in the alleviation of those conditions.

Mr. Douglas Hogg: The clean-up operations in Kuwait following the Gulf war are almost complete. There was a high degree of British participation in tackling the immediate environmental consequences, both bilaterally and through the United Nations Environmental Programme. By the end of 1991, all the oil fires were extinguished and no floating oil remained at sea.

In 1992, the United States ship Mount Mitchell conducted a research cruise on the extent of contamination in the Persian gulf. Since then, we have made no recent assessment of the environmental conditions in Kuwait, although scientific research into the long-term effects of the oil fires continues. The Regional Organisation for the Protection of the Marine Environment makes regionally based assessments. Meanwhile, Royal Ordnance plc continues to conduct minefield clearance operations in Kuwait.

Yemen

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of whether all British nationals who should have been evacuated from Yemen have now left the country safely.

Mr. Lennox-Boyd: All British nationals who made it known to our embassy in Sana'a that they wished to leave the Yemen have been evacuated. Some have elected to remain.

Iraq

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the meeting in Riyadh between the Gulf Co-operation Council and the European Union concerning Iraq and Bosnia.

Mr. Douglas Hogg: We welcome the statement following the ministerial meeting between the EC and GCC Foreign Ministers in Riyadh on 8 May. Ministers condemned Iraq for its failure to implement Security Council resolutions in full and its policy of selectivity in implementing such resolutions. They also expressed their concern at the continued repression of the civilian population by the Iraqi regime.

On Bosnia, both sides welcomed the Washington agreement on a Bosniac/Croat federation, and expressed full support for the efforts of the international community to reach a negotiated settlement in the basis of the EU action plan, and underlined the need for their countries to contribute to the political and economic reconstruction of the former Yugoslavia after a settlement. The GCC Ministers separately called for the lifting of the arms embargo for the Bosnian Government.

East Timor

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what pressure he has put on the Indonesian Government to allow Amnesty International access to East Timor.

Mr. Goodlad: The Indonesian Foreign Minister confirmed to me when I was in Jakarta last month that he would consider inviting Amnesty International to visit Indonesia to discuss East Timor.

Bosnia

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made directly, or through NATO or the European Union, to the Bosnian Government concerning the shelling of Brcko and military activity around the town; what action he has proposed; and if he will make a statement.

Mr. Douglas Hogg: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs sent messages to both President Izetbegovic and Dr. Karadzic on 27 April urging restraint, especially in the Brcko area. The Security Council on 4 May agreed a presidential statement to similar effect. We deplore the loss of innocent life whoever is responsible. The United Nations and NATO continue to monitor the situation closely.

HEALTH

NHS Trusts

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 20 April, *Official Report*, column *541*, regarding trusts which failed to meet the capital return targets, when the information for 1993-94 will be made available.

Mr. Sackville: This information will be available once accounts have been audited and submitted to the national health service executive in December 1994.

Mr. Milburn: To ask the Secretary of State for Health what has been the size of surpluses generated by trusts in each year since 1990-91, by region.

Mr. Sackville: The information requested is shown in the table. There were no operational trusts in the 1990-91 financial year. Information for 1993-94 will be available in December 1994.

Region	*Retained surplus/(deficit)*	
	1991-92 £000s	*1992-93* £000s
Northern	2,896	5,427
Yorkshire	3,100	2,991
Trent	153	4,593
East Anglian	1,075	533
North West Thames	6,145	17,220
North East Thames	7,249	13,165
South East Thames	1,082	9,597
South West Thames	6,582	4,116
Wessex	2,111	4,105
South Western	12,483	11,119
Oxford	104	4,356
West Midlands	2,932	4,177
Mersey	2,194	(749)
North Western	50	6,952

Notes:

1. *Source:* Audited accounts of NHS Trusts 1991-92 and 1992-93.
2. The figures for 1992-93 are provisional, being subject to National Audit Office review.
3. Surplus/(Deficit) is after interest, dividend payable on Public Dividend Capital, extraordinary and exceptional items.

Mr. Milburn: To ask the Secretary of State for Health if she will itemise where trusts deposited their surpluses in each year since 1990-91.

Mr. Sackville: It is for trusts to make their own arrangements for depositing cash not required for immediate use, within the constraints placed on them by statute. Information on where individual trusts deposit their money is not available centrally, but such arrangements as they do make are subject to independent audit. Paragraph 7 of schedule 3 to the National Health Service and Community Care Act 1990 states that trusts can invest surplus cash in securities of the Government of the United Kingdom or in such other manner as the Secretary of State may, with the consent of the Treasury, approve. Approval has been given for investment in certain United Kingdom public sector institutions, banks which are authorised institutions under part I of the Banking Act 1987, and building societies authorised under the Building Societies Act 1986.

Speech Therapy

Mr. Dewar: To ask the Secretary of State for Health how many speech therapists expressed in whole-time equivalents are employed in Wandsworth district health authority; and what is the percentage in post against funded establishment.

Dr. Mawhinney: I refer the hon. Member to the reply I gave my hon. Friend the Member for Batley and Spen (Mrs. Peacock) on 14 January at columns *317-20*.

Cosmetic Surgery

Mr. French: To ask the Secretary of State for Health what safeguards are in place to prevent the carrying out in the United Kingdom of liposuction operations by surgeons whose EC practice certificate has been withdrawn.

Mr. Sackville: Practitioners are required to register annually with the General Medical Council, which will also keep a record on a specialist list of any certificate issued in compliance with EC directive 94/16/EEC (Specialist Medical Training).

As the United Kingdom competent authority for registration of medical practitioners, the General Medical Council is also responsible for the recording of details of specialist certification from members of the EC who enter this country to practise.

The registration details of surgeons offering plastic surgery are available, to patients seeking liposuction treatment, through their general practitioner, who will have access to the latest details carried in the General Medical Council's registers.

Audiology

Ms Gordon: To ask the Secretary of State for Health what assessment she has made of how many of the London hospital audiology departments have a sufficient staff ratio

to meet the needs of the served population and of the adequacy of funding available to the London hospital audiology departments to meet the needs of the served population; how much it is costing London hospital audiology departments to use agency staff rather than permanent staff; and if she will make a statement.

Dr. Mawhinney: I refer the hon. Member to the reply I gave her on 15 February at column 666. Local health authorities are responsible for purchasing audiology services to meet the needs of their populations. The hon. Member may wish to write to the chairmen of the London health authorities for details on the level of service that they purchase and to the chairmen of trusts about the costs of agency staff.

Paediatric Care, Hastings and Rye

Mrs. Lait: To ask the Secretary of State for Health what arrangements will be available for comprehensive tertiary paediatric care for children from Hastings and Rye in the South Thames region.

Mr. Sackville: Children from Hastings and Rye are first referred to the Conquest hospital for immediate identification of the problem. East Sussex health authority purchases specialist tertiary care in one or two cases per year from Guy's and St. Thomas's national health service trust.

DDT

Mr. Hinchliffe: To ask the Secretary of State for Health if she will undertake a survey of all former armed forces personnel in order to identify possible medical conditions arising from the use of DDT during service.

Mr. Sackville: No. Surveys of people allegedly affected by events during their employment would not normally be undertaken by the Department. We are not aware of any reports of medical conditions in former armed forces personnel arising from the use of DDT during service. On the known toxicity of the pesticide, none would be expected in normal use.

General Practitioners and Pharmacies (Regulation)

Mr. Hinchliffe: To ask the Secretary of State for Health how she regulates the qualifications and service training of laboratory staff carrying out tests for cholesterol and glucose in general practitioners' surgeries and high-street pharmacies.

Mr. Sackville: There is no requirement for staff carrying out tests for cholesterol and glucose in general practitioner surgeries and pharmacies to be regulated. Self-testing diagnostics are available for both of these tests and quite often the same products are used in GP surgeries and pharmacies.

Mr. Hinchliffe: To ask the Secretary of State for Health whether GP fundholders and pharmacies carrying out personal scientific medical investigations are required to be licensed and participate in external anonymous quality control procedures; to what extent they are subject to inspection; and if she will make a statement.

Mr. Sackville: General practitioners and pharmacies are not required by law to be licensed, participate in external quality control procedures or be subject to inspection. Many GPs participate in voluntary professional schemes and pharmacies are subject to the terms of a professional code covering these issues.

Mr. Hinchliffe: To ask the Secretary of State for Health what measures are available to deal with local pharmacies which provide prescription drugs to patients which are dispensed beyond their "use by" date; and what checks are made to ensure the quality of prescription materials.

Dr. Mawhinney: The Royal Pharmaceutical Society of Great Britain's inspectors include expiry date checking as part of their regular monitoring of professional activities in pharmacies. Any breach of the rules could result in prosecution under section 64 of the Medicines Act and/or reference to the Royal Pharmaceutical Society of Great Britain's Statutory Committee. The drug testing scheme administered by family health services authorities provides an independent check on the quality of drugs and appliances dispensed.

Child Care

Mr. Hinchliffe: To ask the Secretary of State for Health what information she has available on the proportion of social services department budgets in each English local authority devoted to child care and associated services; and if she will make a statement.

Mr. Bowis: Information provided by local authorities for 1993-94 is shown in the table.

Percentage of Social Services Budgets allocated to Children's services in 1993-94

	Children services (£000s)	*All services (£000s)*	*Per cent.*
Avon	29,658	103,297	28·7
Bedfordshire	16,094	52,773	30·5
Berkshire	27,063	78,187	34·6
Buckinghamshire	12,147	59,092	20·6
Cambridgeshire	16,147	61,811	26·1
Cheshire	28,071	86,152	32·6
Cleveland	19,853	65,754	30·2
Cornwall	7,818	44,535	17·6
Cumbria	11,077	47,134	23·5
Derbyshire	30,428	101,876	29·9
Devon	27,417	101,634	27·0
Dorset	7,550	54,657	13·8
Durham	9,506	56,659	16·8
East Sussex	21,487	88,643	24·2
Essex	24,844	135,032	18·4
Gloucestershire	12,013	47,080	25·5
Hampshire	32,895	123,865	26·6
Hereford and Worcester	18,982	62,829	30·2
Hertfordshire	24,601	95,086	25·9
Humberside	26,241	98,180	26·7
Isle of Wight	3,788	13,390	28·3
Kent	52,564	158,253	33·2
Lancashire	44,264	159,021	27·8
Leicestershire	26,727	84,245	31·7
Lincolnshire	13,148	48,761	27·0
Norfolk	9,129	48,219	18·9
Northamptonshire	20,533	56,723	36·2
Northumberland	10,980	31,860	34·5
North Yorkshire	13,483	60,648	22·2
Nottinghamshire	36,322	118,701	30·6
Oxfordshire	16,263	55,688	29·2
Shropshire	11,811	38,168	30·9
Somerset	11,088	42,350	26·2
Staffordshire	26,800	92,254	29·1
Suffolk	11,532	57,687	20·0

	Children services (£000s)	All services (£000s)	Per cent.
Surrey	20,268	87,676	23·1
Warwickshire	11,631	40,986	28·4
West Sussex	15,253	67,361	22·6
Wiltshire	14,618	49,870	29·3
Isles of Scilly	3	160	1·9
Bolton	9,262	32,450	28·5
Bury	4,817	18,598	25·9
Manchester	26,939	72,424	37·2
Oldham	8,670	26,796	32·4
Rochdale	7,779	26,952	28·9
Salford	8,472	34,618	24·5
Stockport	5,858	32,382	18·1
Tameside	10,365	27,112	38·2
Trafford	6,418	23,068	27·8
Wigan	7,180	27,594	26·0
Knowsley	7,830	19,532	40·1
Liverpool	29,511	88,343	33·4
St. Helens	6,162	19,784	31·1
Sefton	9,092	34,919	26·0
Wirral	10,503	42,571	24·7
Barnsley	8,203	22,982	35·7
Doncaster	5,333	29,196	18·3
Rotherham	5,467	29,907	18·3
Sheffield	15,049	69,179	21·8
Gateshead	7,147	26,430	27·0
Newcastle-upon-Tyne	10,397	42,485	24·5
North Tyneside	8,457	26,475	31·9
South Tyneside	6,106	19,056	32·0
Sunderland	11,234	34,334	32·7
Birmingham	50,408	159,420	31·6
Coventry	11,640	42,807	27·2
Dudley	6,579	26,998	24·4
Sandwell	10,905	40,664	26·8
Solihull	7,094	21,293	33·3
Walsall	7,027	25,916	27·1
Wolverhampton	12,336	36,963	33·4
Bradford	20,538	61,877	33·2
Calderdale	6,120	25,572	23·9
Kirklees	12,010	43,385	27·7
Leeds	23,697	91,986	25·8
Wakefield	11,499	34,059	33·8
City of London	638	3,399	18·8
Camden	16,253	48,770	33·3
Greenwich	20,653	43,852	47·1
Hackney	26,271	64,213	40·9
Hammersmith and Fulham	17,014	43,613	39·0
Islington	14,012	50,189	27·9
Kensington and Chelsea	16,001	37,089	43·1
Lambeth	37,501	86,431	43·4
Lewisham	16,502	51,256	32·2
Southwark	26,499	60,343	43·9
Tower Hamlets	18,381	51,193	35·9
Wandsworth	26,780	67,315	39·8
Westminster	23,413	57,081	41·0
Barking and Dagenham	6,645	21,852	30·4
Barnet	9,820	41,323	23·8
Bexley	5,576	20,473	27·2
Brent	15,609	41,528	37·6
Bromley	9,583	31,469	30·5
Croydon	18,327	47,523	38·6
Ealing	13,410	43,654	30·7
Enfield	8,209	34,877	23·5
Haringey	19,208	42,937	44·7
Harrow	5,975	23,473	25·5
Havering	7,336	26,588	27·6
Hillingdon	7,317	28,622	25·6
Hounslow	13,344	34,832	38·3
Kingston upon Thames	6,068	18,247	33·3
Merton	7,496	24,981	30·0
Newham	19,573	50,441	38·8
Redbridge	8,210	27,906	29·4
Richmond upon Thames	3,765	19,117	19·7
Sutton	6,611	21,435	30·8
Waltham Forest	13,038	43,894	29·7

Note: Figures relate only to direct service provision. Planned expenditure on strategic matters and regulation is excluded.

Source: Local Authority budget returns (form RA93/94).

Mr. Hinchliffe: To ask the Secretary of State for Health what steps she is taking to ensure that housing needs identified under the provisions of the Children Act 1989 are being met by local authorities; and if she will make a statement.

Mr. Bowis: Under the Children Act 1989, local authorities have a duty, in prescribed circumstances, to provide accommodation for children and young people.

Statistics

Mr. Hinchliffe: To ask the Secretary of State for Health how many cases of *(a)* pregnancy, *(b)* NHS abortion, *(c)* venereal disease and *(d)* AIDS, were identified in persons aged (i) under 16 years, (ii) 16 to 18 years, (iii) 18 to 25 years and (iv) over 25 years, in the last five years for which figures are available.

Mr. Sackville: The information will be placed in the Library.

Child Fatalities

Mr. Hinchliffe: To ask the Secretary of State for Health what proposals she has to introduce a system to identify death through neglect in child fatality cases.

Mr. Bowis: Information on cause of death is available from the existing system of death registration, using the international classification of diseases, which already identifies neglect under the following categories; criminal neglect, abandonment or neglect of helpless persons, lack of food or water, exposure and destitution.

Creutzfeldt-Jakob Disease

Mr. Hinchliffe: To ask the Secretary of State for Health how many persons diagnosed as suffering from Creutzfeldt-Jakob disease have previously been blood donors.

Mr. Sackville: Of 156 cases reported to the national Creutzfeldt Jakob disease surveillance centre unit since 1 May 1990, 22 are believed to have given blood at some stage in their lives. There is no epidemiological evidence of any risk of transmission of Creutzfeldt Jakob disease through blood or blood products. However, individuals with central nervous system diseases or risk factors for Creutzfeldt Jakob disease are now excluded from blood donation.

Bed Shortages

Mr. David Young: To ask the Secretary of State for Health with whom the obligation of payment rests when a patient is discharged from hospital because of a lack of long-stay beds and is still in need of continuing care in a private nursing home.

Mr. Bowis: Under the new community care arrangements health and local authorities have been required to agree their respective responsibilities for long-term care and procedures governing hospital discharge.

Drug Abuse, Hampshire

Mr. Denham: To ask the Secretary of State for Health what was the expenditure by her Department in the last year for which figures are available for *(a)* drug rehabilitation and *(b)* health education in relation to drug abuse; and what proportion of that funding was spent in Hampshire.

Mr. Sackville: Health authorities were allocated £20·043 million in 1992-93—towards the costs of developing services for drug misusers. The Wessex regional health authority "AIDS (Control) Act" Report for that year shows expenditure of £1·437 million, of which £665,014 is recorded for Southampton, Portsmouth, Basingstoke and Winchester district health authorities. Copies of the "AIDS (Control) Act" report are available in the Library.

The specific grant for alcohol and drug misuse services was £2·3 million in 1993-94, of which £42,841 was awarded to four schemes for drug misusers in Hampshire.

Section 64 grants to support the work of the voluntary sector nationally in the drugs field in 1993-94 totalled £788,970. A further £92,803 was paid in 1993-94 to voluntary agencies and other organisations concerned with services for drug addicts.

The Department spent £5·47 million in 1993-94 on national anti-drug and solvent misuse publicity campaigns.

Mr. Denham: To ask the Secretary of State for Health if she will list the number of deaths in Hampshire that were drug related for the last year for which figures are available.

Mr. Bowis: The number of deaths due to drug dependence and non-dependent abuse of drugs, excluding alcohol and tobacco, in Hampshire in 1992 was 10.

In addition there were 56 deaths due to poisoning by drugs, medicaments and biological substances.

Disabled People

Mr. Jim Cunningham: To ask the Secretary of State for Health if she will make it her policy that disabled facilities grants be made available in respect of disabled people under the age of 18 years.

Mr. Sackville: Disabled facilities grants are already available to disabled people under 18 years of age, under the Children Act 1989. These grants are one of a series of house renovation grants arising from the Local Government and Housing Act 1989, which was amended by the Children Act (Consequential Amendment of Enactments) Order 1991, so that children with disabilities are also eligible.

Patient Numbering System

Mr. Rooker: To ask the Secretary of State for Health if she will make a statement on progress in introducing the new patient numbering system for the national health service.

Mr. Sackville: The national health service number replacement programme is currently on schedule to deliver a new national health service number to England and Wales in 1996.

NHS Trusts, Sheffield

Mr. Blunkett: To ask the Secretary of State for Health if she will list for each NHS trust within the Sheffield district health authority area, those chairmen and non-executive directors who live *(a)* within and *(b)* outside the Sheffield district health authority boundary.

Dr. Mawhinney: All chairman and non-executive directors appointed to national health service trusts within the area covered by Sheffield district health authority live within the authority's boundaries, with the following exceptions.

Northern general hospital NHS trust
Non-executive director
Professor F. Sharp

Central Sheffield University hospitals NHS trust
Non-executive director
Dr. I Rennie

Sheffield children's hospital NHS trust
Non-executive director
Mr. R. Pickford
Professor M. Tanner

Community health Sheffield NHS trust
Non-executive director
Mrs. M. Dale
Mrs. M. Perkins

TRANSPORT

Maritime Safety

Mrs. Dunwoody: To ask the Secretary of State for Transport what steps he is taking to consult trade unions when seeking to move staff employed by the Marine Safety Agency-designate in Southampton to alternative posts elsewhere.

Mr. Norris: The Marine Safety Agency has no plans to move staff employed in Southampton to alternative posts elsewhere.

Sir David Mitchell: To ask the Secretary of State for Transport when he expects Lord Donaldson to publish his report on maritime safety.

Mr. MacGregor: We intend to publish his report tomorrow at 2.30 pm; copies will be placed in the Vote Office on publication.

Mr. Gerrard: To ask the Secretary of State for Transport how many accidents involving *(a)* maritime transport sinking or *(b)* collisions have occurred in the Irish sea and the English channel during the last five years.

Mr. Norris: The figures given in the table relate to incidents involving one or more United Kingdom-registered merchant or fishing vessels where it has been established that the accident happened in either the Irish sea or the English channel.

The figures only are given for the years shown as information relating to a particular sea area and type of accident can only readily be obtained from the Marine

Accident Investigation Branch computerised accident database. The database contains data from 1991 onwards only. To obtain the information requested for 1989 and 1990 would entail a great deal of research of the manual records for those years.

Year	Losses	Collisions and Contacts
Irish sea		
1991	5	5
1992	4	3
1993	3	6
1994 to date	—	—
English channel		
1991	10	10
1992	10	9
1993	7	9
1994 to date	1	4

Driving Licences

Mr. Rooker: To ask the Secretary of State for Transport if he will bring forward proposals for driving licences to contain photographs and fingerprints.

Mr. Key: We will shortly start public consultation on our proposals to incorporate photographs on driving licences. We have no intention to include fingerprints.

Crossrail

Mr. Lidington: To ask the Secretary of State for Transport how much public money has so far been spent on the Crossrail project.

Mr. Norris: I understand from London Underground Ltd. and British Rail that they have so far spent around £110 million on the Crossrail project.

Air Traffic Control

Mr. Redmond: To ask the Secretary of State for Transport what assessment he has made of the number and percentage of occasions annually on which the final approach separations used when there is no additional wake vortex separation requirement for *(a)* Leeds-Bradford and *(b)* Humberside airports are less than the legal minima; and if he will make a statement.

Mr. Norris: I have not made an assessment. I understand that there are standard procedures for reduced separation in the vicinity of an aerodrome which permit the distance between aircraft following one another to be reduced below the minimum radar separation by instead using visual separation. Visual separation may be used when the air traffic controller can see both the leading and following aircraft; or when the pilot of the following aircraft can view the preceding aircraft and maintain a safe distance. Visual separations are used whenever weather conditions permit. Controllers constantly monitor separations and take immediate action if distances between aircraft are below safe limits.

Market Testing

Mrs. Dunwoody: To ask the Secretary of State for Transport what has been the cost of the work associated with the market testing of shipping and seamen, with particular reference to the cost of consultants engaged and the cost of preparing the in-house bid.

Mr. Norris: The market testing of the registry of shipping and seamen involved expenditure of £19,100, excluding VAT, on consultants to support the in-house bid team. Consultants were not used to support the client side. Other costs associated with the market test were absorbed within the normal running costs of the registry of shipping and seamen and are not readily available.

Carlisle Airport

Mr. Austin-Walker: To ask the Secretary of State for Transport what is the value of the contract between BNFL and Carlisle city council for the use of Carlisle airport.

Mr. Norris: This is a commercial matter between British Nuclear Fuels plc and Carlisle city council.

Research

Ms Walley: To ask the Secretary of State for Transport if he will set out for each year since 1979 the amount of money allocated for transport research by his Department to *(a)* the Transport Research Laboratory and *(b)* to outside consultants.

Mr. Key: The Department's research expenditure is reported in an annual publication by the Cabinet Office. Until this year, the *"Annual Review of Government Funded R&D"* included the Department's expenditure under a number of categories—intramural, to other Government Departments, private industry, etc. From this year the *"Annual Review of Government Funded R&D"* has been replaced by the *"Forward Look"*. The "intramural" element shown in both publications very largely reflects the value of work carried out by the Transport Research Laboratory each year.

With the introduction of full economic costing, research commissioned from the Transport Research Laboratory has been costed on a revised basis since 1992-93.

The first *Forward Look* was published on 27 April and copies of this, and the previous publications, are available in the House of Commons Library.

Traffic Area Offices

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) what guidance is given to members of the public in the draft traffic area office codes of practice for complaining about *(a)* illegally parked vehicles and *(b)* unsuitable vehicle operating centres;

(2) if he will list the advice given in the draft traffic area office codes of practice to members of the public on complaining about the operation of local bus services;

(3) if he will list how many paragraphs of information in the draft codes of practice, issued by the traffic area offices, are applicable to members of the public who are not goods or public service vehicle operators who wish to complain about the holder of an operator's licence;

(4) if he will list the advice given to members of the public about making complaints about unlicensed vehicle operators, in the draft traffic area office codes of practice.

Mr. Key: The code of practice for the traffic area offices sets out the standards of service which TAOs aim to meet in administering the operator licensing local bus registration systems. It indicates where complaints can be made if these service standards are not met. The code is not concerned with the actions of operators. Complaints about the illegal operation of heavy goods vehicles or the unsuitability of HGV operating centres can be addressed to the local traffic commissioner.

Complaints about local bus services should normally be made to the operator in the first instance. The Confederation of Passenger Transport United Kingdom, formerly the Bus and Coach Council, with our support, has issued a quality code for operators of local bus services, under which operators are encouraged to direct complaints to the relevant person, which would include, where appropriate, the traffic commissioner.

Railtrack

Mrs. Beckett: To ask the Secretary of State for Transport if Railtrack has received its safety validation.

Mr. Freeman: Yes.

London Transport (Assaults)

Ms Ruddock: To ask the Secretary of State for Transport, pursuant to his answer of 10 May, what was the ethnic origin of each of the employees of London Transport who experienced an assault while on duty *(a)* for London Buses and *(b)* for London Underground, in each of the past five years and in the current year to the latest available date.

Mr. Norris *[holding answer 13 May 1994]:* I regret that the information requested can be supplied only at disproportionate cost.

Vehicle Inspectorate

Mr. Donohoe: To ask the Secretary of State for Transport, if he will list the operational costs on a district basis of the Vehicle Inspectorate and the numbers of people employed within each district on *(a)* vehicle testing and *(b)* road transport enforcement, prior to the organisational changes within the Vehicle Inspectorate of 1 November 1993.

Mr. Key: I have asked the Vehicle Inspectorate chief executive to write to the hon. Member with this detailed information.

Letter from Ron Oliver to Mr. Brian Donohoe, dated 23 February 1994:

The Secretary of State for Transport has asked me to reply to your recent questions about the Vehicle Inspectorate. In all you asked five questions. One of these related to the future status of VI's testing stations and will be answered by Mr. Key.

The information relating to the remaining four questions is attached as follows:

Annex 1: VI testing stations by region following the Inspectorate's reorganisation on 1 November 1993.
Annex 2: Staffing and costs by district prior to 1 November 1993 (staffing expressed in whole time equivalents).
Annex 3: Current test fees.
Annex 4: Staffing by Vehicle Testing (VT) and Road Traffic Enforcement (RTE) regions.

Region and Testing Stations

West Scotland
Bishopbriggs
Lochgilphead
Fort William
Inverness
Newton Stewart
Kirkwall
Lairg
Lerwick
Portree
Stornoway
Wick
Kilmarnock
Dumfries

East Scotland
Aberdeen
Livingston
Berwick-upon-Tweed
East Fortune
Charlesfield
Keith
Perth
Kirkcaldy
Montrose

North West
Carlisle
Heywood
Steeton
Workington
Kirkham
Barrow
Milnthorpe

North East
Darlington
Newcastle
Scarborough
Leeds
Walton

Merseyside and North Wales
Wrexham
Caernarvon
Bromborough
Liverpool
Bredbury

North Midlands
Sheffield
Doncaster
Derby
Nottingham
Beverley

West Midlands
Stoke
Shrewsbury
Wolverhampton
Birmingham

East Midlands
Leicester
Peterborough
Grimsby
Grantham
Weedon

East
Chelmsford
Ipswich
Norwich
Crimplesham
Royston

South Wales
Kidderminster
Ammanford
Haverfordwest

Hereford
Llantrisant
Llanrystyd
Llandrindod Wells
Pontypool

South West
Bristol
Calne
Exeter
Taunton
South Molton
Gloucester
Plymouth
St. Austell
Redruth

South Central
Leighton Buzzard
Poole
Salisbury
Bicester
Newbury
Southampton
Cowes

London
Edmonton
Purfleet
Yeading
Mitcham

South East
Canterbury
Guildford
Hastings
Lancing
Gillingham

Analysis of staffing and operational costs pre-November 1993
Vehicle testing and enforcement

	Spend £	Staffing
Carlisle	191,316	16·15
Bishopbriggs	366,322	31·52
Livingston	324,764	26·53
Inverness	174,611	11·21
Kilmarnock	156,263	14·10
Aberdeen	143,794	12·94
Perth	176,641	15·59
Scottish GMO	51,860	3·00
Scottish total	1,586,591	131·04
Derby	183,936	16·84
Bredbury	355,218	34·06
Heywood	380,824	34·67
Kirkham	351,395	33·17
Liverpool	303,418	32·79
Wrexham	348,493	31·16
North West GMO	42,797	3·00
North West total	1,966,081	185·71
Nottingham	268,355	23·09
Beverley	165,193	14·19
Walton	236,361	18·97
Doncaster	162,060	12·52
Grimsby	133,695	19·82
Sheffield	206,076	14·42
Leeds	385,201	34·22
Darlington	265,789	23·32
Newcastle	253,708	22·08
North East GMO	49,482	2·75
North East total	2,127,940	185·18
Kidderminster	253,372	22·89
Birmingham	343,941	31·06
Wolverhampton	301,692	27·57
Stoke	441,958	37·29
Llantrisant	258,628	21·48
Pontypool	143,024	12·40
Ammanford	172,672	15·04
Wales Mid GMO	47,602	3·00
Wales Mid and South West total	1,962,889	170·75
Southampton	256,210	21·66
Newbury	152,105	13·06
Poole	205,310	17·62
Bristol	380,822	34·72
Exeter	313,527	26·06
Plymouth	207,013	16·00
Gloucester	124,762	12·87
Bicester	141,899	13·18
South West GMO	45,296	2·80
South West total	1,826,946	158·01
Purfleet	359,021	32·33
Edmonton	359,750	29·49
Leicester	205,678	19·35
Weedon	184,781	18·81
Grantham	168,092	15·93
Chelmsford	196,745	18·62
Royston	193,161	15·81
Leighton Buzzard	146,178	15·60
Norwich	190,383	17·62
Peterborough	277,252	27·78
Ipswich	185,965	17·82
East GMO	54,626	2·00
East total	2,523,632	231·16
Yeading	422,591	33·00
Mitcham	314,421	25·00
Canterbury	155,972	13·54
Gillingham	185,931	16·29
Hastings	111,341	9·84
Lancing	160,131	14·05
Guildford	188,422	16·62
South East GMO	51,666	2·00
South East total	1,590,495	130·34
Vehicle Testing and Enforcement total	13,584,574	1,192·19

Traffic Enforcement

	Spend £	Staffing
Edinburgh	117,173	9·00
Glasgow	85,342	6·00
Perth	61,868	4·00
Scottish EMO	71,201	6·00
Scottish Total	335,584	27·00
Manchester	96,299	8·00
Preston	96,837	9·00
Carlisle	53,372	4·00
Warrington	82,371	7·00
North West EMO	131,645	8·50
North West Total	480,524	36·50
Leeds	81,820	7·00
Brigg	95,583	8·00
Gateshead	102,454	8·00
Sutton in Ashfield	101,594	7·00
North East EMO	119,104	13·08
North East Total	500,535	43·08

	Spend £	Staffing
Cobridge	70,595	6·00
Cardiff	105,049	9·00
Worcester	73,361	6·00
Birmingham	112,253	8·00
West Midlands and South West EMO	162,872	13·08
West Midlands and South West Total	524,130	42·08
Bristol	73,397	6·00
Poole	100,439	7·00
Plymouth	80,917	6·00
Reading	76,559	6·00
Western EMO	100,103	10·00
South West Total	431,415	35·00
Grantham	77,584	5·00
Weedon	63,981	5·00
Aylesbury	75,279	6·00
Norwich	93,392	7·00
Harwich	98,865	8·16
Eastern EMO	120,749	12·81
East Total	529,850	43·97
Uckfield	73,170	5·00
Dover	77,520	5·00
Maidstone	85,421	5·00
Chessington	135,461	10·00
Belvedere	124,837	9·00
Stanmore	12,413	0·00
South East and Metropolitan EMO	133,521	10·66
South East Total	622,343	44·68
Traffic Enforcement Total	3,404,381	272·31

Total vehicle inspection and traffic enforcement

Spend £	Staffing
308,489	25·15
453,664	37·52
386,632	30·53
174,611	11·21
155,283	14·10
143,794	12·94
176,641	15·59
123,081	11·00
1,922,175	158·04
280,235	24·84
452,055	43·08
434,196	38·67
433,766	40·17
303,418	32·79
348,493	31·16
174,442	11·50
2,426,605	222·21
350,175	30·09
260,756	22·19
338,835	26·97
263,654	19·52
133,695	19·62
208,076	14·42
385,201	34·22
265,789	23·32
253,708	22·08
168,586	15·83
2,628,475	228·26
323,967	28·89
448,990	40·08
375,053	33·57
554,211	45·29
258,628	21·48
143,024	12·40
172,672	15·04
210,474	16·08
2,487,019	212·83
329,607	27·66
252,544	20·08
286,227	23·62
457,381	40·72
313,527	26·08
207,013	16·00
124,762	12·87
141,899	13·18
145,401	12·80
2,258,361	193·01
436,605	37·33
423,731	34·49
280,957	25·35
278,173	25·81
266,957	24·09
198,745	18·62
193,161	15·81
146,178	15·60
190,383	17·62
277,252	27·78
185,965	17·82
175,375	14·81
3,053,482	275·13
495,761	36·00
391,941	30·00
221,393	18·54
321,392	26·29
236,178	18·84
172,544	14·05
188,422	16·62
185,207	12·66
2,212,838	175·02
Total 16,988,955	Total 1,464·50

Notes:

1. Allocations of VI staffing between testing and enforcement divisions can be carried out on the basis of the management accounts produced for same period ie Testing 55 per cent. and enforcement 45 per cent.
2. Operational costs are those quoted on the October district/sector unit cost analysis.
3. On 1 November 1993 VI split its operational work between two dimensions: Vehicle Testing (VT) and Road Transport Enforcement (RTE). VT created a new regional structure based on 14 Regions. RTE reorganised into 23 areas integrating traffic and roadworthiness enforcement work.
4. GMO=Group Managers Office.
   EMO=Enforcement Managers Office.

Curent Test Fees

£

Vehicle	Cost	Re-test Cost
Heavy Goods Vehicles (HGV)		
Motor Vehicles	Test Fee[1]	Re-test fee
2 axle	32·70	16·60

Vehicle	Cost	Re-test Cost
3 axle	33·70	16·60
4 or more axles	34·70	16·60
Trailers		
1 axle	16·70	8·30
2 axle	17·10	8·30
3 or more axles	17·90	8·30
Clearance of Prohibition by partial inspection		
Motor Vehicle	16·60	—
Trailers	8·30	—
[1]Retest after failure (within 14 days of initial inspection)		
Public Service Vehicle		
	Test Fee	Retest fee
9-12 passenger seats	28·20	14·10
13+ passenger seats	40·30	19·80
Clearance of Prohibition by partial inspection		
9-12 passenger seats	14·10	—
13+ passenger seats	19·80	—
C.O.I.F.		
Examination (inclusive of tilt test)	129·00	—
Tilt retest	129·00	—
Examination retest	15·40	—
A.D.R.		
Motor Vehicle (excluding annual test fee)	—	98·80
Trailer (excluding annual test fee)	—	98·80
T.I.R.		
Initial inspection	62·60	—
Re-inspection	43·70	—

January 1994 staffing analysis
VT division

Region	Staffing
West Scotland	39
East Scotland	40
North East	60
North West	53
Merseyside and North Wales	62
North Midlands	55
South Wales	47
West Midlands	60
East Midlands	53
South West	58
South Central	48
London	70
East	54
South East	44
VT Total	743

RTE division

Group	Staffing
Scotland and North West	170
West Midlands and South Wales	99
South East and West	187
North East and East	214
RTE Total	670

VI summary

Division	Staffing
VT	743
RTE	670
VI Total	1,413

Note: VI also employs 316 staff at its headquarters in Bristol and Swansea working in VT, RTE and central services.

HOME DEPARTMENT

Criminal Injuries Compensation

Mr. Hinchliffe: To ask the Secretary of State for the Home Department how many awards of criminal injuries compensation were made, resulting from *(a)* physical abuse, *(b)* sexual abuse and *(c)* neglect cases involving children, in each of the last 10 years.

Mr. Maclean: The Criminal Injuries Compensation Board does not record centrally information about awards made in respect of abuse, neglect or other categories of injury.

However, since 1989, it has recorded information about the number of applications received in respect of children—under the age of 18 at the date of the incident—who have suffered abuse. The information summarised below is taken from CICB's annual reports, copies of which are held in the Library.

	1992-93	1991-92	1990-91	1989-90
All cases (including those of a non-sexual nature)	7,211	6,822	5,571	4,825
All sexual assaults	3,200	2,881	1,812	1,318
Sexual abuse within the family or by a relative	1,700	1,661	1,011	802

Mr. Hinchliffe: To ask the Secretary of State for the Home Department how many awards of criminal injuries compensation were made in each year since 1979; and what was the value of payments in each year.

Mr. Maclean: The information is taken from the annual reports of the Criminal Injuries Compensation Board, copies of which are held in the Library of the House. It is also summarised at annex A of the White Paper "Compensating victims of violent crime: Changes to the criminal injuries compensation scheme" (Cm 2434) published on 15 December 1993.

Financial year	Number of awards	Compensation paid (£m)
1979-80	17,460	15·7
1980-81	20,784	21·5
1981-82	17,350	22·0
1982-83	19,733	29·4
1983-84	21,133	32·8
1984-85	19,771	35·3
1985-86	22,534	41·6
1986-87	21,925	48·2
1987-88	20,991	52·0
1988-89	27,752	69·4
1989-90	27,926	72·7
1990-91	35,190	109·3

Financial year	Number of awards	Compensation paid (£m)
1991-92	39,249	143·7
1992-93	36,638	152·2

Fire Deaths

Mr. Hinchliffe: To ask the Secretary of State for the Home Department how many persons died in fires in each year since 1979, where the fire was located in *(a)* domestic dwellings, *(b)* industrial installations, *(c)* private residential homes, *(d)* offices, *(e)* recreational venues, *(f)* high-rise flats and *(g)* public houses, clubs and discotheques.

Mr. Charles Wardle: The available information is given in the table.

Number of deaths from fires attended by local authority fire brigades in the specified locations in the United Kingdom, 1979-92[1]

Year	Dwellings[2]	Industrial premises	Elderly persons' and children's homes[3]	Offices[4]	Recreational venues	Public houses, clubs[5]
1979	865	13	7	1	1	2
1980	822	6	6	0	0	[6]40
1981	780	4	6	3	0	6
1982	728	7	8	2	7	10
1983	710	18	4	8	2	5
1984	692	25	7	1	6	2
1985	700	5	6	0	[7]58	1
1986	753	13	7	2	2	5
1987	710	8	7	2	0	4
1988	732	11	15	2	0	4
1989	642	6	4	0	2	5
1990	627	2	5	1	0	3
1991	608	2	7	3	0	1
1992	594	6	13	0	1	0

[1] Data for 1993 are not yet available.
[2] Includes deaths in high rise flats, separate data are not available.
[3] Includes homes for the disabled or handicapped.
[4] Includes all deaths from fires starting in rooms used as offices, including any in offices in dwellings.
[5] Includes wine bars, discotheques in clubs etc.
[6] Includes 37 deaths in unlicensed drinking clubs in Soho.
[7] Includes 56 deaths in Bradford City football ground.

Source: Home Office Fire Statistics.

Trespass

Mr. Hinchliffe: To ask the Secretary of State for the Home Department if he will introduce legislation to strengthen protection for private landowners against trespass by hunts and to provide remedies for trespass on public footpaths.

Mr. Maclean: The proposed new offence of aggravated trespass, contained in the Criminal Justice and Public Order Bill, will apply to all trespassers, including hunters, who wilfully disrupt, or seek to disrupt, a lawful activity on land. It will be possible to commit the new offence on footpaths and bridleways.

Immigration

Mr. Allen: To ask the Secretary of State for the Home Department further to his oral statement of 4 May, *Official Report,* columns 823-26, which organisations and individuals have so far been consulted on possible changes to the immigration rules in 1994; and what form the consultation has taken.

Mr. Charles Wardle: In July 1993, copies of a working draft of the revised immigration rules were sent to the following organisations:

Bar Council
Camden Law Centre
Commission for Racial Equality
Immigration Advisory Service
Immigration Law Practitioners' Association (ILPA)
Joint Council for the Welfare of Immigrants (JCWI)
Law Centres Federation
Law Society
National Association of Citizens' Advice Bureaux
Refugee Legal Centre

Copies of the working draft were placed in the Vote Office and Library of the House. They were also made available, on request, to a number of legal practitioners and others. Officials held meetings in December with representatives of ILPA, JCWI and the Law Society to discuss their written responses to the working draft.

Mr. Allen: To ask the Secretary of State for the Home Department further to his oral statement of 4 May, *Official Report,* columns 823-26, what are the compelling and compassionate circumstances in which it may allow an application from a homosexual non-United Kingdom citizen for leave to remain in the United Kingdom with a homosexual partner who is a United Kingdom citizen.

Mr. Charles Wardle: Factors which may be taken into account in assessing whether compelling compassionate circumstances are present in such an application are the health of the settled partner and the length and stability of the relationship.

Mr. Allen: To ask the Secretary of State for the Home Department how many applications for leave to remain in the United Kingdom made by non-United Kingdom citizens on the basis of a same-sex relationship with a citizen of the United Kingdom have been *(a)* accepted and *(b)* rejected since 1990.

Mr. Charles Wardle: The information requested is not separately identified in the statistics.

Drug Abuse, Hampshire

Mr. Denham: To ask the Secretary of State for the Home Department what is the estimate of the cost of drug-related crime in Hampshire for the last year for which figures are available.

Mr. Maclean: The involvement of drug misusers in criminal activity is difficult to quantify. It is not possible to estimate with any accuracy the amount of crime which is drug related.

Refugees

Mrs. Fyfe: To ask the Secretary of State for the Home Department what is meant by exceptional leave to enter for persons applying for refugee status.

Mr. Charles Wardle: A person who is not recognised as a refugee in the United Kingdom in accordance with the 1951 United Nations convention relating to the status of refugees may be granted exceptional leave to enter or remain if there are compelling humanitarian reasons for not returning him to his country of origin.

Operation Elgar

Ms Harman: To ask the Secretary of State for the Home Department (1) how many people were detained following operation Elgar; how many have subsequently been released; how many are still detained; and how many of those detained were employed by the London borough of Southwark;

(2) if he will make a statement on operation Elgar which took place on 27 April;

(3) how many people have been deported following operation Elgar.

Mr. Charles Wardle: Operation Elgar was a joint operation by the Immigration Service and the Metropolitan police aimed at detecting offenders against the immigration laws.

As a result of visits conducted on 27 April, 59 people were detained. Two more were detained following related visits on 28 April and 1 May. Of these 61, 11 have been removed from the United Kingdom as illegal entrants or under the deportation process, and two remain in detention with a view to removal. The remaining 48 were released and 22 of them are subject to reporting restrictions pending removal from the United Kingdom on further consideration of their cases. A total of 44 people were dealt with as offenders against the immigration laws.

Twenty-four of the people detained and dealt with as immigration offenders were identified as being on the payroll of the London borough of Southwark. It is not known how many were employed by the borough at the time of the operation.

The operation was carefully planned and the guidance in Home Office circular 131/1980 about the conduct of operations of this type was fully observed.

Identity Cards

Mr. Rooker: To ask the Secretary of State for the Home Department what is the estimated cost of supplying every adult with an identity card.

Mr. Charles Wardle: I refer the hon. Member to the reply I gave to the hon. Member for Warley, West (Mr. Spellar) on 7 December 1993, column *168*.

Mr. Rooker: To ask the Secretary of State for the Home Department what plans he has to make a study of the new identity card system to be introduced in the Netherlands in June.

Mr. Charles Wardle: We have no plans for a specific study of the system in the Netherlands.

Mr. Spellar: To ask the Secretary of State for the Home Department what discussions his Department has had with other member states of the European Union regarding mutual recognition of identity cards; and what discussions his Department has had regarding a common European-wide identity card.

Mr. Charles Wardle: We have had no discussions with other European Union member states about identity cards. Community law already provides that nationals of any European Economic Area state may use a valid identity card issued by that state for travel throughout the European Economic Area. It is a matter for each member state to decide whether or not to issue identity cards.

Life Sentence Prisoners

Sir Ivan Lawrence: To ask the Secretary of State for the Home Department what arrangements he proposes to introduce for interviewing life sentence prisoners for release on licence following the abolition of local review committees in September 1994.

Mr. Howard: I have asked the Parole Board to undertake the interviewing of life sentence prisoners currently performed by local review committees. This will include mandatory life sentence prisoners and discretionary life sentence prisoners whose tariffs have not yet expired. I am most grateful to the board for agreeing to take on this extra work.

I would also like to express my sincere thanks to all present and former members of local review committees for their outstanding contribution to the parole scheme over the last 25 years. They have given most generously of their time and I am very grateful to them for their hard work, dedication and the great care they have taken over their recommendations in this very sensitive area.

Public Alert System

Mr. Bill Michie: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Caithness and Sutherland (Mr. Maclennan) of 28 February, *Official Report*, column *586*, on studies of possible enhancements to the national public alert system, if he will give *(a)* the terms of reference of the studies, *(b)* the personnel carrying out the studies, *(c)* the expected cost of the studies, *(d)* the date on which they commenced and *(e)* the date on which the studies are expected to be completed; and if he will publish the report of the studies.

Mr. Peter Lloyd: The requirements of the study now being considered were:

"To review current receipt and generation arrangements using only peacetime Broadcasting Systems for alerting/warning the public and to produce a proposal for a National Warning System using existing peacetime Broadcasting Networks as a primary system for warning the United Kingdom population of an air attack."

The study was carried out by the BBC at a cost of £4,200 and was presented in October last year. It is being examined by officials in the course of their normal duties. The study contains information confidential to the BBC's operations and it would not be appropriate for my Department to publish it. The need for and scope and timing of further studies have not yet been decided.

Mr. Bill Michie: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Caithness and Sutherland (Mr. Maclennan) of 28 February, *Official Report*, column *586*, if he will place in the Library a copy of the representations by his officials to the Local Government Commission for England on the subject of emergency planning.

Mr. Peter Lloyd: A copy of the letter referred to in my reply to the hon. Member for Caithness and Sutherland (Mr. Maclennan), column *586*, has been placed in the Library.

European Union (Ministerial Meetings)

Mr. Allen: To ask the Secretary of State for the Home Department if he will list the formal meetings at which representatives of the United Kingdom Government have attended in accordance with article K3 of the European Union treaty since the coming into force of that treaty together with the subject matter under consideration at the meeting and the title U1 of the official representing the United Kingdom Government.

Mr. Charles Wardle: This information is not routinely collected centrally and could be provided only at a disproportionate cost.

Police Complement

Mr. Nigel Jones: To ask the Secretary of State for the Home Department how many supernumerary officers there are in each police authority and how many of them are on royal protection duties.

Mr. Charles Wardle: It is not our practice to publish details of police deployment to protection duties, for security reasons.

Police Sick Leave

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list by sex, and by year for the last 10 years, the average number of police officer days lost for reasons of sickness in each police authority.

Mr. Charles Wardle: The information is not available in the form which is requested. Information is available on the average number of days which were lost due to sickness for the years 1990 to 1993 and is shown in the table.

Average number of days absence due to sickness[1]
Police forces in England and Wales[2]

Forces	*1990*	*1991*	*1992*	*1993*
Avon and Somerset	10·1	10·1	8·7	12·0
Bedfordshire	13·2	12·4	11·6	11·7
Cambridgeshire	12·4	10·8	10·1	11·3
Cheshire	10·8	12·2	14·5	11·2
City of London	12·7	11·0	11·1	11·4
Cleveland	19·6	16·2	14·0	14·9
Cumbria	11·5	10·6	11·6	10·4
Derbyshire	10·9	14·2	12·4	12·8
Devon and Cornwall	9·5	10·1	9·9	9·6
Dorset	7·6	10·9	9·6	9·5
Durham	11·6	12·4	12·8	15·3
Dyfed-Powys	11·0	11·7	10·9	12·7
Essex	12·9	11·4	8·0	8·4
Gloucestershire	10·1	11·5	12·2	11·2
Greater Manchester	14·2	13·0	10·9	11·6
Gwent	10·9	13·8	14·0	11·2
Hampshire	10·5	13·9	11·7	9·5
Hertfordshire	13·5	14·0	12·6	11·3
Humberside	13·6	10·4	12·0	15·5
Kent	9·8	6·8	10·6	12·7
Lancashire	16·5	15·6	13·8	13·0
Leicestershire	13·7	13·9	13·2	15·8
Lincolnshire	13·7	14·9	11·5	12·9
Merseyside	17·0	19·6	17·1	17·1
Norfolk	12·9	11·0	10·1	12·0
North Wales	13·7	17·0	16·9	15·1
North Yorkshire	11·8	14·0	13·6	12·7
Northamptonshire	12·7	13·4	9·7	9·7
Northumbria	10·3	9·8	13·1	13·3
Nottinghamshire	12·1	12·0	13·2	13·4
South Wales	13·9	15·8	15·0	11·7
South Yorkshire	12·3	12·5	12·5	13·1
Staffordshire	15·0	16·3	15·6	14·1
Suffolk	7·8	7·4	6·6	9·0
Surrey	9·3	11·6	10·8	13·8
Sussex	10·2	13·7	8·9	11·3
Thames Valley	7·3	9·8	8·0	9·8
Warwickshire	12·4	14·0	14·3	15·3
West Mercia	12·4	13·0	12·3	12·2
West Midlands	7·1	9·6	14·0	6·2
West Yorkshire	10·9	12·4	12·4	13·4

Forces	1990	1991	1992	1993
Wiltshire	9·1	8·2	7·4	8·5
Provincial Total	11·8	12·5	12·0	11·9
Metropolitan Police	12·7	12·7	12·9	[2]
England and Wales Total	12·0	12·5	12·2	9·3[2]

[1]Information is based on the average strength of each force throughout each year.
[2]Figures for the Metropolitan Police are not yet available for 1993.

Magistrates Courts

Mr. Redmond: To ask the Secretary of State for the Home Department what was the total number of people remanded in custody by magistrates courts in *(a)* Doncaster, *(b)* Barnsley, *(c)* Rotherham and *(d)* Sheffield in each of the last five years.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Martin Redmond, dated 16 May 1994:

The Home Secretary has asked me to reply to your recent Question asking what was the total number of people remanded in custody by magistrates' courts in *(a)* Doncaster, *(b)* Sheffield in each of the last five years.

The information you have requested relating to the numbers received into a Prison Service establishment on remand from the Magistrates' courts requested is given in the attached table.

Receptions into a Prison Service establishment in England and Wales on Remand from a Magistrates' court in Doncaster, Barnsley, Rotherham or Sheffield, 1989—1993

Magistrates' court	Year 1989	1990	1991	1992	1993
Doncaster	166	167	206	260	332
Barnsley	90	105	180	198	234
Rotherham	73	95	175	181	206
Sheffield	199	165	397	524	555
Total	528	532	958	1,163	1,327

Obscene Publications Branch

Mrs. Golding: To ask the Secretary of State for the Home Department what representations have been made to him in relation to the future of the obscene publications branch at New Scotland Yard.

Mr. Charles Wardle: We have received 26 letters and three questions, apart from this one, from hon. and right hon. Members about this matter, and one other letter from a voluntary organisation. The future of the obscene publications branch was also the subject of a recent early-day motion, No. 1057.

Prisons (Drugs)

Mr. Cox: To ask the Secretary of State for the Home Department what discussions he has had with the Director General of the Prison Service as to the number of drug finds that have been made in prisons in England and Wales.

Mr. Peter Lloyd: The number of drug finds is one aspect of the drugs problem in prisons, but it is not a reliable indicator of its scale. My right hon. and learned Friend has had frequent discussions about that problem with the Director General and others and the methods of dealing with it.

Prison Population, South Yorkshire

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list by Her Majesty's prison and remand home/centre, for the latest date he has figures available, the number of inmates whose place of residence is South Yorkshire; and what were the figures *(a)* 12 and *(b)* 24 months ago.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Martin Redmond, dated 16 May 1994:

The Home Secretary has asked me to reply to your recent Question asking if he will list by Her Majesty's prison and remand home/centre for the latest date he has figures available, the number of inmates whose place of residence is South Yorkshire; and what were the figures *(a)* 12 and *(b)* 24 months ago.

The information available on where prisoners originate from is for the county of the court first committing to custody. The latest available provisional statistics are for the population in Prison Service establishments on 31 December 1993, who were first committed to custody by a court from South Yorkshire, and is given in the attached table.

I regret to inform you that the information on the population available before 1993 is unreliable because of the high proportion of sentenced cases with no court data recorded.

Population in Prison Service establishments in England and Wales on 31 December 1993 who were first committed to custody by a court in South Yorkshire[1]

Prison Service establishment	Number of persons[2]
Acklington	14
Ashwell	3
Askham Grange	5
Aylesbury	2

Prison Service establishment	Number of persons[2]
Bedford	2
Birmingham	1
Castington	7
Chanings Wood	1
Cookham Wood	1
Deerbolt	12
Drake Hall	1
Durham	1
Elmley	2
Eristoke	1
Everthorpe	33
Feltham	1
Featherstone	2
Frankland	6
Full Sutton	16
Garth	7
Gartree	2
Glen Parva	3
Grenden	2
Hatfield	24
High Point	2
Holme House	5
Hull	75
Huntercome	1
Kirklevington	1
Lancaster	1
Leeds	15
Lincoln	16
Lindholme	104
Littlehey	1
Long Lartin	1
Maidstone	2
Manchester	1
Moorland	104
Morton Hall	26
The Mount	1
New Hall	13
North Sea Camp	2
Nottingham	5
Onley	2
Portsmouth	1
Ranby	44
Risley	4
Rochester	1
Rudgate	19
Stafford	2
Stocken	12
Stoke Heath	1
Sudbury	3
Swaleside	1
Swifen Hall	1
Thorpe Arch	7
Thorne Cross	1
Usk	2
The Verne	1
Wakefield	19
Wandsworth	1
Wetherby	10
Whatton	15
Whitmoor	1
Wolds	190
Wormwood Scrubs	1
Wymott	8
Not Recorded	14
All Prisons	886

[1] Provisional figures.
[2] Excludes those committed to custody for non-payment of a fine and non-criminal prisoners.

National Lottery Charities Board

Mr. Alan Howarth: To ask the Secretary of State for the Home Department (1) if he will name the members of the National Lottery Charities Board;

(2) when the National Lottery Charities Board will be set up.

Mr. Peter Lloyd: My right hon. and learned Friend announced on 10 May that he was appointing as chairman of the National Lottery Charities Board the hon. David Sieff. Potential board members are currently under consideration, and he expects to make appointments within the next few weeks.

Ethnic Minorities

Mrs. Helen Jackson: To ask the Secretary of State for the Home Department if he will give consideration to protecting educational and social welfare projects which have received section 11 grant since 1992 and which fall outside bidding guidance issued for the single regeneration budget.

Mr. Peter Lloyd: No guarantee can be given as regards the future of existing projects beyond existing commitments but the bidding guidance already covers activity of this sort. The specific aims of the budget include initiatives intended to

"enhance the employment prospects, education and skills of local people, particularly the young and those at a disadvantage, and promote equality of opportunity"

and to

"promote initiatives of benefit to ethnic minorities".

Privatisation (Consultants)

Mr. Milburn: To ask the Secretary of State for the Home Department if he will estimate the cost of employing consultants in connection with privatisation programmes in which his Department has been engaged since 1980.

Mr. Howard *[holding answer 4 May 1994]:* The information is as follows:

	£
Sale of NTL (October 1991)	2,152,000
Sale of DTELS (March 1994)[1]	822,000

[1] These are costs so far calculated. The final account has yet to be settled.

These figures exclude payments to the Government Actuary's Department.

NATIONAL HERITAGE

Physical Education Teachers

Mr. Pendry: To ask the Secretary of State for National Heritage what guidance his Department has given the Sports Council on the development of pre-service and in-service training for physical education teachers.

Mr. Sproat: My Department is represented on the Sports Council's young people and sport advisory group which advises the Council, among other things, on its work with physical education teachers.

Disabled People

Mr. Sheerman: To ask the Secretary of State for National Heritage what new initiatives he is taking to involve disabled people and their organisations in relation to fuller access to the arts.

Mr. Brooke: My Department aims to make the cultural life of the nation more widely accessible to everyone, including disabled people. To that end, the Department is taking the lead in an access initiative, to explore with our sponsored bodies how best to deliver this aim within existing resources.

In the specific field of the arts, the Department has demonstrated its commitment through its continuing support for ADAPT, established in partnership with the Carnegie (UK) Trust with the aim of adapting arts-related buildings to make them more accessible. For its part, the Arts Council for England has an established record in promoting the interests of disabled people, and is committed to maintaining its vigorous approach in these matters.

Sport and Recreation Qualifications

Mr. Pendry: To ask the Secretary of State for National Heritage what guidance his Department has given the Sports Council with regard to the development of national vocational qualifications for sport and recreation.

Mr. Sproat: None. The Sports Council chairs the industry lead body for sport and recreation and receives guidance in relation to this role from the Employment Department and the National Council for Vocational Qualifications.

English Heritage

Ms Mowlam: To ask the Secretary of State for National Heritage what benefits have accrued from English Heritage's transfer of management of a number of its properties to *(a)* English Heritage, *(b)* the new managers of the properties and *(c)* the Exchequer.

Mr. Brooke: In pursuance of the policies in its "Forward Strategy", English Heritage sought my agreement to the transfer of 22 sites to local management in March this year. Local management arrangements provide opportunities for improved cost-effectiveness and can bring benefits in terms of local enthusiasm for and commitment to the properties concerned, as well as additional resources for their preservation and presentation to the public. It is too early to quantify the extent of these benefits. However, I have agreed with English Heritage that it will keep the success of alternative management schemes under review and will formally evaluate the effectiveness of the policy in two years' time.

Ms Mowlam: To ask the Secretary of State for National Heritage what guidance he has given on the application of the Transfer of Undertakings (Protection of Employment) Regulations 1981 to the staff of English Heritage employed at properties whose management is to be transferred to other bodies such as the National Trust.

Mr. Brooke: The Department of National Heritage has issued advice to English Heritage on the application of the Transport of Undertakings (Protection of Employment) Regulations 1981, in accordance with the guidance given by Chancellor of the Duchy of Lancaster on 11 March 1993, *Official Report*, columns *648-49*. English Heritage follow this guidance in all relevant cases where the management of English Heritage properties is transferred to other bodies.

Royal Palaces

Ms Mowlam: To ask the Secretary of State for National Heritage if he will list the state ceremonial occasions, and expenditure on them by his Department, referred to under the heading "Occupied Royal Palaces", in his Department's expenditure plans for 1994-95, Cm 2511.

Mr. Sproat: The state ceremonials for which the Department has responsibility the planned expenditure on these for 1994-95 is as follows:

	£
Commonwealth Day Flag Flying	14,000
State visit President of Zimbabwe	210,000
Her Majesty The Queen's Birthday Parade	44,000
United Nations Day Flag Flying	2,200
Remembrance Sunday	65,000
Association of Jewish ex-servicemen and women (AJEX)	1,000
	336,000
Additional costs	
Fees/storage/repairs	218,600
Total	554,800

Ms Mowlam: To ask the Secretary of State for National Heritage if he will give a breakdown of his Department's estimated £11 million expenditure for 1994-95 on the Historic Royal Palaces Agency.

Mr. Sproat: Of the £11 million public expenditure allocated to the Historic Royal Palaces Agency for 1994-95:

£3 million has been transferred to the Royal Armouries in year towards the cost of the new museum in Leeds;

£1·5 million will be spent on modernising fire detection and prevention systems in line with the recommendations of the Bailey Inquiry following the Windsor fire;

and the remainder will go towards other capital conservation and improvement schemes, building maintenance and running costs.

Three quarters of the agency's costs are met from commercial receipts.

Ms Mowlam: To ask the Secretary of State for National Heritage if he will give a breakdown for each royal palace of the £20·6 million due to be spent by his Department in 1994-95 on the occupied royal palaces.

Mr. Sproat: The amounts planned to be spent on each of the occupied royal palaces in 1994-95 are as follows:

	£ million
Buckingham Palace	4·043
Windsor Castle	5·910
St James's Palace and Clarence House	2·998
Kensington Palace	1·171
Utilities/salaries and ancillary costs	6·469
Total	20·591

Ms Mowlam: To ask the Secretary of State for National Heritage what are the other historic buildings referred to in his Department's expenditure plans 1994-95, Cm 2511, under the heading "Occupied Royal Palaces"; and how much of the £26·4 million total for this period will be spent on them.

Mr. Sproat: The other historic buildings under this heading for which the Department has some responsibility are: Apsley house, the Royal Naval college at Greenwich, Osborne house and the Albert memorial. The Department also has responsibility for maintenance of Trafalgar square, and certain statues in London.

Planned expenditure in 1994-95 on these buildings and structures is £3·1 million. Additionally up to £1 million is being made available by English Heritage towards the restoration of the Albert memorial.

Cultural Services

Ms Mowlam: To ask the Secretary of State for National Heritage what assessment he has made of the likely impact on national museums and galleries in the United Kingdom of the EU sixth directive relating to the VAT treatment of cultural services.

Mr. Sproat: Discussions are continuing between my officials and those of Her Majesty's Customs and Excise about the implications and scope of such an exemption. The views that my Department has received from the national museums and galleries have been taken into account during these discussions, and those organisations will be consulted on further developments.

Correspondence

Mr. David Howell: To ask the Secretary of State for National Heritage when he will reply to the letter of the right hon. Member for Guildford of 23 March requesting urgent action on behalf of a constituent.

Mr. Brooke: My private office replied on 3 May, informing the right hon. Gentleman that the letter in question was properly a matter for the Department of Trade and Industry, which has undertaken to reply substantively.

Outdoor Activity Centres

Mr. Jamieson: To ask the Secretary of State for National Heritage if he will make a statement about the contribution made by the Sports Council in drawing up the code of practice for outdoor adventure activity providers.

Mr. Sproat: The Sports Council is contributing its expertise to the development of a voluntary accreditation scheme for outdoor activity providers through its membership of the English tourist board's activity centre advisory committee. This Department has observer status on ACAC. The new code of practice, agreed at the committee's last meeting, will provide an important mechanism for ensuring that centres operate to nationally agreed safety standards. The committee has also agreed a programme of pilot inspections over the summer as part of the process of devising sports-specific guidelines and the Sports Council and the English tourist board will be helping to fund this work.

WALES

Strategic Development Scheme

Mr. Dafis: To ask the Secretary of State for Wales how much has been allocated under the strategic development scheme, and, prior to the introduction of the scheme, how much was spent through *(a)* the urban programme, *(b)* the rural initiative, *(c)* projects of regional and national importance and *(d)* special project schemes for each year since 1989-90 for (i) each district council and (ii) Wales.

Mr. Redwood: 1994-95 strategic development scheme allocations to district councils in Wales, together with the all-Wales total, is provided in table 1. Details of expenditure between 1989-90 and 1993-94 through the urban programme, rural initiative, projects of regional and national importance and special projects schemes are in tables 2 to 5.

Table 1
Strategic Development Scheme Allocations—£'000

	[1]1994-95
Alyn and deeside DC	1,337
Colwyn BC	1,447
Delyn	829
Glyndwr DC	187
Rhuddlan BC	821
Wrexham Maelor BC	1,487
Carmarthen DC	[2]184
Ceredigion DC	[2]975
Dinefwr BC	1,444
Llanelli BC	2,224
Preseli Pembrokeshire DC	927
South Pembrokeshire DC	2,481
Blaenau Gwent BC	1,753
Islwyn BC	[3]1,267
Monmouth DC	58
Newport BC	1,153
Torfaen BC	640
Aberconwy BC	2,250
Arfon BC	1,126
Dwyfor DC	787
Meirionnydd DC	668
Ynys Mon BC	1,140
Cynon Valley BC	[3]1,947
Merthyr Tydfil BC	[3]903
Ogwr BC	1,102
Rhondda BC	[3]4,460
Rhymney Valley DC	300
Taff-Ely BC	[3]431
Brecknock BC	2,330
Montgomeryshire DC	126
Radnor DC	183
Cardiff CC	989
Vale of Glamorgan BC	1,190
West Glamorgan CC	2,281
Port Talbot BC	253
Lliw Valley BC	282
Neath BC	353
Swansea CC	2,625
WALES TOTAL (including county councils)	56,223

Notes:

[1] Includes slippage on schemes carried forward from 1993-94.

[2] Excludes £1,9 million set aside for projects approved in principle for Carmarthen DC and Ceredigion DC.

[3] Includes £10,000 revenue allocation for each of the 5 successful Community Revival Strategies, but excludes the capital allocations which will not be confirmed until receipt of the Business Plans in June 1994.

Table 2
Urban programme expenditure details

£'000

	1989-90[1]	1990-91	1991-92	1992-93	1993-94[2] forecast outturn
Alyn and Deeside DC	275	223	265	100	338
Colwyn BC	45	275	280	108	57
Delyn	622	618	235	757	338
Glyndwr DC	13	8	119	133	118
Rhuddlan BC	249	601	545	992	1,138
Wrexham Maelor BC	521	776	1,449	525	246
Carmarthen DC	—	16	136	18	18
Ceredigion DC	18	14	132	101	77
Dinefwr BC	378	168	687	1,069	428
Llanelli BC	433	467	442	1,037	764
Preseli Pembrokeshire DC	157	157	283	95	140
South Pembrokeshire DC	158	139	219	172	222
Blaenau Gwent BC	2,390	2,744	5,876	1,534	916
Islwyn BC	870	944	1,013	709	723
Monmouth DC	14	41	32	30	203
Newport BC	692	623	610	690	960
Torfaen BC	1,255	927	822	464	345
Aberconwy BC	169	167	261	191	170
Arfon BC	425	309	426	616	382
Dwyfor DC	100	65	—	139	121
Meirionnydd DC	112	182	402	221	158
Ynys Mon BC	213	182	184	263	127
Cynon Valley BC	1,073	1,281	1,727	2,193	1,776
Merthyr Tydfil BC	1,366	1,081	1,055	1,477	987
Ogwr BC	1,271	1,230	1,111	1,333	1,165
Rhondda BC	2,043	2,268	1,330	1,885	2,805
Rhymney Valley DC	1,082	1,071	362	1,127	744
Taff-Ely BC	429	418	320	1,031	533
Brecknock BC	102	79	25	250	—
Montgomeryshire DC	—	—	—	—	—
Radnor DC	5	14	15	16	16
Cardiff CC	916	964	1,155	1,046	1,310
Vale of Glamorgan BC	282	217	294	449	761
Port Talbot BC	559	696	561	149	324
Lliw Valley BC	432	19	309	424	339
Neath BC	504	438	768	675	310
Swansea CC	535	510	572	525	965
Wales Total (including county councils)	27,732	29,695	36,584	31,970	29,347

Notes:

[1] Allocation not expenditure data provided for 1989-90. Expenditure details are not available on a consistent basis with future years because of the introduction of local authority capital expenditure controls in 1990-91. From this date information collected relates solely to local authorities expenditure against money provided through the Urban Programme, excluding any local authority expenditure financed through loans. Before this date authorities funded some of the schemes approved under the Urban Programme by raising loans and therefore only included appropriate loan charge payments on the payment returns.

[2] Actual expenditure details not available until local authorities annual Audited claims are received at the end of the year.

Table 3
Rural initiative expenditure details since the programmes inception—£'000

	1991-92	1992-93	1993-94 forecast outturn
Colwyn BC	40	—	32
Delyn	32	32	—
Glyndwr DC	180	270	175
Rhuddlan BC	147	—	27
Carmarthen DC	558	126	120
Ceredigion DC	127	240	338
Dinefwr BC	78	123	236
Preseli Pembs DC	32	339	1,021
South Pembs DC	60	146	681
Blaenau Gwent BC	10	—	—
Monmouth DC	219	156	57
Aberconwy BC	—	262	793
Arfon BC	157	152	590
Dwyfor DC	250	108	549
Meirionnydd DC	—	100	526
Ynys Mon BC	50	122	405
Brecknock BC	360	—	110
Montgomeryshire DC	350	256	262
Radnor DC	464	157	—
Lliw Valley BC	—	—	8
Wales total (including County Councils)	4,315	5,539	8,439

Table 4
Projects of Regional or National Importance Allocations—£'000

	1989-90	1990-91	1991-92	1992-93	1993-94
Ceredigion DC	—	—	—	—	500
South Pembrokeshire DC	—	—	—	—	1·000
Blaenau Gwent BC	1·700	2·945	1·055	—	—
Aberconwy BC	—	—	—	2·000	—
Dwyfor DC	—	—	1·400	900	—
Swansea CC	1·500	1·250	1·239	—	165
Total Wales (including County Councils)	5·639	10·523	15·216	9·611	6·571

Figures for PRNI/SP relate to capital allocations for 1989-90 and supplementary credit approvals from 1990-91 onwards. Figures are therefore not strictly comparable.

Table 5
Special projects allocations—£'000

	1989-90	1990-91	1991-92	1992-93	1993-94
Colwyn BC	—	—	—	—	580
Delyn BC	250	200	650	2,000	1,950
Rhuddlan BC	950	540	840	825	1,200
Wrexham Maelor BC	1,350	1,350	1,350	200	2,085
Dinefwr BC	—	—	900	600	—
Llanelli BC	1,000	1,000	1,000	1,200	1,500
Preseli Pembs DC	—	650	650	700	—
Blaenau Gwent	—	—	—	700	655
Aberconwy BC	1,400	—	759	185	—
Dwyfor DC	—	—	—	1,000	—
Merthyr Tydfil BC	400	—	—	—	—
Rhondda BC	—	—	900	—	—
Taff Ely BC	—	—	350	—	—
Brecknock BC	—	—	—	—	1,316
Radnorshire DC	—	500	850	250	—
Total Wales (including County Councils)	6,950	4,240	8,204	7,660	9,565

Figures for PRNI/SP relate to capital allocation for 1989-90 and supplementary credit approvals from 1990-91 onwards. Figures are not therefore strictly comparable.

Local Government Reorganisation

Mr. Alex Carlile: To ask the Secretary of State for Wales on what date the Government decided that the White Paper on local government in Wales should not contain proposals for unitary authorities for Meirionnydd and Montgomeryshire.

Mr. Redwood: It is not the practice to give details of internal discussions on policy matters.

SOCIAL SECURITY

Care Homes

11. **Mr. Hinchliffe:** To ask the Secretary of State for Social Security what steps he is taking to review the cases of residents of care or nursing homes in receipt of a preserved entitlement to income support.

Mr. Scott: Income support at the higher levels is paid to 284,000 people in residential care and nursing homes at a cost of £2·7 billion, compared with support for just 12,000 at a cost of £10 million in 1979.

These limits are reviewed each year.

Maxwell Pensions Unit

12. **Mr. Lidington:** To ask the Secretary of State for Social Security if he will make a further statement on the work of his Department's Maxwell Pensions Unit.

Mr. Hague: The Maxwell Pensions Unit continues to work with all concerned to encourage the resolution of disputes as quickly as possible. The unit provides substantial administrative support to the Maxwell Pensioners Trust global settlement initiative, which aims to secure the pension rights of all Maxwell scheme members.

Child Support Agency

13. **Mr. Mike O'Brien:** To ask the Secretary of State for Social Security what representations he has had in the last month on his policy on the Child Support Agency.

Mr. Burt: During April 1994 Ministers received representations from hon. Members, organisations and members of the public about various child support issues, some favourable, others not.

14. **Mr. Jim Cunningham:** To ask the Secretary of State for Social Security what he now estimates the Child Support Agency will collect in its first year of operation.

Mr. Burt: Provisional figures show that to the end of March the Agency had recorded £210 million as collected. This is not the total amount for the year, however. It does not include, for example, maintenance paid direct by absent parents to parents with care where benefit is not an issue. Nor does it include some other amounts collected which will be scored retrospectively.

15. **Mr. Cox:** To ask the Secretary of State for Social Security what plans he has to meet hon. Members to discuss the working of the Child Support Agency.

Mr. Lilley: Ministers always give sympathetic consideration to requests from hon. Members to discuss particular issues.

18. **Mr. Bennett:** To ask the Secretary of State for Social Security what further changes he expects to introduce to the Child Support Agency.

23. **Mr. Kirkwood:** To ask the Secretary of State for Social Security what proposals he has to amend the Child Support Act 1991; and if he will make a statement.

Mr. Mullin: To ask the Secretary of State for Social Security what plans he has to review the working of the Child Support Agency; and if he will make a statement.

Mr. Burt: We have no immediate plans for change but are keeping the operation of the Child Support Agency under review.

25. **Mr. Hoon:** To ask the Secretary of State for Social Security how many people are now paying maintenance as a result of the Child Support Agency's activities who were not paying it previously.

Mr. Burt: As at 31 March, 205,540 maintenance assessments had been completed. It is estimated that almost 60 per cent. of cases taken on by the agency were not already receiving maintenance.

27. **Sir David Knox:** To ask the Secretary of State for Social Security how many representations he has received concerning proposals for further changes in the child support regulations.

Mr. Burt: Between 5 April 1993 and 30 April 1994 Ministers received 13,081 letters about child support. The cost of establishing how many of these suggest changes to regulations would be disproportionately high.

Mr. Pawsey: To ask the Secretary of State for Social Security what have been the changes in family credit payments during the period of the Child Support Agency.

Mr. Burt: The information provided in the table is for 31 March 1993, immediately prior to the introduction of the Child Support Agency, and 31 October 1993, the latest date for which information is available.

	March 1993[1]	*October 1993*[2]
Number of Family Credit recipients	485,000	520,000
Number of recipients with maintenance	66,000	80,000
Number of recipients without maintenance	419,000	440,000
Average award of all Family Credit recipients	£42·34	£45·97
Average award of recipients with maintenance	£45·90	£48·40
Average award of recipients without maintenance	£41·78	£45·53

[1] *Source:* Five per cent. sample of Family Credit recipients at 31 March 1993.

[2] *Source:* Five per cent. sample of Family Credit recipients at 31 October 1993.

Mr. Bill Michie: To ask the Secretary of State for Social Security what representations he has received regarding publication of the Child Support Agency collection and enforcement manual.

Mr. Burt: There have been a small number of representations regarding the publication of the Child Support Agency's collection and enforcement manual. However, there is good reason for the manual not to be available as it contains detailed guidance on the actions to be taken when enforcing, or deciding whether to enforce child maintenance and could allow a person liable to pay maintenance to delay or possibly avoid enforcement action being brought against him or her.

Benefits Uprating

16. **Mr. Roger Evans:** To ask the Secretary of State for Social Security if it is Government policy regularly to uprate pensions and other benefits; and if he will make a statement.

Mr. Hague: Yes. We have uprated retirement pension and most other benefits in line with prices or better each year since 1979. This April, the uprating of retirement pension—and most other benefits—included an additional element, above the increase in prices, for extra help with the cost of VAT on fuel.

Pensions

17. **Mr. Mark Robinson:** To ask the Secretary of State for Social Security how much total pension incomes have increased per annum between 1979 and the latest year for which figures are available; and what was the equivalent figure between 1974 and 1979.

Mr. Hague: Between 1979 and 1990-91, the latest year for which figures are available, pensioners' total income from state pension and occupational pension grew at an estimated average annual rate of 3·1 per cent. for all pensioners.

The estimated average annual rate of growth between 1974 and 1979 was 0·4 per cent.

Child Care Allowance

20. **Mr. Fabricant:** To ask the Secretary of State for Social Security what estimate he currently makes of the number of families which will benefit from the introduction of the disregard for child care.

22. **Mr. Richards:** To ask the Secretary of State for Social Security how many families will benefit from the recent introduction of a child care allowance in family credit.

Mr. Burt: We expect that 150,000 families will benefit from the introduction of the child care disregard. This includes 50,000 expected to take up work as a direct result of the change.

Management Consultants

21. **Mr. Milburn:** To ask the Secretary of State for Social Security if he will make a statement about his Department's use of management consultants.

Mr. Scott: Management consultancy firms have mainly been used by the Department to assist with the development and maintenance of the major computer systems introduced to support the Department's business. These systems play a major part in enabling the Department and its agencies to deliver an efficient and professional service.

The introduction of these systems together with the use of consultants in other business areas has improved the quality of services provided throughout the Department.

Social Security Expenditure

28. **Mrs. Angela Knight:** To ask the Secretary of State for Social Security what is his latest estimate of spending on social security in the current year.

Mr. Hague: Currently the grand total of social security spending is expected to be £88·6 billion in 1994-95. This figure has been taken from the 1994 Social Security Department report.

Mobile Telephones and Pagers

Mr. Vaz: To ask the Secretary of State for Social Security how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Mr. Hague: The information is not available in the form requested. The available information is in the table. The equipment is provided where a valid business case for its purchase and use is made by the individual/unit concerned.

	Mobile telephones (including car 'phones)	*Pagers*
Benefits Agency		
Number in use	[1]—	[1]—
Combined annual cost	[2]£625,738·94	[1]—
Contributions Agency		
Number in use	[1]—	[1]—
Combined annual cost	[2]£194,183·18	[1]—
Information Technology Services Agency		
Number in use	539	1,111
Annual cost	£210,681	£244,503
Number issued to specified BA and ES district offices for the use of computer support staff	—	998
Annual cost	—	£108,562
DSS HQ		
Number in use	49	72
Annual cost	£20,193	£14,757
Child Support Agency		
Number in use	380	185
Annual cost	[1]—	[1]—
Resettlement Agency		
Number in use	7	8
Annual cost	[1]—	[1]—
War Pensions Agency		
Number in use	103	5
Annual cost	£27,810	£439

Notes:
[1] Indicates that no central record is held by the Agency and the information could be obtained only at disproportionate cost.
[2] Includes combined annual cost of mobile telephones and pagers.
Figures quoted are as at the end of the 1993-94 financial year.

Occupational Pensions

Mr. Frank Field: To ask the Secretary of State for Social Security how many pensioner tax units receive occupational pensions; if he will break this figure down into bands of occupational pension income of £1,000, up to a maximum of £20,000; and if he will give figures for the last five years.

Mr. Hague: Information for the years 1987 to 1990-91 —the latest available—is in the tables:

Pension units in receipt of occupational pensions
1990-91 – total number of pensioner units 7·04 million

Single pensioners with occupational pensions

£ thousands	*Number (thousands)*
Up to 1	1,047
Up to 2	596
Up to 3	230
Up to 5	251
Up to 7*	161
Up to 20*	167
All	2,455

Pensioner couples with occupational pensions

£ thousands	*Number (thousands)*
Up to 1	479
Up to 2	397
Up to 3	*173
Up to 4	*154
Up to 5	*126
Up to 7	*148
Up to 10	*124
Up to 20	*120
All	1,832

All pensioner units with occupational pensions

£ thousands	*Number (thousands)*
Up to 1	1,526
Up to 2	994
Up to 3	404
Up to 4	313
Up to 5	217
Up to 6	*157
Up to 7	*152
Up to 8	*119
Up to 10	*120
Up to 13	*91
Up to 20	*81
All	4,288

1990 – total number of pensioner units 7·05 million

Single pensioners with occupational pensions

£ thousands	*Number (thousands)*
Up to 1	1,042
Up to 2	543
Up to 3	234
Up to 6	*320
Up to 20	*232
All	2,374

Pensioner couples with occupational pensions

£ thousands	*Number (thousands)*
Up to 1	506
Up to 2	395
Up to 3	332

£ thousands	Number (thousands)
Up to 6	*238
Up to 20	*265
All	1,855

All pensioner units with occupational pensions

£ thousands	Number (thousands)
Up to 1	1,548
Up to 2	938
Up to 3	398
Up to 4	*312
Up to 5	*221
Up to 6	*193
Up to 8	*274
Up to 20	*246
All	4,229

1989 – total number of pensioner units 7·02 million

Single pensioners with occupational pensions

£ thousands	Number (thousands)
Up to 1	1,033
Up to 2	*358
Up to 3	*253
Up to 5	*269
Up to 20	*243
All	2,159

Pensioner couples with occupational pensions

£ thousands	Number (thousands)
Up to 1	584
Up to 2	371
Up to 3	*198
Up to 5	*236
Up to 8	*187
Up to 20	*140
All	1,858

All pensioner units with occupational pensions

£ thousands	Number (thousands)
Up to 1	1,616
Up to 2	729
Up to 3	451
Up to 4	*288
Up to 5	*218
Up to 6	*180
Up to 8	*196
Up to 20	*194
All	4,017

1988 – total number of pensioner units 6·99 million

Single pensioners with occupational pensions

£ thousands	Number (thousands)
Up to 1	972
Up to 2	459
Up to 3	*208
Up to 5	*289
Up to 20	*222
All	2,154

Pensioner couples with occupational pensions

£ thousands	Number (thousands)
Up to 1	606
Up to 2	*272
Up to 3	*167
Up to 6	328
Up to 20	*206
All	1,715

All pensioner units with occupational pensions

£ thousands	Number (thousands)
Up to 1	1,578
Up to 2	731
Up to 3	375
Up to 4	*334
Up to 5	*203
Up to 7	*263
Up to 20	*246
All	3,670

1987 – total number of pensioner units 6·96 million

Single pensioners with occupational pensions

£ thousands	Number (thousands)
Up to 1	1,033
Up to 2	441
Up to 3	*219
Up to 5	*196
Up to 20	*178
All	2,080

Pensioner couples with occupational pensions

£ thousands	Number (thousands)
Up to 1	667
Up to 2	347
Up to 3	*179
Up to 6	*250
Up to 20	*203
All	1,732

All pensioner units with occupational pensions

£ thousands	Number (thousands)
Up to 1	1,700
Up to 2	788
Up to 3	398
Up to 4	*231
Up to 6	*264
Up to 8	*184
Up to 20	*147
All	3,812

Notes:

1. All figures are estimates and should be treated as such.
2. Estimates derive from the Family Expenditure Survey for the combined years 1990-91 and the Government Actuary's Department's Survey of Occupational Pension 1991.
3. * denotes unreliably small sample size.
4. Percentages may not sum due to rounding.

Housing Benefit

Mr. Robert Ainsworth: To ask the Secretary of State for Social Security what is the annual cost of housing benefit being paid to *(a)* tenants of local authorities, *(b)* tenants of housing associations and *(c)* tenants of private landlords.

Mr. Hague: The available information is in the table.

Housing Benefit Expenditure in Great Britain

	1992-93 £ million	*1993-94 £ million*
Local Authority Tenants	4,347	5,004
Private Tenants[1]	3,257	3,817

Data Source:
Social Security Departmental Report 1994.
Notes:
[1] Separate information on the amount of Housing Benefit paid to Housing Association tenants is not available and is included in the private tenants total.

Incapacity Benefits

Mr. Matthew Banks: To ask the Secretary of State for Social Security when he will introduce arrangements to allow people receiving benefits for incapacity to do voluntary work.

Mr. Scott: Regulations were laid before Parliament on 22 April 1994 and come into force today. These regulations will enable people to continue to be accepted as incapable of work for the purposes of sickness benefit, invalidity benefit and severe disablement allowance if they are doing voluntary work for up to 16 hours a week.

Local Offices

Mr. Skinner: To ask the Secretary of State for Social Security if he will introduce legislation to elect directly boards of management to all social security offices.

Mr. Scott: No. It would serve no purpose other than to result in an increase in bureaucracy. Customers and their representatives are already consulted regularly so their views can inform future service planning.

Centenarians

Mr. Harry Greenway: To ask the Secretary of State for Social Security how many telegrams he sent to *(a)* male and *(b)* female centenarians in the past year and five, 10 and 16 years ago; what was the cost to public funds in each of those years at current prices; and if he will make a statement.

Mr. Hague: The information requested is not available. Such information as is available is as follows:

Number of telegrams sent to centenarians

	1988	*1993*
Male	238	311
Female	1,904	2,589

The approximate cost of each telegram, exclusive of staff time, is currently £2·65.

Civil Rights (Disabled Persons) Bill

Mr. Beith: To ask the Secretary of State for Social Security how many hours of civil servant time, and at what cost, was spent on drafting new clauses and amendments to the Civil Rights (Disabled Persons) Bill.

Mr. Scott: I refer the right hon. Member to the reply given by my right hon. Friend the Lord President of the Council on 12 May at column *213*.

Mr. Wareing: To ask the Secretary of State for Social Security how many representations he has received since Friday 6 May from disabled people's organisations and others regarding progress on the Civil Rights (Disabled Persons) Bill; what has been the nature of such representations; and if he will make a statement.

Mr. Scott: To date I have received eight letters and a small number of telephone calls relating to the future of the Bill which is scheduled to continue its Report stage on 20 May.

I announced the Government's plans for combating discrimination against disabled people during the debate on Report of the Bill on 6 May at column *996* and gave further details in my answer to my hon. Friend the Member for Tiverton (Mrs. Browning) on 10 May at column *136*.

Mr. Thurnham: To ask the Secretary of State for Social Security if he will publish the calculations underlying the cost compliance assessment in respect of the Civil Rights (Disabled Persons) Bill.

Mr. Scott: The basis for the calculations is contained within the compliance cost assessment, copies of which were placed in the Library on 5 May.

Mr. Sheerman: To ask the Secretary of State for Social Security when was the last date before 6 May that he discussed the progress of the Civil Rights (Disabled Persons) Bill with the Prime Minister.

Mr. Lilley: There was a discussion at Cabinet on 5 May which focused on the Government's own proposals on civil rights for disabled people and the compliance cost assessment of the Civil Rights (Disabled Persons) Bill.

EMPLOYMENT

Training and Enterprise Councils

Mr. Redmond: To ask the Secretary of State for Employment if he will list for the Barnsley/Doncaster TEC *(a)* the names and addresses of the directors, *(b)* their current salary and *(c)* what relevant experience they had for their appointment.

Miss Widdecombe: *(a)* Barnsley and Doncaster training and enterprise council directors are:

Mr. P. Wetzel
Joint Chief Executive
S. R. Gent Plc.
Dodworth Road
Barnsley

Mr. A. Goulbourn
Chief Executive
Barnsley and Doncaster TEC
The Conference Centre
Eldon Street
Barnsley

Mr. D. Anderson
Managing Director
PLM Redfearn Glass Ltd.
Burton Road
Monk Bretton
Barnsley

Mr. R. Davies
Works Manager
Dupon (U.K.) Ltd.
Wheatley Hall Road
Doncaster

Mr. R. Akroyd
General District Manager
Barnsley Health Authority
Hilder House
49–51 Gawber Road
Barnsley

Mr. J. Wall
Executive Vice President
Koyo Bearings (Europe) Ltd.
P.O. Box 101
Elmhirst Lane
Dodworth
Barnsley

Mr. R. Bailey
Managing Director
Ben Bailey Homes Ltd.
Elizabeth House
Cliff Street
Mexborough

Mr. R. Drohan
Chief Executive
ACE Conveyor Equipment Ltd.
Plumtree Farm Industrial Estate
Harworth
Doncaster

Mr. J. Edwards, OBE
Chief Executive
Barnsley MBC
Town Hall
Barnsley

Mr. D. Hale
Chief Executive
Doncaster MBC
2 Priory Place
Doncaster

Mr. R. Lasseter
Managing Director
Pegler Ltd.
St. Catherine Avenue
Doncaster

Mr. H. Salt
Leader
Barnsley MBC
Town Hall
Barnsley

Mr. I. Ferguson
Managing Director
Reed Northern Newspapers Ltd.
Sunny Bar
Doncaster

Ms F. Howell
General Plant Manager
J. I. Case (Europe) Ltd.
Wheatley Hall Road
Doncaster

Mr. B. Marshall
Regional Officer
National Union of Teachers
7–9 Chequer Road
Doncaster

Mr. R. Turner
Managing Director
Lyons Bakeries (U.K.) Ltd.
Fishdam Lane
Carlton
Barnsley

(b) TEC Directors are non executive and therefore do not draw salaries from the TEC, the exception being the Chief Executive who is, in the case of Barnsley and Doncaster TEC, an Executive Director. The company's annual statutory report and accounts for the year ended 1993 show Directors Remuneration of £45,000.
(c) Details of TEC Director selection can be found in the TEC Operating Agreement (1994) paragraphs 12.3—12.3.6., which is held in the Library. The Barnsley and Doncaster TEC ensures that each Director receives relevant induction, training and development throughout their appointment with the TEC.

Mr. Redmond: To ask the Secretary of State for Employment what has been *(a)* the total money spent, *(b)* the percentage of that money allocated according to decisions made by Ministers on competitive bids and *(c)* the percentage of that money allocated according to some statistical measure of need for the Barnsley/Doncaster TEC since its inception.

Miss Widdecombe: *(a)* Total funding from the Department to Barnsley and Doncaster training and enterprise council from its inception in January 1990 to the end of 1993-94 was £82,109 million.

(b) Nil by Employment Department to the end of 1993-94.

(c) All budgets take into account the needs of the client groups and local labour market factors. In particular, TECs receive sufficient funds to meet the youth training guarantee.

Mr. Robert Banks: To ask the Secretary of State for Employment how many people received assistance from the North Yorkshire training and enterprise council in 1993-94.

Miss Widdecombe: For the year ended 31 March 1994 approximately 11,000 people received specific assistance from the North Yorkshire training and enterprise council. The North Yorkshire TEC offers a diverse range of products and services which consist of a range of vocational training programmes for both employed and unemployed people, courses aimed at people wishing to start their own business, courses aimed at existing businesses and provision of information to individuals and businesses.

Mr. Robert Banks: To ask the Secretary of State for Employment how many 16 to 19-year-olds were placed or assisted on training programmes by the North Yorkshire training and enterprise council in 1993-94.

Miss Widdecombe: During 1993-94, 2,184 young people aged 16 to 18 commenced on youth training in addition to the 2,700 who were already in training on 1 April 1993.

Mr. Morgan: To ask the Secretary of State for Employment what steps he has taken to secure an

abatement in relation to those training and enterprise council secondees from his Department who have taken advantage of the voluntary early retirement scheme and who are still in full-time employment with those training and enterprise councils.

Miss Widdecombe: The abatement rules apply only to civil servants who left the service with an award of pension under the principal civil service pension scheme or the superannuation Acts and are re-employed in the civil service or in employment or offices to which the scheme applies. Training and enterprise councils are private companies to which the scheme does not apply.

Mr. Win Griffiths: To ask the Secretary of State for Employment if he will list for each training and enterprise council in each of the last three years the endorsements for training purposes categorised A, B and C.

Miss Widdecombe: As the information is contained in a number of tables, I will write to the hon. Member and place a copy in the Library.

Mr. Morgan: To ask the Secretary of State for Employment how many of his Department's staff who were seconded to the *(a)* North West Wales, *(b)* Gwent, *(c)* North East Wales and *(d)* West Wales training and enterprise councils have taken advantage of the voluntary early retirement scheme while remaining in employment with the TEC; and at what cost to the voluntary early retirement scheme.

Miss Widdecombe *[holding answer 13 May 1994]:* I understand that some 27 departmental staff who were on secondment to training and enterprise councils took voluntary early retirement under the early retirement schemes which the Department ran in Wales and are now employed by TECs. I believe that three are with North West Wales TEC, six with Gwent TEC, six with North East Wales TEC and 11 with West Wales TEC. I also believe that one is employed with Mid Glamorgan TEC. The early retirement costs of these releases amounted to £650,326 for the 1993-94 financial year, with ongoing annual compensation payments totalling some £181,590 payable until recipients reach age 60. Had all 27 returned to the Department before being given early retirement, the costs incurred would, of course, have been the same, Had they remained, the Department would have been responsible for their salaries and pensions.

Mr. Morgan: To ask the Secretary of State for Employment what estimate he has made of the cost to public funds of the application of voluntary early retirement schemes to secondees from his Department to training and enterprise councils in Wales, as described in the letter from the Under-Secretary of State for Employment to the hon. Member for Cardiff, West dated 20 April, combined with the absence of a clawback mechanism for the former civil servants benefiting from the early retirement scheme but continuing in full-time employment with those training and enterprise councils; and if he will make a statement.

Miss Widdecombe *[holding answer 12 May 1994]:* The total cost to the Department in the 1993-94 financial year was £650,326 for the release of the 27 individuals concerned. Ongoing compensation payments totalling some £181,590 are also payable until the recipients reach age 60. These 27 cases in Wales were out of a total of 1,915 early retirements from the Department in 1993-94. Had all 27 returned to the Department before being given early retirement the costs incurred would, of course, have been the same. Had they remained employed, the Department would have been responsible for their salaries and pensions.

Employment Appeal Tribunal

Mr. Hutton: To ask the Secretary of State for Employment if he will make a statement about the work of the Employment Appeal Tribunal.

Miss Widdecombe: The Employment Appeal Tribunal is an independent judicial body which hears appeals on points of law from decisions of the industrial tribunals. In the 1993-94 financial year 990 such appeals were disposed of.

United Airlines

Mr. Shersby: To ask the Secretary of State for Employment when he will reply to the representations he has received from the hon. Member for Uxbridge concerning proposals by the United States Association of Flight Attendants to close all facilities not based in the United States of America; what assessment he has made of the effect of such proposals on the employment by United Airlines of British nationals; and if he will make a statement.

Mr. David Hunt: I have replied to my hon. Friend today. I am aware that the Association of Flight Attendants is seeking to persuade United Airlines to close its domicile in London which employs about 350 British citizens. I understand the concern felt by British employees of United Airlines about this matter. The establishment, by United Airlines, of London-based flight attendants has benefited both the airline and its employees. I hope that the present dispute will be concluded in a way which allows the benefits to the company to continue and employment opportunities at Heathrow to grow.

Careers and Occupational Information Service

Mr. Hutton: To ask the Secretary of State for Employment (1) what disciplinary action has been taken against officials in the careers and occupational information service as the result of the internal auditors' inquiry into contracts placed by COIC in 1993;

(2) if he will make a statement about the results of the internal auditors' inquiry into contracts entered into by the careers and occupational information service in 1993.

Miss Widdecombe: I can confirm that an investigation into the award of contracts by officials in the careers and occupational information centre has been held. The outcome is being dealt with under the Department's disciplinary procedures. These procedures have not yet been concluded.

Mr. Hutton: To ask the Secretary of State for Employment what was the total value of all contracts entered into by the careers and occupational information service in 1993.

Miss Widdecombe: The value of contracts and orders placed by the careers and occupational information service in 1993 was £2,221,259.

Labour Statistics

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will provide a seasonally adjusted breakdown of economic activity from spring 1979 to date, similar to table 7.1 in March 1994 *Employment Gazette*, by male and female, for each age group *(a)* 16 to 19 years, *(b)* 20 to 24 years, *(c)* 25 to 32 years, *(d)* 35 to 49 years, *(e)* 50 to 64 years male, *(f)* 50 to 59 years female, *(g)* 65 years and over male and *(h)* 60 years and over female, dividing the employee and self-employed categories into full time and part time.

Miss Widdecombe: Seasonally adjusted estimates are not available from the labour force survey for individual age groups. Unadjusted estimates from 1984 for the age groups specified in the question can be obtained from the Quantime LFS service available in the Library.

Apprentice Scheme

Mr. Robert Ainsworth: To ask the Secretary of State for Employment what Government funding is envisaged for his proposed modern apprentice scheme.

Miss Widdecombe: Some 1·25 billion will be made available for youth credits and modern apprenticeships over the next three years. Employers will also play their part by contributing to the initiative.

SCOTLAND

Transfer of Undertakings (Protection of Employment) Regulations

Mr. Worthington: To ask the Secretary of State for Scotland what guidance he has given on the application of the Transfer of Undertakings (Protection of Employment) Regulations 1981 to cleaning contracts at Glasgow royal and Yorkhill hospitals.

Mr. Stewart: Comprehensive guidance on market testing in the NHS—formerly competitive tendering—was issued to all health boards and NHS trusts on 6 October 1993. This consolidated all earlier guidance which had been issued since 1987 when competitive tendering was introduced in the NHS in Scotland. The guidance addressed all aspects of market testing including a section on the Transfer of Undertakings (Protection of Employment) Regulations 1981. Copies of the guidance have been placed in the Library of the House.

Strathclyde PTA

Mr. Worthington: To ask the Secretary of State for Scotland (1) if he will include the Dumbarton district council area within the new Strathclyde passenger transport authority:

(2) if he will make it his policy that when the boundaries of the new Strathclyde passenger transport authority are set, that there are no new council areas that are partly inside and partly outside the boundaries of the passenger transport authority.

Lord James Douglas-Hamilton: The future boundaries of the Strathclyde passenger transport area will be decided in due course after consultation with appropriate bodies. No decision will be taken on the extent of the boundaries until after consultations have taken place.

Exceptionally Gifted Pupils

Mr. Worthington: To ask the Secretary of State for Scotland what proposals he has for national financial support for schools teaching the exceptionally gifted following local government reorganisation.

Lord James Douglas-Hamilton: Following local government reorganisation, as at present, decisions on expenditure on school education, including the teaching of exceptionally gifted children will be primarily a matter for the education authorities.

Community Care

Ms Rachel Squire: To ask the Secretary of State for Scotland what is the basis for his conclusion in a draft Scottish Office circular that the private sector could provide a greater quantity and quality of service than that at present in the provision of community care.

Mr. Stewart *[holding answer Friday 6 May 1994]:* There is scope for the private sector to expand as overall provision of community care rises with increased investment of resources. By purchasing from a range of providers, local authorities will be able to offer a wide choice of services to their clients and maximise quality and value.

Child Minders

Mr. Chisholm: To ask the Secretary of State for Scotland what provisions govern child minders hitting children in their care; and if he will make a statement.

Mr. Stewart *[holding answer 6 May 1994]:* There are no specific provisions in legislation relating to the methods of control which may be used by child minders.

The Scottish Childminding Association recommends that, as a matter of good practice, child minders should not use corporal punishment. Scottish Office guidance on the Children Act 1989 also advises that such sanctions as smacking, hitting or shaking should not be used.

Ms Rachel Squire: To ask the Secretary of State for Scotland if he will outline his plans for making freely available to the public information, including inspectors reports, on the standard of care provided in private sector residential and nursing homes.

Mr. Stewart *[holding answer 6 May 1994]:* In a consultation document issued last year, my right hon. Friend outlined his plans for taking forward a number of citizens charter principles in the inspection of social work services, including open reporting.

The reports of the social work services inspectorate are already available to the public. Local authority inspection units are responsible for inspecting residential establishments in the private, voluntary and public sectors. Some local authorities already make their reports available to the public; others plan to do so later this year. A further circular on inspecting social work services will be issued later this year which will include a date by which all local reports should be made available to the public.

Ms Rachel Squire: To ask the Secretary of State for Scotland if he intends to introduce trust status for social work services currently provided by regional councils.

Mr. Stewart *[holding answer 6 May 1994]:* There are no plans to introduce such an arrangement for social work services.

Police Pay

Mr. Worthington: To ask the Secretary of State for Scotland if he will issue a consultation document before he introduces performance-related pay for the police force.

Lord James Douglas-Hamilton *[holding answer 6 May 1994]:* No. Agreements involving appraisal-related pay have been reached in the police negotiating board and submitted to my right hon. Friend. In addition, suitably representative working groups have been set up to advise on arrangements for performance appraisal in the police service.

Local Government Reorganisation

Mr. Worthington: To ask the Secretary of State for Scotland in his calculations about the costs and savings of local government reorganisation, what figures he used for *(a)* cleansing services, *(b)* leisure and recreation services, *(c)* housing services, *(d)* planning services, *(e)* sewerage services, *(f)* water services, *(g)* transport services, *(h)* roads services, *(i)* fire services, *(j)* financial services, *(k)* economic development services, *(l)* architectural services, *(m)* social work services, *(n)* police services and *(o)* education services; and what percentage of the recurring revenue costs of each such service are attributable to labour costs.

Mr. Stewart *[holding answer 10 May 1994]:* The Government's estimates of the costs and savings arising from the reorganisation of local government in Scotland were not calculated by reference to the service groupings requested and cannot therefore be broken down in this way.

Mr. Worthington: To ask the Secretary of State for Scotland what is his policy on the rights of workers under the European acquired rights directive in the context of local government reorganisation in Scotland.

Mr. Stewart *[holding answer 10 May 1994]:* The application to individual local authority employees affected by local government reorganisation of the acquired rights directive and the Transfer of Undertakings (Protection of Employment) Regulations 1981 falls to be determined as a matter of law, not of Government policy.

Mr. Worthington: To ask the Secretary of State for Scotland what estimate he has as to the number of local authority employees in Scotland who are likely to be made redundant, *(a)* at the point of local government reorganisation and *(b)* in the longer term.

Mr. Stewart *[holding answer 10 May 1994]:* The Government's White Paper which was published last July estimated that local government reorganisation may result in a reduction in staffing levels of between 700 and 2,200. It is expected that much, if not all, of this will be met by early retirements and natural wastage.

Mr. Worthington: To ask the Secretary of State for Scotland what percentage of recurring revenue costs are attributable to labour costs for *(a)* regional services, *(b)* district services and *(c)* overall for local government in Scotland.

Mr. Stewart *[holding answer 10 May 1994]:* The table shows the information requested for 1991-92, the latest period for which this is available. The notes to the table explain the basis of the figures.

Employee costs[1] as a percentage of local authority expenditure: 1991-92

	Regional services[2]	*District services[2]*	*All authorities*
Employee costs as percentage of total gross revenue expenditure	63·0	29·6	51·5
Employee costs as a percentage of gross revenue expenditure excluding loan charges and capital expenditure funded from revenue	71·5	40·6	62·1

Notes:
[1] Employee costs includes the employee costs of support services and of direct service organisations and direct labour organisations.
[2] Includes general fund services, housing, water, sewerage and trading services. Expenditure by islands authorities by service has been included with the appropriate mainland authority type for that service.

Mr. Foulkes: To ask the Secretary of State for Scotland what consideration he has given to changes in the dates for implementation of proposals in the Local Government etc. (Scotland) Bill depending on the progress of the Bill; and if he will make a statement.

Mr. Stewart *[holding answer 13 May 1994]:* The Government have no plans to alter the dates in the Bill. Unless the Bill was enacted after the end of November 1994, the period between enactment and the establishment of the new authorities would not be significantly shorter than the period between enactment of the Local Government (Scotland) Act 1973 and the establishmkent of the present structure. We are confident that the proposed timetable is realistic and achievable, even if some authorities persist in their present policy of non-co-operation.

Mr. Foulkes: To ask the Secretary of State for Scotland what arrangements he proposes to make for emergency planning under the proposed new system of local government in Scotland.

Lord James Douglas-Hamilton *[holding answer 13 May 1994]:* In accordance with the provisions of the Local Government etc (Scotland) Bill, the arrangements for emergency planning will be a matter for the new unitary authorities to determine. Scottish Office officials stand ready to discuss the issues involved with interested parties.

Mr. Charles Kennedy: To ask the Secretary of State for Scotland how many representations he has received over his proposals for local government reform in the highlands, indicating how many have supported and how many have opposed the creation of a single highland council; and if he will make a statement.

Mr. Stewart *[holding answer 12 May 1994]:* Since publication in July 1993 of the White Paper "Shaping the

Future—The New Councils". 51 representations have been received in support of the creation of a single unitary authority for the Highlands. Some 240 representations have either opposed this or favoured an alternative proposal.

NHS Trusts

Mr. Foulkes: To ask the Secretary of State for Scotland which national health service trusts have sought approval for the purchase of motor vehicles for senior staff; what is the total value in each case; and if he will make a statement.

Mr. Stewart *[holding answer 13 May 1994]:* NHS trusts are not required to seek prior approval for the purchase of motor vehicles. Information on numbers and costs is not held centrally.

Dr. Strang: To ask the Secretary of State for Scotland what guidance he has issued to health boards or hospital trusts on collective bargaining to take account of the new circumstances created by the existence of hospital trusts as employers.

Mr. Stewart *[holding answer 12 May 1994]:* No specific guidance as such has been issued. In 1 April 1993 however a contract was let for the provision of a pay intelligence unit service to the NHS in Scotland. Part of this service covers advice and training to individual employers on local pay matters.

Dr. Strang: To ask the Secretary of State for Scotland what is his policy on the co-ordination of wage and salary negotiations for trusts within *(a)* a health board area or *(b)* within Scotland; and if he will make a statement.

Mr. Stewart *[holding answer 12 May 1994]:* Existing NHS staff who transfer to the employment of NHS trusts are entitled to retain their national terms and conditions of employment—including pay. For these staff, pay negotiations are conducted on a United Kingdom-wide basis within the Whitley council and pay review body systems.

NHS trusts are free to negotiate locally on the pay of staff on trust terms and conditions of service. These arrangements would apply to new staff and to staff who have elected to transfer to the trust's terms and conditions of service.

Dr. Strang: To ask the Secretary of State for Scotland what instructions the management executive of the Scottish health service has given to trusts concerning competitive tendering for hotel services; and what provision has been made for financial penalties on trusts which do not go out to tender.

Mr. Stewart *[holding answer 5 May 1994]:* Comprehensive guidance on market testing in the national health service—formerly competitive tendering—was issued to health boards and national health service trusts on 6 October 1993. This consolidated all earlier guidance which had been issued since 1987 when competitive tendering was introduced in the national health service in Scotland. The guidance addressed all aspects of market testing including hotel services.

Although no financial penalties are imposed on national health service trusts which do not put services out to tender, in line with the Government's White Paper "Competing for Quality", CM 1730, they are required to prove that they are achieving value for money. The terms of the White Paper and the guidance apply equally to health boards and national health service trusts, which should include in their annual reports an account of their market testing programmes.

Private Education Costs

Mr. Foulkes: To ask the Secretary of State for Scotland what was the total contribution from public funds to private schools in Scotland by way of *(a)* the assisted places scheme, *(b)* payments for the children of Foreign Office and defence personnel and *(c)* any other sources in the latest available financial year.

Lord James Douglas-Hamilton *[holding answer 13 May 1994]:* The information requested in respect of funding by central Government is set out below:

Financial year 1993-94

	£
(a) Assisted Places Scheme	9,865,660
(b) Foreign and Commonwealth Office	265,409
(c) Grant-Aided Schools	2,586,906
Grant-Aided Special Schools	6,062,350
St. Mary's Music School Aided Places Scheme	634,512

In addition, funding by the Ministry of Defence for the Queen Victoria school, Dunblane, which provides education primarily for the sons of Scottish soldiers, sailors and airmen, for the financial year 1993-94 was £2·96 million; and the total estimated boarding school allowance paid for children of defence personnel at boarding schools in Scotland in the most recent year for which information is available—1991-92—was around £3·30 million.

Nursery Education

Mr. Worthington: To ask the Secretary of State for Scotland what assistance is given in the formula for aggregate external finance to the provision of nursery education.

Mr. Stewart *[holding answer 13 May 1994]:* With the exception of the specific grants component, aggregate external finance itself is not hypothecated to particular local authority services. But AEF is distributed amongst authorities having regard to grant-aided expenditure assessments. The level of GAE for 1994-95 includes £21·104 million in respect of nursery teaching staff, and £742·939 million in respect of school non-teaching staff, property and so on. The latter assessment covers the full range of education authorities' services and the portion which relates to nursery education is not identifiable.

Mobile Telephones and Pagers

Mr. Vaz: To ask the Secretary of State for Scotland how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available.

Mr. Lang *[holding answer 11 May 1994]:* At present there are 271 portable telephones in use with annual running costs amounting to £106,130; 292 pagers/ electronic bleepers costing £33,334 annually and 30 car

telephones with an annual cost of £21,280. Equipment is used by officers requiring mobile communication facilities with allocations decided by local line management.

Local Enterprise Companies

Mr. Worthington: To ask the Secretary of State for Scotland what plans he has to make local enterprise companies follow the Government's guidelines on open government in respect of their training functions; and if he will make a statement.

Mr. Stewart *[holding answer 12 May 1994]:* My right hon. Friend has no such plans. The new code of practice on Government information which came into force on 4 April 1994, applies to central Government Departments, their agencies and a number of other public bodies. The local enterprise companies are limited companies and the code does not therefore apply to them or to their contractors.

Industrial Development

Mr. Worthington: To ask the Secretary of State for Scotland what assessment he has made as to the areas in which industrial development is inhibited by lack of land supply.

Mr. Stewart *[holding answer 12 May 1994]:* The latest figures from the 1992 industrial sites register show that there is a versatile supply of sites for business and industry in Scotland. At present rates of uptake, and even after excluding land on large sites of over 50 hectares which are generally reserved long term for single users, there is still some 25 years supply at national level. Most sites are available for development within one year and have either the benefit of planning permission or allocation in a development plan.

No planning authority has indicated through the data which the authorities provide for the ISR that industrial development is being inhibited by a lack of land supply. The table, compiled from the industrial sites register, indicates the pattern of supply for 1992.

Supply of industrial sites and land by region, 1992

Region	*Number of sites*	*Area (hectares)*
Borders	26	58
Central	23	399
Dumfries and Galloway	33	148
Fife	65	632
Grampian	114	528
Highland	121	2,042
Lothian	93	811
Strathclyde	370	1,949
Tayside	96	308
Orkney	4	7
Western Isles	2	2
Shetland	17	587
Total	964	7,471

The issue of supply at the local level was addressed in national planning policy guideline 2—land for business and industry, October 1993. It is stated that planning authorities should have regard to the objective of providing not only an adequate amount of marketable land for business and industry but an improved choice and range in terms of quality, size and location. It stated that local plans should update the supply by re-allocating sites which stand little chance of development to suitable alternative uses, and find additional sites of high quality, especially for business class development.

The enterprise bodies, of course, also have a remit to ensure that business establishment and growth is not constrained by a lack of suitable sites and to work with the private sector to redress failures in the industrial property market. We would therefore expect the local enterprise companies to work, with others, to tackle situations which arise where lack of suitable land was inhibiting development.

Mr. Worthington: To ask the Secretary of State for Scotland what assessment he has made as to the supply of industrial accommodation in the 10,000 sq ft and above range in the west of Scotland; and what plans he has to address any shortfall.

Mr. Stewart *[holding answer 12 May 1994]:* My right hon. Friend has made no such assessment. Scottish Enterprise does, however, hold data on industrial property and, following consultation with the Locate in Scotland office, believes that there is a reasonable supply of industrial units up to 15,000 sq ft in size. Scottish Enterprise is, consequently, seeking to secure the provision of larger industrial units where there are only limited numbers available.

Motor Trade

Mr. David Marshall: To ask the Secretary of State for Scotland what is his estimate of the number of jobs in Scotland in *(a)* the manufacture, *(b)* servicing of and *(c)* retailing of (1) motor vehicles, (2) goods vehicles and (3) buses and coaches; and what plans he has to increase these figures.

Mr. Stewart *[holding answer 12 May 1994]:* Information derived from the Employment Department's September 1991 census of employment, in the most disaggregated form available, is shown in the table. Estimates of employees in employment in the manufacture or repair of goods vehicles, buses and coaches are not separately available.

The Government's economic policies, by securing low inflation on a permanent basis and sound public finances over the medium term, are the best guarantee of increased jobs in these and other sectors of the Scottish economy.

Employment in Scotland in selected industries

	Employees in employment September 1991
Manufacturing	
Motor vehicles[1] and their engines and motor vehicles bodies	1,800
Motor vehicle parts	1,700
Services	
Retail distribution of motor vehicles and parts	17,300
Repair and servicing of motor vehicles	16,900

[1] Includes passenger cars and commercial vehicles.

Locate in Scotland

Mr. Worthington: To ask the Secretary of State for Scotland what reports he has received from Locate in Scotland as to areas in which it is inhibited from helping inward investors by lack of industrial serviced sites.

Mr. Stewart *[holding answer 12 May 1994]:* My right hon. Friend has received no such reports. Locate in Scotland has access to an adequate supply of industrial serviced sites and constantly reviews the situation in the light of demand.

ENVIRONMENT

Westminster Council

Mr. Worthington: To ask the Secretary of State for the Environment how much money has been *(a)* allocated to and *(b)* spent by Westminster council for flood prevention work in each of the last 10 years.

Mr. Curry: I have arranged for this information to be placed in the Library of the House.

Mr. Worthington: To ask the Secretary of State for the Environment what percentage of the expenditure of Westminster council was provided *(a)* from central Government sources; and *(b)* by community charge or council tax subventions, in each of the last 20 years.

Mr. Curry: The available information is as follows:

1982-83—1989-90

	(1) Central Government Grants to Westminster City Council £'000	(2) Expenditure funded by grants, rates and revenue balances £'000	(3) 1/2 Percentage
1982-83	37,660	57,382	65·6
1983-84	16,028	62,425	25·7
1984-85	17,586	61,231	28·7
1985-86	19,458	64,297	30·3
1986-87	20,782	105,715	19·7
1987-88	21,619	98,197	22·0
1988-89	22,210	96,811	22·9
1989-90	22,013	108,686	20·3

Notes:

1. Grants comprise Rate Support Grant and relevant specific grants. Figures for 1989-90 are based on budget returns.
2. The functions of Westminster City Council changed following the abolition of the Greater London Council on 1 April 1986, and figures for years before this date are not therefore comparable with later years. Similarly the Inner London Education Authority was abolished on 1 April 1990 and figures for Westminster before this date are not therefore comparable with the figures for 1993-94 and 1994-95 shown below.
3. For the years before 1 April 1990 it is not possible to identify the amounts of domestic rates, as distinct from non-domestic rates, which were used to finance expenditure by Westminster City Council.
4. Figures for earlier years are not available.

1990-91—1992-93

Under the community charge system, Revenue Support Grant, Non-Domestic Rate entitlement and community charges were paid into the Collection Fund for the area. Westminster City Council's expenditure was funded largely by a demand on the Collection Fund, but this demand did not differentiate among the sources of income to the fund, and it is not therefore possible to identify its components.

1993-94—1994-95

	(1) Central Government Grants and non-domestic rates entitlement £'000	(2) Revenue Expenditure £'000	(3) 1/2 Per cent.	(4) Council tax requirement £'000	(5) 4/2 Per cent.
1993-94	155,373	234,389	66·3	13,977	6·0
1994-95	160,722	226,904	70·8	7,609	3·4

Notes:

1. Grants comprise Revenue Support Grant, specific and special grants within Aggregate External Finance.
2. Revenue expenditure is defined as expenditure met from revenue balances, specific and special grants within AEF, Revenue Support Grant, non-domestic rate entitlement, and the Council Tax requirement.
3. The Council Tax requirement is the amount to be transferred from the Collection Fund to the billing authority's General Fund in respect of Council Taxes. It therefore includes amounts in respect of Council Tax benefit and Council Tax transitional relief.

Mr. Worthington: To ask the Secretary of State for the Environment how much money Westminster council has received in tourism grants in each of the past 10 years.

Mr. Curry: The Government do not pay tourism grants to local authorities. However, allowances based on visitor numbers are made within the standard spending assessment system which has been used since 1990 to distribute revenue support grant to local authorities, and similar allowances were made in the grant-related expenditure assessment system which was used to distribute rate support grant up to that date. The allowances made for Westminster City Council over the last 10 years are shown in the table.

Contribution within SSA/GRE based on visitor numbers

Year	£ million
1994-95	5·5
1993-94	3·8
1992-93	3·9
1991-92	1·7
1990-91	0·7
1989-90	0·7
1988-89	0·6

Year	£ million
1987-88	0·4
1986-87	0·4
1985-86	0·4

In 1994-95, the allowance was extended to include day as well as overnight visitors; data for this purpose had not previously been available. Other significant changes in the allowance similarly reflect changes in the methodology or the definitions used. Notably, in 1992-93, more recent information was used, allowing estimates of foreign visitor nights to be incorporated for the first time into the SSA formula; and in 1991-92 the weighting attributed to overnight visitors in the formula was increased, following representations from many resort authorities, from 25 per cent. to 50 per cent. of resident population.

Conservation

Mr. Nicholls: To ask the Secretary of State for the Environment (1) how many special protection area sites are currently designated in the United Kingdom;

(2) how many Ramsar sites are currently proposed in the United Kingdom; and if he will place a map of these sites in the Library;

(3) if he will place in the Library map refrences for the full geographical details of special protection area sites and Ramsar sites in the United Kingdom;

(4) how many United Kingdom special protection area sites are in coastal locations;

(5) how many Ramsar sites there are within two miles of a port boundary where the port is designated as a major port;

(6) how many sites currently proposed for designation as United Kingdom special protection area sites are in coastal locations;

(7) which Ramsar sites, or proposed Ramsar sites, would be eligible to be designated special protection area sites;

(8) how many proposed Ramsar sites there are in England;

(9) how many United Kingdom sites are currently proposed for designation as special protection areas;

(10) how many Ramsar sites are currently designated in the United Kingdom; and if he will place a map of these sites in the Library;

(11) if he will list the bodies in England, Wales and Scotland which are responsible for determining a proposed special protection area site;

(12) if he will list the bodies in England, Wales and Scotland which are responsible for determining Ramsar sites.

Mr. Atkins: My right hon. Friends the Secretaries of State for the Environment, for Wales and for Scotland are responsible for determining Ramsar sites and special protection areas in England, Wales and Scotland respectively. They are advised by the nature conservation councils for the three countries.

Some 76 Ramsar sites have been designated in the United Kingdom. A map showing protected areas in the United Kingdom, including Ramsar sites and special protection areas is reproduced on page 84 of "Sustainable Development—The United Kingdom Strategy", Cm 2426, a copy of which is in the Library. Information on the number of Ramsar sites within two miles of a port boundary, where the port is designated as a major port, is not available centrally and could be obtained only at disproportionate cost. There are a further 83 sites identified as being suitable for designation as Ramsar sites in the United Kingdom, of which 32 are in England. A list of Ramsar sites was published on 17 July 1991 *Official Report*, columns *201-6* and *217-22* and on 18 July 1991, *Official Report*, columns *254-55*, which covered Great Britain sites only.

Some 86 special protection areas have been designated in the United Kingdom, of which 54 are in coastal locations. Some 151 potential special protection areas, which were included in the lists published in July 1991, remain to be designated, of which 89 are in coastal locations. Some 49 designated Ramsar sites in the United Kingdom are wholly or partly also special protection areas. Some 72 identified Ramsar sites in the United Kingdom are also potential special protection areas. A list of map references for the full geographical details of designated special protection area sites and Ramsar sites in the United Kingdom will be placed in the Library shortly. The list of potential Ramsar sites and special protection areas is being reviewed in the light of the most recent scientific knowledge and information. When this work is completed, map references indicating the location of the sites will be placed in the Library.

Environment Council

Mr. Llew Smith: To ask the Secretary of State for the Environment, pursuant to his answer of 30 March, *Official Report*, columns *854-55*, which of the member states of the Environment Council did not support the United Kingdom proposals on integrated pollution prevention and control.

Mr. Atkins: No member state expressed opposition to the development of legislation on integrated pollution prevention and control and Belgium, Denmark, France, Greece, Ireland, Italy, Luxembourg, the Netherlands and Spain expressed general support for the approach adopted. The environment working group were asked to take forward work on the details of the proposals as quickly as possible.

Global Warming

Mr. Chris Smith: To ask the Secretary of State for the Environment what is his assessment of the net effects on global warming of anthropogenic aerosols and particulates; and what assessment he has made of the global warming effects of particulates from diesel vehicles and the net effect of emissions from diesel vehicles on greenhouse gas emissions.

Mr. Atkins: The impact of anthropogenic aerosol particles on the climate is highly uncertain. In its 1992 Report the Intergovernmental Panel on Climate Change concluded that the present-day effect of all particles was probably a net cooling, with the cooling effect of sulphate aerosol particles exceeding the warming effect of particles containing elemental carbon, of which one source is diesel engine exhaust. The panel is currently reviewing this subject, in preparation for a report on the radiative forcing of climate due to be published later this year.

The main greenhouse gas emitted by diesel vehicles is carbon dioxide, and in 1992 these accounted for 6 per cent. of total United Kingdom CO_2 emissions.

Surface Water

Mr. Llew Smith: To ask the Secretary of State for the Environment what decisions were taken at the European Commission meeting on 11 May regarding the adoption of a draft directive on the ecological quality of surface water.

Mr. Atkins: I understand that the European Commission has not announced any decision on this matter.

Local Government Reforms

Mr. Barry Jones: To ask the Secretary of State for the Environment what representations he has received concerning the effect on the local government superannuation scheme of the impending local government reforms and if he will make a statement.

Mr. Curry: Discussions have taken place with the local authority associations and other interested parties on superannuation issues. Our proposed amendments to the Local Government Superannuation Regulations 1986 will be issued for a period of statutory consultation shortly.

European Environmental Agency

Mr. Llew Smith: To ask the Secretary of State for the Environment what plans he has to meet the newly appointed Director General of the European Environmental Agency, to discuss the role of the agency in developing a database of markets and resources for clean technology products.

Mr. Atkins: None. Officials of the Department are in regular contact with Mr. Beltran, the newly appointed Director General of the European Environment Agency, and the United Kingdom is represented on the agency's management board, which is developing its work programme for this and future years.

Waste Management

Sir Cranley Onslow: To ask the Secretary of State for the Environment what steps he has taken to ensure that holders of waste disposal licences have been given adequate notice by local authorities of the timing and terms of the introduction of waste management licensing fees and charges under section 41 of the Environmental Protection Act 1990.

Mr. Atkins: The charging scheme was the subject of consultation exercises in August and December 1992. The Department recommended in the December 1992 consultation paper that waste regulation authorities should inform all disposal licence holders of the proposed scheme and the manner in which charges would be set by reference to descriptions and amounts of waste. My hon. Friend announced on 29 November 1993, *Official Report*, column 380, our intention to implement on 1 May 1994, the waste management licensing provisions of part II of the 1990 Act. On 30 November 1993 the Department wrote to the local authority associations informing them of the basis on which the 1993-94 fees and charges in the December 1992 consultation paper would be uprated to 1994-95; levels; and providing an indication of the changes to the scheme being considered in the light of consultation.

The scheme made under section 41 of the 1990 Act was laid before the House on 24 March, *Official Report*, column 395, and came into force on 1 May 1994. Paragraph 3(13) of the scheme requires waste regulation authorities to serve a written notice on licence holders stating the date on which the subsistence charge will be due; the amount of the charge; the descriptions of activities, waste and amounts of waste by reference to which the charge has been calculated; and the method of payment. Paragraph 3(14) requires the notice to be served by 31 May; and paragraph 3(12) provides that the 1994-95 charge becomes due on 30 June 1994.

Winget Houses

Mr. Hinchliffe: To ask the Secretary of State for the Environment how many Winget-type houses there are in each local authority possessing housing of this design; and of those how many are *(a)* rented in the public sector, *(b)* rented in the private sector, *(c)* owner-occupied, with method of repair undertaken and *(d)* private sector, without option for repair.

Sir George Young: The table shows the numbers of Winget houses reported by English local authorities at the outset of the housing defects scheme which were *(a)* in their ownership and *(b)* in private ownership and eligible under the scheme; and *(c)* reinstated or *(d)* repurchased under the scheme by 1 April 1993. Data are not collected centrally on Winget houses which are within the private rented sector or whose owners are ineligible for assistance under the scheme.

Local authority	*Publicly owned* *(a)*	*Privately owned* *(b)*	*Reinstated* *(c)*	*Repurchased* *(d)*
Kingston upon Hull	880	9	—	4
Norwich	469	17	—	14
Wakefield	1,210	75	2	51

Mr. Hinchliffe: To ask the Secretary of State for the Environment what remedies are available for owner-occupiers who discover that their homes are of a Winget type and cannot be sold on the housing market.

Sir George Young: To be eligible for assistance under part XVI of the Housing Act 1985, owners of Winget houses must have purchased from the public sector before 26 April 1984, or within 12 months after this date if they bought in ignorance of the defect and at a price which did not take account of it. Provided that such owners apply to their local authority by 30 November 1994, they are entitled to have their homes reinstated to mortgageable standard, or repurchased at 95 per cent. defect-free value if the authority so determines.

Hunting

Mr. Hinchliffe: To ask the Secretary of State for the Environment if he will make a statement on the powers of local authorities to control hunting activities on publicly owned land.

Mr. Baldry: The power of an authority to control hunting activities on its land depends both on the powers under which the land is held, and on any applicable local Acts, byelaws and covenants. The court has recently held that an authority, having acquired land under section 120 of the Local Government Act 1972 for the benefit, improvement or development of its area, cannot have regard to moral considerations when deciding to ban stag hunting on that land, but has to make an objective judgment about the proper management of the land.

Environment Agency

Sir Cranley Onslow: To ask the Secretary of State for the Environment when he now intends to bring forward the Bill to pave the way for the establishment of an Environment Agency.

Mr. Atkins: The Queen's Speech announced that paving provisions for the Environment Agency would be introduced in this Session. We intend to introduce a Bill shortly.

Habitats and Species Directive

Mr. Morgan: To ask the Secretary of State for the Environment what consultations he has had with the Environment Commissioner of the European Union in relation to the obligations of the sea fisheries committees of England and Wales for enforcement duties under the habitats directive.

Mr. Atkins *[holding answer 12 May 1994]:* None.

Standard Spending Assessments

Mr. Austin-Walker: To ask the Secretary of State for the Environment what proportion of houses constructed in the last 10 years would qualify for a standard assessment procedure rating of *(a)* 55, *(b)* 60, *(c)* 65, *(d)* 70 and *(e)* 75.

Sir George Young *[holding answer 13 May 1994]:* To answer the question as posed would require exact data on the characteristics of all dwellings built in the period. This information is not held centrally and could be obtained only at disproportionate cost.

However, the proposed revisions to the building regulations, in addition to leading to an improvement in energy efficiency of between 25 and 35 per cent. compared with the current standards, will also require all new dwellings and conversions to dwellings to obtain an SAP rating.

Written Answers to Questions

Tuesday 17 May 1994

HOME DEPARTMENT

Deportees

Ms Gordon: To ask the Secretary of State for the Home Department if he will describe the head restraint used on deportees; and if he will make a statement as to the use of this type of restraint.

Mr. Charles Wardle: The use of mouth restraints was suspended in August 1993. Following a joint review of removal procedures by the Home Office and the police; it was decided in January this year that their use should not be resumed.

Temazepam

Mr. Waterson: To ask the Secretary of State for the Home Department pursuant to his answers of 1 December 1993, *Official Report,* column *625,* 17 February 1994, *Official Report,* column *903,* and 20 April 1994, *Official Report,* column *512,* what conclusions his Advisory Council on the Misuse of Drugs reached regarding the misuse of Temazepam; what aspects of those conclusions have caused the delay in his reaching a decision; and if he will make a statement.

Mr. Maclean: The recommendations of the Advisory Council on the Misuse of Drugs in relation to Temazepam have implications for a number of Government Departments.

I am considering the council's recommendations in consultation with ministerial colleagues. I am afraid that this has taken longer than I would have wished. I hope to be able to announce a decision before too long.

Exhaust Fumes

Mr. Cox: To ask the Secretary of State for the Home Department how many *(a)* roadside checks of vehicles in respect of motor vehicle exhaust fumes and *(b)* prosecutions following such checks took place in 1993; and if he will make a statement.

Mr. Maclean: Figures obtained from the vehicle inspectorate—an executive agency of the Department of Transport—show that 48,857 roadside exhaust smoke/emission checks were carried out in Great Britain in the period 1 April 1993 to 31 March 1994. A total of 587 prohibitions were issued as a result of these checks.

Information on prosecutions following such tests is not available centrally.

Trans-sexuals

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what proposals he has to amend British marriage law to recognise trans-sexuals in their reassigned roles; and if he will make a statement.

Mr. Charles Wardle: None.

Probation Hostels

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what grant was made in respect of probation hostels in the west midlands in 1993-94; what grant is being made in 1994-95; and if he will make a statement.

Mr. Maclean: Total revenue grant for west midlands' approved hostels for 1993-94 was £1,908,804; for 1994-95 the preliminary figure is £1,513,000. I cannot add anything further as this matter is currently sub judice.

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what consideration he has given to the part played by probation hostels in contributing to community safety and tackling the attitudes of criminals and underlying causes of criminal behaviour.

Mr. Maclean: Chapter 7 of "National Standards for the Supervision of Offenders in the Community" deals with the purpose and role of approved hostels. A copy of "National Standards" has been placed in the Library of the House.

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what representations he has received from judges and magistrates in the west midlands about the funding of probation hostels in the west midlands.

Mr. Maclean: A number of representations have been received from judges and magistrates in the west midlands arguing for the retention of all the approved hostels now in use there.

Prison Cells

Mrs. Roche: To ask the Secretary of State for the Home Department how many prisoners were placed in cells built for fewer prisoners than were being housed there in the last year for which figures are available.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mrs. Barbara Roche, dated 17th May 1994.

The Home Secretary has asked me to reply to your recent Question about cell sharing.

The following table shows the numbers of prisoners who shared cells certified as normal accommodation for one person for the period April 1993 to March 1994.

Date	Two to a cell	Three to a cell
30 April 1993	7,236	114
28 May 1993	7,412	126
25 June 1993	7,490	132
30 July 1993	7,520	123
27 August 1993	7,484	114
24 September 1993	7,964	93
29 October 1993	7,950	42
26 November 1993	7,972	84
31 December 1993	7,262	57

Date	Two to a cell	Three to a cell
28 January 1994	8,256	39
25 February 1994	8,212	54
31 March 1994	[1]8,488	—

[1] Figure as at 25 March 1994.

Prisoners

Mrs. Roche: To ask the Secretary of State for the Home Department what is the average distance from home a prisoner was placed in the last year for which figures are available; what was the average in 1985; and what was the average in 1979.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mrs. Barbara Roche, dated 17 May 1994:

The Home Secretary has asked me to reply to your recent Question about the average distance from home a prisoner was placed in the last year for which figures are available.

No information is held centrally on the distance prisoners are placed from home. However, the National Prison Survey, conducted in January and February 1991, asked prisoners who had received a visit in the three months prior to interview how far their most important visitor had to travel to visit them. The average distance, for all most important visitors, was 62 miles. No information is available for the years 1985 or 1979.

The National Prison Survey had a total sample of almost 4,000 offenders. The findings of the survey, including the information given above, have been published as "The National Prison Survey 1991: main findings", Home Office Research Study No. 128.

Private Security Firms

Mrs. Roche: To ask the Secretary of State for the Home Department, pursuant to his answer of 10 May, *Official Report*, column *71*, what plans he has to ensure that a record is kept of the private security firms employed by his Department.

Mr. Howard: I am arranging for information to be collated on the extent of the use of private security firms employed by my Department.

Prison Ombudsman

Mrs. Roche: To ask the Secretary of State for the Home Department, pursuant to his answer of 10 May, *Official Report*, column 72, what Coopers and Lybrand was asked to do during the recruitment of the prison ombudsman.

Mr. Peter Lloyd: Coopers and Lybrand Executive Resourcing was asked to undertake a search to identify candidates in addition to those identified through advertisement, to attend sifts, interview search candidates and provide reports on all short-listed candidates.

Car Thefts

Mr. David Young: To ask the Secretary of State for the Home Department how many cars have been stolen in each region in England since the passage of the Aggravated Vehicle Taking Act 1992; and if he will make a statement.

Mr. Maclean: The information available relates to theft of all motor vehicles and is contained in the following table.

Offences of theft of motor vehicles, April 1992 to December 1993, by region

Region	[1]Number of thefts of vehicles
North West	170,425
North East	217,875
Midlands	112,905
Eastern	107,749
South East	294,835
South West	78,677

[1] Offences of aggravated vehicle taking and theft of a vehicle recorded by the police.

Mr. David Young: To ask the Secretary of State for the Home Department how many prosecutions have been made under the charge of aggravated vehicle taking in each region of England; how many have been successful; what has been the average sentence in successful prosecutions in each region; and if he will make a statement.

Mr. Maclean: Information for 1992 is given in the tables. 1993 data will not be available until the autumn. We are monitoring carefully both prosecutions and penalties under this new provision. It is still too early to draw many conclusions but early indications are that this measure is providing a useful weapon in our armoury against car crime.

Table A

Number of defendants prosecuted, convicted and average custodial sentence length given at magistrates' courts for aggravated vehicle taking offences by region 1992

England

Offence/region	Prosecutions	Convictions	Average custodial sentence length (months)
Indictable (triable either way)			
Causing death by aggravated vehicle taking			
North West	8	5	—
North East	1	1	—
Midlands	1	—	—
Eastern	6	1	—
South East	11	4	6
South West	—	—	—
ENGLAND	27	11	6
Aggravated vehicle taking—			
injury to person, damage to property or car			
North West	232	123	4
North East	448	259	4
Midlands	145	57	4
Eastern	251	131	4
South East	323	149	4
South West	56	24	4
ENGLAND	1,455	743	4

Offence/region	Prosecutions	Convictions	Average custodial sentence length (months)
Summary			
Aggravated vehicle taking—criminal damage of £2,000 or under			
North West	2	2	—
North East	7	4	—
Midlands	48	32	3
Eastern	67	42	5
South East	15	8	—
South West	49	33	5
ENGLAND	188	121	4

Table B
Number of offenders convicted and average custodial sentence length given at the Crown Court for aggravated vehicle taking offences by region 1992
England

Offence/Region	Convictions	Average custodial sentence length (months)
Indictable (triable either way)		
Causing death by aggravated vehicle taking		
North West	2	17
North East	5	18
Midlands	—	—
Eastern	1	5
South East	—	—
South West	—	—
ENGLAND	8	15
Aggravated vehicle taking—injury to person, damage to property or car		
North West	57	11
North East	93	11
Midlands	37	12
Eastern	55	10
South East	52	10
South West	30	10
ENGLAND	324	11
SUMMARY		
Aggravated vehicle taking—criminal damage of £2,000 or under		
North West	—	[1]6
North East	—	—
Midlands	—	—
Eastern	1	—
South East	1	—
South West	—	—
ENGLAND	2	6

[1] Relates to one offender who was convicted at the magistrates' court but committed for sentence to the Crown Court.

DEFENCE

Oxford Research Group Seminar

Mr. Llew Smith: To ask the Secretary of State for Defence who represented his Department at the seminar on "Britain and the Non-Proliferation Regime: 1995 and Beyond", held in Oxford on 19 April, organised by the Oxford research group; and what benefits accrued to his Department from its representation.

Mr. Hanley: My Department was represented by the Director of Defence Policy. I understand that the seminar provided a useful forum for discussion on the approach to the 1995 conference of the parties to the nuclear non-proliferation treaty.

Low Flying

Mr. Llew Smith: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Carmarthen (Mr. Williams) of 21 April 1994, *Official Report*, column *623*, the reason the information requested regarding low-flying sorties is not available.

Mr. Hanley: The mean height and velocity of aircraft during low-flying sorties are not recorded.

Army Welfare Services

Mr. Hinchliffe: To ask the Secretary of State for Defence if he will make a statement on the current and future resources for Army welfare services and dedicated social services support for Army and ex-Army personnel.

Mr. Hanley: My Department continues to provide the appropriate level of welfare support which takes into account the needs of service personnel and their families. It does this through the unit command structure, and through MOD-funded organisations such as the Soldiers' Sailors' Airmen's Families Association—SSAFA.

In the United Kingdom, social services for service personnel, their dependants and all former service personnel are primarily a matter for local authorities. Overseas, these services are replicated by my Department and are available to all service personnel, Ministry of Defence UK-based civilian staff and dependants.

Courts Martial

Mr. Hinchliffe: To ask the Secretary of State for Defence how many courts martial have been undertaken, annually, in each of the services, in the last five years in which figures are available.

Mr. Hanley: The following table shows the annual number of courts martial undertaken by each of the three services in the last five years:

	1989	1990	1991	1992	1993
Royal Navy	57	32	42	61	92
Army	676	837	703	706	636
Royal Air Force	157	148	147	138	133
Total	890	1,017	892	905	861

DDT

Mr. Hinchliffe: To ask the Secretary of State for Defence what studies he has commissioned to assess health conditions resulting from the use of DDT in the armed forces.

Mr. Hanley: As there is no authoritative scientific evidence of any harmful effect of DDT on humans, there has been no reason for my Department to commission any such studies.

TRADE AND INDUSTRY

New Businesses, North Yorkshire

Mr. Robert Banks: To ask the President of the Board of Trade how many new businesses have started in north Yorkshire in each year since 1978.

Mr. McLoughlin: The numbers asked for are not available. The best guide to trends in the number of business starts at county level come from VAT data. Figures are available for the years 1980 to 1992 and are published in "VAT Registrations and Deregistrations, County and District Analysis", 1980 to 1991, and 1992 editions. Both these documents are available in the Library of the House or on-line via NOMIS. For further information, contact the NOMIS team at NOMIS, Unit 3P, Mountjoy research centre, University of Durham DH1 3SW.

Small Businesses

Mr. Nigel Griffiths: To ask the President of the Board of Trade what assessment he has made of the impact on small businesses of the EC Commission proposal Com (94) 5813 to amend directive 77/388/EEC.

Mr. Neil Hamilton: All EC proposals for measures that are likely to impose a burden on United Kingdom business are subject to a compliance cost assessment including a small business litmus test. In light of the concerns recently expressed by United Kingdom business, in particular small business, a compliance cost assessment will be undertaken in consultation with those likely to be affected by the provisions in the proposal relating to the exemption of retail export goods. The line that the United Kingdom is taking in Brussels already takes account of the concerns expressed by United Kingdom small businesses. The assessments of the burdens that the proposal would impose should provide hard evidence in support of our negotiating line.

Gas Prices

Mr. Hardy: To ask the President of the Board of Trade if he will make it his policy that no changes in gas pricing will be allowed which provide for significant variations between regions.

Mr. Eggar: The plans for a new pricing structure for gas transportation, in the light of the Monopolies and Mergers Commission's findings, were set out in a consultation document published by the Office of Gas Supply in December 1993. The matter is further considered in the joint consultative document, "Competition and Choice in the Gas Market", issued on 9 May 1994 by myself and the Director General of Gas Supply, copies of which have been placed in the Library of the House, and I look forward to receiving the comments of all interested parties.

The Office of Gas Supply expects that the most likely outcome of charging realistic long distance pipeline costs will be for overall prices to move by plus or minus about 2·5 per cent.

Mr. Nigel Griffiths: To ask the President of the Board of Trade what representations he has had on regionalised gas pricing for domestic consumers.

Mr. Eggar *[holding answer 9 May 1994]:* I have received a number of representations.

The plans for a new pricing structure for gas transportation, in the light of the Monopolies and Mergers Commission's findings, were set out in a consultation document published by Ofgas in December 1993. The matter is further considered in the joint consultative document "Competition and Choice in the Gas Market" issued on 9 May 1994 by myself and the Director General of Gas Supply, copies of which have been placed in the Library of the House. I look forward to receiving the comments of all interested parties.

The Office of Gas Supply expects that the most likely outcome of charging realistic long distance pipeline costs will be for overall prices to move by plus or minus about 2·5 per cent.

Water and Sewerage Industry

Mrs. Helen Jackson: To ask the President of the Board of Trade what representations he has had about the appointment and dismissals undertaken by the Director General of Ofwat.

Mr. McLoughlin: Under Section 28 of the Water Industry Act 1991, the Director General of Water Services is required to consult the Secretary of State about the appointment of chairmen of the customer service committees. In this connection, my right hon. Friend the President of the Board of Trade, has received a number of representations concerning the expiry of the appointment of the chairman of the Yorkshire committee in February 1994.

Post Offices, South Yorkshire

Mr. Redmond: To ask the President of the Board of Trade how many post offices and sub-post offices there currently are in south Yorkshire; and what were the figures for *(a)* 10 years and *(b)* 20 years ago.

Mr. McLoughlin: I understand from the Post Office that currently there are four crown post offices and 387 sub-post offices, including franchise and agency offices, in south Yorkshire. Corresponding figures for 10 years and 20 years ago are not available because of changes in Post Office Counters Ltd's regional organisation and in the local government structure in south Yorkshire since 1974.

Nuclear Export Policy

Mr. Llew Smith: To ask the President of the Board of Trade what decisions taken at the recent nuclear suppliers group meeting in Madrid will affect United Kingdom nuclear export policy.

Mr. Needham: The group adopted changes to the "Guidelines for Nuclear Transfers"—DOC INFCIRC 254 Part 1 Rev. 1 Mod 1—at the Madrid meeting. The effect of these changes is to strengthen the retransfer provisions in the guidelines and incorporate a new provision in the guidelines underlying the importance of members satisfying themselves that their exports would not contribute to the proliferation of nuclear weapons. Both changes are consistent with existing British policy.

Iraq

Mr. Llew Smith: To ask the President of the Board of Trade, pursuant to his answer to the hon. Member for Newport, West (Mr. Flynn) of 18 April, *Official Report*, column *357*, if he will make it his policy to compile records of exports of biological agents in future.

Mr. Needham: Exports to certain destinations of biological agents specified in export control legislation, and for which an export licence has been granted, are now recorded.

Compliance Costs

Dr. Twinn: To ask the President of the Board of Trade if he will publish details of the annual on-going compliance costs for new regulations affecting business for which his Department has completed compliance cost assessments.

Mr. Neil Hamilton: The Department of Trade and Industry completed 13 compliance cost assessments last year on draft legislation brought before Parliament. These were routinely published and copies are available in the Library of the House.

Post Office

Mr. Gordon Prentice: To ask the President of the Board of Trade when he is likely to complete his review of the Post Office.

Mr. McLoughlin: My right hon. Friend the President of the Board of Trade will announce the outcome to the review when decisions have been taken. We will not set an artificial date.

Sellafield

Mr. Simpson: To ask the President of the Board of Trade for how many more years the B205 plant at Sellafield is expected to reprocess spent fuel from magnox reactors.

Mr. Eggar: This is a commercial matter for British Nuclear Fuels plc as operators of the plant.

Kuwait

Mr. Worthington: To ask the President of the Board of Trade how much business was attained by British firms in the clean-up of Kuwait after the Gulf war.

Mr. Needham: In the first 12 months of Al Awda—the Return—reconstruction phase, the United Kingdom won contracts and orders worth more than £500 million. The official United Kingdom exports to Kuwait for 1991, 1992 and 1993 were £178 million, £262 million and £312 million respectively. This does not accurately reflect the true level of exports to the market as many of the orders placed during reconstruction were routed through Saudi Arabia, the United Arab Emirates and Bahrain.

Fire Safety Report

Mr. Geoffrey Robinson: To ask the President of the Board of Trade on what date the interdepartmental fire safety scrutiny is expected to report its findings to Ministers; and on what date that report will be *(a)* made available to the House and to the public and *(b)* published.

Mr. Neil Hamilton: The report of the interdepartmental fire safety scrutiny is due to be completed on 25 May and will then be submitted by the scrutiny team to my right hon. Friends the President of the Board of Trade, the Home Secretary and the Secretaries of State for Employment and for the Environment.

No decisions will be taken about publication until ministerial colleagues have had an opportunity to consider the report.

Offshore Oil and Gas Industry

Mr. Worthington: To ask the President of the Board of Trade what percentage of workers in the offshore oil and gas industry are not British.

Mr. Eggar: The percentage of workers in the offshore oil and gas industry in 1993 who are not British is estimated to be some 8 per cent. Details are published by my Department in the "Energy Report" volume 2, a copy of which is available in the Library of the House.

Mr. Ainger: To ask the President of the Board of Trade if he will make it his policy to withdraw from the 16th licensing round any blocks recommended for withdrawal by the Joint Nature Conservation Committee.

Mr. Eggar: I will consult the Joint Nature Conservation Committee both before and after nominations are received for the 16th round and will take into account its comments when deciding on the blocks to be offered in the round.

Mr. Ainger: To ask the President of the Board of Trade which specific conditions attached to licenses for offshore oil exploration may be made available to the public under the Environmental Information Regulations 1992 in line with paragraph 6 of the *Edinburgh Gazette* announcement of 26 April.

Mr. Eggar: As was the case in the 14th round, I shall judge each application for such information on its merits having due regard to the provisions of the environmental information regulations. It is my intention to make available those conditions attached to licences for the purposes of protecting the environment.

Mr. Ainger: To ask the President of the Board of Trade (1) which non-governmental organisations he intends to consult prior to deciding which blocks to license in the 15th and 16th offshore licensing round;

(2) what specific plans he has to consult non-governmental organisations before deciding which blocks to license in the 15th and 16th rounds of offshore licensing.

Mr. Eggar: My officials consulted the Joint Nature Conservation Committee and a number of fishing organisations prior to deciding which blocks to offer in the 15th round.

We have already informed over 100 organisations, including the Joint Nature Conservation Committee, environmental groups, relevant local authorities and various fishing organisations, of our plans for the 16th round. Once the nominations for the 16th round are received at the end of July, these bodies will be offered the opportunity to comment on which blocks can be offered for licence.

Construction Task Force

Mr. Byers: To ask the President of the Board of Trade when the construction task force was established; when it is expected to report; what are its terms of reference; what areas it is investigating; what is its membership; who employs each member; and in what capacity.

Mr. Neil Hamilton: I refer the hon. Member to the reply given to the hon. Member for Warley, West (Mr. Spellar) on 30 March 1994, *Official Report*, column 766.

London First Centre

Mr. Congdon: To ask the President of the Board of Trade what assistance is to be given to the new London First centre for its overseas inward investment activities.

Mr. Sainsbury: I am pleased to announce that in addition to the grants for the six regional development organisations announced on 17 March, I have today offered £500,000 of grant-in-aid to the new London First centre for its overseas inward investment activities, covering the whole of London. The grant-in-aid is linked to the performance of specific inward investment promotion activities on behalf of the Invest in Britain Bureau.

The London First centre is an initiative by London First to establish for the first time an inward investment agency for London. The centre is being set up initially with support from local authorities, the private sector and my Department. Its aims are to promote London as a location for national and international business and industrial activity, for wealth and job creation in London.

Scott Inquiry

Mr. Byers: To ask the President of the Board of Trade how many employees have worked on a full or part-time basis with the Scott inquiry liaison unit set up within his Department; when the unit was established; and when its work will be completed.

Mr. Needham *[holding answer 13 May 1994]:* The Scott inquiry liaison unit was set up on 23 November 1992. Seven people have worked in the unit on a full-time basis, though not all at the same time. Manning has usually been kept to four people, though currently it stands at three. The attendant registry has employed six people, two on a part-time basis. After the initial demands of setting up the registry, manning has generally stood at three people. The timing for the completion of the work of the unit and the registry depends upon the length of the inquiry.

Atlantic Computers Ltd.

Mr. Colvin: To ask the President of the Board of Trade if his inspectors have completed their inquiry into Atlantic Computers Ltd.; and when he expects to publish their report.

Mr. Neil Hamilton *[holding answer 16 May 1994]:* The inspectors completed their report on 22 April. My right hon. Friend the President of the Board of Trade is considering whether the report should be published in line with usual practice. However the report is unlikely to be published in the immediate future in view of possible prejudice to current criminal proceedings.

Chemical Imports

Mr. David Nicholson: To ask the President of the Board of Trade what proposals he has to prohibit the importation, for recycling, of certain chemicals from other EC countries; and if he will make a statement.

Mr. Atkins: I have been asked to reply.

The new control regime under the EC Waste Shipments Regulation and the United Kingdom's associated Transfrontier Shipment Of Waste Regulations 1994 came into force on 6 May. This legislation enables the United Kingdom to fulfil its obligations under the Basel convention, to which the United Kingdom became a party on 8 May. The Government are considering the use of their powers under the new legislation and will announce its proposals in due course.

As regards exports of waste for recovery, my right hon. Friend the Secretary of State reported on the decision taken at the second conference of the parties to the Basel convention in his answer to the hon. Member for Blaenau Gwent (Mr. Smith) on 30 March 1994 *Official Report*, columns 866-67. Article 16(3)(b) of the Waste Shipments Regulation prohibits exports of waste for recovery where the competent authority of dispatch has reason to believe that the waste will not be managed in accordance with environmentally sound methods in the country of destination.

The decision recognized that transboundary movements of hazardous wastes from OECD to non-OECD states have a high risk of not constituting an environmentally sound management of hazardous wastes. It is the Government's understanding, therefore, that, save in exeptional circumstances, exports of hazardous wastes for recovery from the United Kingdom to non-OECD countries are prohibited by virtue of article 16(3)(b)—

(a) unless and until those countries wishing to receive such wastes satisfy the requirements set out in paragraph 3 of the decision, regarding notification to the Basel secretariat about the categories, quantities and management of acceptable waste imports;

and

(b) the competent authority of dispatch is satisfied in any particular case that the wastes will be managed in an environmentally sound manner in the country of destination.

ENVIRONMENT

Toxic Waste

Mr. Simon Hughes: To ask the Secretary of State for the Environment (1) how he is planning to implement the policy for industrialised countries to be self sufficient in waste by restricting or banning the importation of toxic waste into the United Kingdom when the Transfrontier Shipment of Waste Regulations 1994 come into force on 6 May;

(2) when he plans to publish the waste management plan referred to in the Transfrontier Shipment of Waste Regulations 1994 which will contain the Government's policies in relation to the import and export of waste for recovery or disposal into and out of the United Kingdom, in accordance with EC directive 75/442/EEC(a).

Mr. Atkins: I refer the hon. Member to the answer which I have given today to a question by my hon. Friend the Member for Taunton (Mr. Nicholson) to the President of the Board of Trade.

Assembly of European Regions

Mr. Llew Smith: To ask the Secretary of State for the Environment what information he has received from the Assembly of European Regions meeting in Shrewsbury on 14 April on the role of regional participation in environmental policy.

Mr. Atkins: None.

Climate Change Programme

Mr. Chris Smith: To ask the Secretary of State for the Environment what is his assessment of the current relative radiative forcing effects of carbon dioxide, methane, ozone, nitrous oxide, halocarbons and water vapour with respect to pre-industrial levels; how he expects this to change in the future; and what implications this has for the United Kingdom climate change programme.

Mr. Atkins: The intergovernmental panel on climate change published estimates of current forcings, and possible future forcings under a range of scenarios, in its 1992 report, a copy of which is available in the Library of the House. The panel will publish a new report on the radiative forcing of climate, containing revised estimates, later this year.

The United Kingdom's climate change programme, published earlier this year, contains a package of measures aimed at meeting our commitments under the United Nations framework convention on climate change. The programme makes clear that the United Kingdom will work within forthcoming reviews of the convention, which will take account of the latest scientific evidence from the IPCC, towards ensuring that the ultimate objective of the convention is met. The United Kingdom's national programme will be reviewed and developed in the context of that process.

Europe's Environmental Challenge

Mr. Llew Smith: To ask the Secretary of State for the Environment what request for assistance his Department received from *The Economist* intelligence unit in assistance in the preparation of its report on management of Europe's environmental challenge.

Mr. Atkins: I am not aware of any request.

Water and Sewerage

Mrs. Helen Jackson: To ask the Secretary of State for the Environment which standards authorities are recognised for certifying product specification in the water and sewerage industry.

Mr. Atkins: Water companies are private sector entities and may use certifying bodies of their choosing.

Mrs. Helen Jackson: To ask the Secretary of State for the Environment what arrangements are made to consult public or environmental health organisations on new product specifications used in the water and sewerage industry.

Mr. Atkins: Subject to the requirements of the Water Supply (Water Quality) Regulations 1989, water companies are free to use new product specifications without further consultation.

Mrs. Helen Jackson: To ask the Secretary of State for the Environment to what recognised standards of thickness, strength, life expectancy and composition, pipework used to carry sewage is expected to conform.

Mr. Atkins: It is for the water companies to determine the factors affecting the performance of products which they use. They have the benefit of British standards where they exist and must ensure that they meet statutory and common law obligations relating to pollution.

Mrs. Helen Jackson: To ask the Secretary of State for the Environment when Marley Quantum plastic pipework was approved for use as sewer pipework to a European standard.

Mr. Atkins: I understand there is no European standard applicable to this type of pipework system.

Water Industry Certification Scheme

Mrs. Helen Jackson: To ask the Secretary of State for the Environment which products have been approved since privatisation by the Water Industry Certification Scheme.

Mr. Atkins: The Water Industry Certification Scheme is a private company. I understand that it publishes details of its product approvals.

Mrs. Helen Jackson: To ask the Secretary of State for the Environment to what extent the Water Industry Certification Scheme is financially independent from the privatised water companies.

Mr. Atkins: The Water Industry Certification Scheme is financed by the water companies, the Confederation of Scottish Local Authorities, the Department of the Environment for Northern Ireland and the charges which it levies for its services.

Carbon Dioxide Emissions

Ms Walley: To ask the Secretary of State for the Environment what is his latest assessment of the contribution to the United Nations Conference on Environment and Development target of reduced carbon dioxide emissions from road transport; and if he will make a statement.

Mr. Atkins: I refer the hon. Member to the answer which I gave to her on 25 April 1994, *Official Report*, column *36*.

Electricity Generation

Mr. Alex Carlile: To ask the Secretary of State for the Environment how much *(a)* carbon dioxide, *(b)* sulphur dioxide, *(c)* nitrogen oxides and *(d)* ash is emitted into the environment each year as a consequence of the generation of electricity; and if he will make a statement.

Mr. Atkins: In 1992, 51 million tonnes of carbon dioxide, 2·4 million tonnes of sulphur dioxide, 0·69 million tonnes of nitrogen oxides were emitted into the environment as a consequence of electricity generation. The trend in emissions for all these pollutants from this source is downwards. The figure for total particulate matter as authorised by Her Majesty's inspectorate of pollution was 16,390 tonnes.

"Index of Local Conditions"

Mr. Congdon: To ask the Secretary of State for the Environment when he plans to publish the "Index of Local Conditions."

Sir George Young: The "Index of Local Conditions", giving information based upon data from the 1991 census and other data, is being published today. Copies have been placed in the Library of the House and sent to local authority associations and key voluntary organisations.

Disabled People (Access)

Mr. Brazier: To ask the Secretary of State for the Environment if he proposes to consult on amending the building regulations to make provision for access by disabled people to dwellings.

Mr. Gummer: At my request, the Building Regulations Advisory Committee has been examining the desirability and practicability of extending access provisions for disabled people to dwellings in England and Wales. The present provisions for disabled people in the building regulations apply only to non-domestic buildings.

I have now received advice from the committee. As announced by my right hon. Friend the Minister for Social Security and Disabled People on 6 May, we aim to consult on detailed proposals to apply to new dwellings. When issued for consultation, the proposals will be accompanied by a compliance cost assessment.

The committee is also examining whether the existing provisions for disabled people applying to non-domestic buildings should be improved. Any proposals here will also be subject to consultation in the normal way.

Director General of Water Services

Mr. Brazier: To ask the Secretary of State for the Environment who will succeed Mr. Byatt as Director General of Water Services when his appointment ends on 31 July.

Mr. Gummer: The Secretary of State for Wales and I have decided to reappoint Mr. Byatt until 30 June 1996, to enable him to complete the implementation of the outcome of his periodic review of water charge limits to apply from 1 April 1995.

Water Boreholes

Mr. Alex Carlile: To ask the Secretary of State for the Environment what proposals he has to make water utilities liable for damage caused to property as a result of the sinking of water boreholes; and if he will make a statement.

Mr. Atkins *[holding answer 12 May 1994]:* Water utilities already have the same liabilities as any other owner or occupier of land for any damage caused by them to neighbours in sinking boreholes on their land or on land to which the owner or occupiers allow them access. In addition, where they sink boreholes under powers conferred under the Water Industry Act 1991, they are liable to pay compensation for damage under schedule 11 —compulsory works powers—or schedule 6—powers to search for water—of that Act.

Mr. Alex Carlile: To ask the Secretary of State for the Environment what assessment he has made of the methods whereby assessment is made of the risk of damage to local property resulting from the sinking of new water boreholes; and if he will make a statement.

Mr. Atkins *[holding answer 12 May 1994]:* The National Rivers Authority must consider the implications of any new borehole which needs its licence or consent, or which is notified to it, in respect of water resources, the aquatic environment and other protected rights to water. Where planning permission is needed, the local planning authority will have to consider all material factors. Other aspects must be assessed by the person proposing to make the borehole, particularly in respect of his potential liabilities to compensate others for any damage that may be done.

Enterprise Zone, Tyneside

Mr. Byers: To ask the Secretary of State for the Environment, when he expects to announce the siting of the new enterprise zone on Tyneside as a result of substantial job losses at Swan Hunter; and if European Commission agreement for such an enterprise zone has been sought.

Mr. Baldry *[holding answer 12 May 1994]:* No acceptable proposals for the siting of the proposed Tyneside enterprise zone have yet been made. The approval of the European Commission has not been sought.

EC Habitats Directive

Mr. Simpson: To ask the Secretary of State for the Environment what representations he has received regarding the impact of the special protection areas for wildlife contained in the draft regulations implementing the EC habitats directive.

Mr. Atkins: In October 1993 this Department issued a public consultation paper on proposals to implement the EC habitats directive. Over 140 responses were received and copies have been placed in the House Libraries. The responses have been taken into account in drafting implementation regulations which will be laid before the House shortly. The Government have not yet published their proposals for special areas of conservation to be designated under the terms of the directive.

TREASURY

Corporation Tax

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what is the latest estimated level of uncollected corporation tax, in figures and as a percentage, for each year since 1979, including 1993.

Mr. Dorrell: The amounts of corporation tax uncollected and consequently remitted or written off as irrecoverable since 1979 are as follows:

Year	*Amount £ thousands*	*As a percentage of total corporation tax collected*
1979	15,182	0·50
1980	16,214	0·49
1981	20,688	0·70

Year	Amount £ thousands	As a percentage of total corporation tax collected
1982	34,396	0·89
1983	40,912	0·11
1984	58,051	1·23
1985	75,342	1·27
1986	91,365	1·11
1987	92,830	0·93
1988	225,597	1·92
1989	151,368	1·05
1990	184,725	1·17
1991	320,929	2·09
1992	[1]about 440,000	3·77
1993	n/a	n/a

[1] From 1992 there has been a once and for all change in Revenue accounting practice. Under the new system the figures are £542,233,000 and 4·64 per cent.

Note: The figures for 1993 are not sufficiently complete to allow the necessary comparison to be made and consequently the information is not available in the form requested.

PAYE and National Insurance

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer (1) what is the latest estimated level of uncollected PAYE and national insurance contributions deducted but not paid over to the Revenue, in figures and as a percentage, for each year since 1979, including 1993;

(2) if he will list the amounts of PAYE and national insurance written off, in figures and as a percentage, for each year since 1979, including 1993.

Mr. Dorrell: The amounts of PAYE and national insurance contributions uncollected and consequently remitted or written off as uncollected are as follows:

Year	PAYE		National insurance contributions	
	Amount in £ thousands	As a percentage of total collected	Classes 1 and 1A – amount in £ thousands	As a percentage of total classes 1 and 1A collected
1979	n/a	n/a	n/a	n/a
1980	9,914	0·05	1,056	0·01
1981	11,432	0·08	1,158	0·01
1982	15,281	0·06	1,261	0·01
1983	22,622	0·08	1,555	0·01
1984	33,312	0·11	1,971	0·01
1985	46,695	0·14	2,213	0·01
1986	60,915	0·17	4,377	0·02
1987	92,560	0·25	8,514	0·03
1988	130,724	0·33	15,894	0·06
1989	122,890	0·28	15,127	0·05
1990	107,091	0·22	17,239	0·05
1991	135,258	0·26	21,644	0·06
[1]1992	[2]130,000	0·24	32,570	0·09
[3]1993	n/a	n/a	n/a	n/a

[1] From 1992 there has been a once and for all change in Revenue accounting practice. Under the new system the figures are £381,172,000 and 0·71 per cent.

[2] Approximate.

[3] The figures for 1993 are not sufficiently complete to allow the necessary comparison to be made and consequently the information is not available in the form requested.

Schedule D

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what is the latest estimated level of uncollected schedule D tax, in figures and as a percentage, for each year since 1979, including 1993.

Mr. Dorrell: The amounts of schedule D tax uncollected and consequently remitted or written off as irrecoverable since 1979 are as follows:

Year	Amount in £ thousands	As a percentage of total Schedule D collected
1979	n.a.	n.a.
1980	33,081	0·79
1981	41,552	0·75
1982	52,763	0·84
1983	68,536	1·04
1984	91,229	1·32
1985	90,196	1·18
1986	124,297	1·29
1987	133,878	1·88
1988	252,424	3·06
1989	242,024	2·53
1990	254,989	2·35
1991	383,566	3·17
1992	703,422	5·16
1993	n.a.	n.a.

Notes:

1. The figures for 1993 are not sufficiently complete to allow the necessary comparison to be made and consequently the information is not available in the form requested.
2. Separate figures for Schedule D are not available for 1979.

Capital Gains Tax

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what is the latest estimated level of uncollected capital gains tax, in figures and as a percentage, for each year since 1979, including 1993.

Mr. Dorrell: The amounts of capital gains tax uncollected and consequently remitted or written off as irrecoverable since 1979 are as follows:

Year	Amount in £ thousands	As a percentage of total capital gains tax collected
1979	15,182	0·51
1980	3,591	0·71
1981	2,734	0·61
1982	4,868	0·78
1983	6,496	1·01
1984	5,998	0·84
1985	7,562	0·93
1986	10,064	0·99
1987	8,822	0·79
1988	12,680	0·80
1989	10,864	0·47
1990	12,002	0·64
1991	29,721	1·58
1992	57,836	4·69
1993	n.a.	n.a.

Note:
The figures for 1993 are not sufficiently complete to allow the necessary comparison to be made and consequently the information is not available in the form requested.

PAYE Write-offs

Mr. Mandelson: To ask the Chancellor of the Exchequer in how many cases PAYE was written off in each year since 1980.

Mr. Dorrell: The number of cases where PAYE was written off in each year since 1980 is as follows:

Year	Number of cases written off
1980	44,464
1981	7,019
1982	74,077
1983	36,871
1984	45,958
1985	48,361
1986	58,782
1987	69,079
1988	76,348
1989	76,853
1990	68,456
1991	93,341
1992	104,522

Figures for 1993 are not sufficiently complete to allow the necessary comparison to be made and consequently the information is not available in the form requested.

Identity Cards

Mr. Spellar: To ask the Chancellor of the Exchequer what studies his Departmnent has undertaken to ascertain the practicality of replacing self-employment certificates with national identity cards.

Mr. Dorrell: No studies have been undertaken by the Inland Revenue for this purpose.

Late Payment

Mr. Spellar: To ask the Chancellor of the Exchequer when he expects to announce the result of his consultation on the problems of late payment.

Mr. Portillo: The Government expect to announce their proposals shortly.

Building Industry (Fraud)

Mr. Spellar: To ask the Chancellor of the Exchequer what is his Department's estimate of the loss to the Exchequer from fraud in the building industry.

Mr. Dorrell: No reliable estimate can be made. But the construction industry deduction scheme provides a significant deterrent in controlling the extent of fraud in the building industry.

Local Government

Mr. Deva: To ask the Chancellor of the Exchequer what is the total contribution from the Exchequer towards the cost of local government services; and how much of that amount goes to *(a)* London boroughs, *(b)* other English local authorities and *(c)* Welsh local authorities.

Mr. Portillo: Exchequer contributions towards the cost of local government services take three forms: grants—including redistributed non-domestic rates—within aggregate external finance—AEF—which go to support services wholly or mainly financed out of local authorities' general resources—including the council tax; current grants outside AEF, which generally relate to services wholly or mainly financed by such grants; and capital grants.

It is estimated that some 16·7 per cent. of grants within AEF to English local authorities are paid to London boroughs. Current grants outside AEF and capital grants are distributed by a number of different Government Departments. Information on the division of these grants between London boroughs and other English local authorities is not available centrally—the total England figures are therefore given.

The figures are as follows:

(£ million, 1993-94)

	Grants within AEF	Other current grants	Capital grants
Total England	33,231	11,468	1,401
Welsh local authorities	2,339	572	224
TOTAL[1]	40,776	13,007	1,793

Notes:
[1] Includes authorities in Scotland and Northern Ireland.

Tax (Local Authorities)

Mr. Deva: To ask the Chancellor of the Exchequer what is the proportional cost to the Exchequer of collecting that proportion of the tax take which is then given towards local authorities.

Mr. Portillo: Exchequer grants to local authorities are derived from general Government funds. They are not hypothecated from particular taxes. It is therefore not possible to hypothecate to them the costs of tax collection.

Non-domestic rates are collected by local authorities and redistributed to them through a central Exchequer pool. Authorities can offset amounts for the cost of collection against their contribution to the pool. For 1994-95, the allowance is £69·5 million—less than 0·7 per cent. of the expected rates yield for the year.

Inland Revenue

Mr. Gunnell: To ask the Chancellor of the Exchequer on what basis he excludes the files of individual tax-payers from his market testing of the Inland Revenue.

Mr. Dorrell: There is no basis for excluding the files of individual taxpayers. If activities involving the processing, handling or holding of tax information were to be transferred to a private sector organisation, the Inland Revenue would remain responsible for continuing to ensure proper standards of privacy and confidentiality for all citizens. In addition to contractual safeguards, the contracting organisation and its employees would be subject, in the same way as Inland Revenue employees, to the criminal sanctions—a fine or imprisonment or both—provided by section 182 of the Finance Act 1989 for unauthorised disclosure of taxpayer personal information.

Confidentiality is not a bar to market testing; a lot of highly sensitive Government work is done by the private sector. But the Inland Revenue would need to be sure that an outside contractor could replicate existing security procedures and conditions.

Privatisation (Consultants)

Mr. Milburn: To ask the Chancellor of the Exchequer if he will estimate the cost of employing consultants in connection with privatisation programmes in which his departments have been engaged since 1980.

Mr. Dorrell *[holding answer 4 May 1994]:* The Treasury is the only one of the Chancellor's Departments to incur cost in employing consultants in connection with privatisation programmes since 1980.

With regard to the Treasury, I regret that information going back beyond 1991 can be obtained only at disproportionate cost. The estimated cost of employing consultants in connection with privatisation programmes since 1991 is as follows:

	£
1991-92	8,890,632
1992-93	1,428,793
1993-94	5,019,584

All the figures are exclusive of VAT.

PRIME MINISTER

E-mail

Mr. David Shaw: To ask the Prime Minister if he will make arrangements for each Government Department and ministerial office to receive mail from hon. Members taking up matters on behalf of their constituents through E-mail.

The Prime Minister: I have no present plans to do so, but the Government are keeping the matter under review.

Public Relations and Advertising

Sir Ralph Howell: To ask the Prime Minister if he will give details of the current level of Government expenditure, and for each of the previous five years, on public relations and advertising, covering all Departments of state; and if he will also show the sums spent through external agencies, both in public relations and advertising.

The Prime Minister: The information requested is not held centrally for all Government Departments.

Cyprus

Mr. Cox: To ask the Prime Minister when he last met the President of Cyprus; and what issues were discussed.

The Prime Minister: I last met President Clerides during the Commonwealth Heads of Government meeting in Cyprus in October 1993. We discussed United Nations efforts to resolve the Cyprus problem.

Lockerbie

Mr. Dalyell: To ask the Prime Minister what discussions he has had with other members of the United Nations Security Council about the statement by Edwin Bollier and Ulrich Lumpert, Swiss manufacturers of timing devices, about the circumstances of the Pan Am 103 disaster over Lockerbie and the policy of sanctions against Libya.

The Prime Minister: The exchange of information with the authorities of other Governments involved in the Lockerbie investigation is a matter for my noble and learned Friend the Lord Advocate. He has made it clear that he cannot comment on the details of the available evidence while criminal proceedings are pending.

We have regular discussions with the other members of the Security Council about Libya. They are clearly of the view that Libya has not complied with Security Council resolutions 731, 748 and 883.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 17 May.

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 17 May.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

Malaysia

Mr. Byers: To ask the Prime Minister for how long his predecessor visited Malaysia on 6 August 1988; who she met during her visit and by whom she was accompanied during her meetings; what subjects were discussed during the meetings; and on what date it was decided that she should visit Malaysia on 6 August 1988.

The Prime Minister: My predecessor decided in June 1988 to visit Malaysia in August on her return from Australia. During a two hour stop-over in Kuala Lumpur on 6 August, she met the Malaysian Prime Minister, who was accompanied by his Foreign Minister, the Secretary-General of the Foreign Ministry and two other officials. The British high commissioner and the Prime Minister's foreign affairs private secretary were also present. A wide range of subjects was discussed, including aid, air services, Cambodia, defence sales, and arrangements for the Commonwealth Heads of Government meeting in Malaysia in 1989.

SCOTLAND

Prisoners

Mr. Redmond: To ask the Secretary of State for Scotland if he will list by Her Majesty's prison and remand home/centre for the latest date he has figures available, the number of inmates whose place of residence is South Yorkshire; and what were the figures *(a)* 12 months and *(b)* 24 months ago.

Lord James Douglas-Hamilton: Responsibility for the subject of the question has been delegated to the Scottish Prison Service under its chief executive, Mr. E. W. Frizzell. I have asked him to arrange for a reply to be given.

Letter from E. W. Frizzell to Mr. Martin Redmond, dated 17 May 1994:

Lord James Douglas-Hamilton has asked me to reply to your Question about the number of inmates in Scottish penal establishments whose place of residence is South Yorkshire for the latest date available and the figures for 12 months and 24 months ago.

I regret that the information requested is not held centrally.

Hospital Contracts

Mr. Worthington: To ask the Secretary of State for Scotland (1) for which hospital contracts in Scotland Scottish Office advice has been given that they lie outside the scope of the Transfer of Undertakings (Protection of Employment) Regulations; and for which contracts advice has been given that they fall within the scope of TUPE;

(2) what advice was given by the national health service management executive about the applicability of the Transfer of Undertakings (Protection of Employment) Regulations 1981 to contracts for domestic and portering services at Glasgow Royal infirmary, the Royal maternity hospital and Yorkhill hospital.

Mr. Stewart: I refer the hon. Member to the answer given on 16 May, *Official Report*, column *365*.

Parliamentary Questions

Mr. Meacher: To ask the Secretary of State for Scotland how many parliamentary questions, in the period November 1992 to March 1993, were answered with the response that the information requested is not held centrally and could be obtained only at disproportionate

cost; how many were referred on to an agency chief executive; and, in each case, what percentage of the total number of questions asked this constituted.

Mr. Lang: The information requested is as follows:

	Number	Percentage
Total number of Parliamentary Questions answered in the period November 1992 to March 1993.	[1]1,321	—
Number (and percentage of Parliamentary Questions which received responses that information requested is not held centrally and/or could be obtained only at disproportionate cost.	[1]43	3·26
Number (and percentage of Parliamentary Questions referred to Agency Chief Executives for reply.	10	0·76

[1] Source Polis

Police Sick Leave

Mr. Redmond: To ask the Secretary of State for Scotland if he will list by sex, and by year for the last 10 years, the average number of police officer days lost for reasons of sickness in each police authority.

Lord James Douglas-Hamilton: The information is set out in the table.

	Average number of days lost per officer for reasons of sickness			Figures for Male/Female not available before 1991						
	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984
Central										
Male	9	9	12	11	11	7	10	13	11	10
Female	13	12	18	—	—	—	—	—	—	—
Dumfries and Galloway										
Male	10	10	13	11	11	11	11	9	9	9
Female	11	5	7	—	—	—	—	—	—	—
Fife										
Male	8	9	11	11	12	8	11	10	12	11
Female	12	11	12	—	—	—	—	—	—	—
Grampian										
Male	5	6	[1]12	10	9	7	8	8	10	8
Female	9	11	—	—	—	—	—	—	—	—
Lothian and Borders										
Male	10	11	[1]8	12	13	10	11	9	13	10
Female	13	16	—	—	—	—	—	—	—	—
Northern										
Male	9	9	14	12	10	11	8	8	11	11
Female	8	12	12	—	—	—	—	—	—	—
Strathclyde										
Male	15	15	[1]16	19	14	11	14	15	14	15
Female	17	20	—	—	—	—	—	—	—	—
Tayside										
Male	12	10	4	8	8	7	9	11	9	10
Female	11	10	7	—	—	—	—	—	—	—

[1] Figures for Male/Female not available

College Boards

Mr. McFall: To ask the Secretary of State for Scotland if he will list the members of all further education college boards in Scotland and their relevant qualifications for this position.

Lord James Douglas-Hamilton: I have placed in the Library of the House the information held by my Department on the membership of boards of management of further education colleges in Scotland. Members of the boards of incorporated colleges are appointed in accordance with criteria set out in schedule 2 of the Further and Higher Education (Scotland) Act 1992. Schedule 6 of the Act provided that, with the exception of the staff and student representatives, the initial appointments to the boards were made by the Secretary of State. Subsequent appointments are for the boards themselves.

Hospital Trusts

Mr. Worthington: To ask the Secretary of State for Scotland what guidelines the Government give to hospital trusts about openness and accountability.

Mr. Stewart: My noble and learned friend the Minister of State last month issued codes of conduct and accountability covering issues such as openness and accountability to all members of health boards and NHS trusts. Each board has been asked to adopt these codes at its next formal meeting. For new members, acceptance of the codes will be a condition of appointment. Arrangements have been made for copies of the codes to be available in the Library of the House.

Ambulance Service

Mrs. Fyfe: To ask the Secretary of State for Scotland if he will list the advantages for the Scottish ambulance service of becoming a trust and the disadvantages of remaining as it is at present.

Mr. Stewart *[holding answer 13 May 1994]*: In signifying an interest in trust status the Scottish ambulance service has indicated that this will allow it to make much faster progress towards the achievement of its four main objectives which are:

(a) improving the quality of service to its patients;
(b) improving relationships with health boards and NHS trusts as purchasers of ambulance services;
(c) improving the motivation and ability of its staff to deliver better services;
(d) achieving better value for money.

These advantages will be explained in more detail in the Scottish ambulance service trust application which is to be issued for public consultation on 18 May and a copy will be sent to the hon. Member.

Prison Visiting Committees

Sir David Steel: To ask the Secretary of State for Scotland what changes are proposed to the composition of prison visiting committees; which individuals and organisations were consulted before such changes were proposed; and if he will make a statement.

Mr. Lang *[holding answer 16 May 1994]*: Under The Prison (Scotland) Rules 1952, as amended, appointments to prison visiting committees are made by every local authority in whose area prisoners might have their homes. As a result some committees are extremely large—the Barlinnie visiting committee for example has 35 members—and members have to travel long distances. As currently drafted, under the new Prisons and Young Offenders Institutions (Scotland) Rules only those local authorities within which the prisons lie would appoint members to visiting committees. The position would then be as set out in table 1.

In the new draft rules it is also proposed that half the membership of visiting committees should come from outwith the elected membership of the appointing authorities. It would therefore be open to the latter to appoint whoever they considered appropriate. These proposals were the subject of consultation last September, when views were sought from the organisations and individuals listed in table 2.

No firm view has yet been taken on the final shape of the new rules. We are considering carefully the representations made during the formal consultation process. Thereafter the new rules will be laid before this House.

Name of prison and Names of appointing authorities	*Numbers of members to be appointed*
Aberdeen	
Grampian Regional Council	3
City of Aberdeen District Council	5
	8
Barlinnie, Glasgow	
Strathclyde Regional Council	10
City of Glasgow District Council	15
	25
Cornton Vale, Stirling	
Central Regional Council	4
Stirling District Council	5
	9
Dumfries	
Dumfries and Galloway Regional Council	3
Nithsdale District Council	5
	8
Dungavel	
Strathclyde Regional Council	3
East Kilbride District Council	5
	8
Edinburgh	
Lothian Regional Council	5
City of Edinburgh District Council	12
	17
Friarton	
Tayside Regional Council	3
Perth and Kinross District Council	5
	8
Glenochil	
Central Regional Council	4
Clackmannan District Council	10
	14
Greenock	
Strathclyde Regional Council	3
Inverclyde District Council	5
	8
Inverness	
Highland Regional Council	3
Inverness District Council	5
	8
Longriggend	
Strathclyde Regional Council	5
Monklands District Council	3
	8
Low Moss	
Strathclyde Regional Council	4
Strathkelvin District Council	6
	10
Noranside	
Tayside Regional Council	3
Angus District Council	5
	8
Penninghame	
Dumfries and Galloway Regional Council	3
Wigtown District Council	5
	8
Perth	
Tayside Regional Council	3
Perth and Kinross District Council	5
	8
Peterhead	
Grampian Regional Council	3
Banff and Buchan District Council	5
	8

Name of prison and Names of appointing authorities	Numbers of members to be appointed
Shotts	
Strathclyde Regional Council	5
Motherwell District Council	12
	17

List of Consultees

Advisory Committee on Prisoners' Management
Association of Chief Police Officers in Scotland
Association of Directors of Social Work
The Association of Visiting Committees for Scottish Penal Establishments
Church and Nation Committee, Church of Scotland
Citizens Advice, Scotland
Consultative Committee on Clinical Psychology in Penal Establishments in Scotland
Convention of Scottish Local Authorities
Crown Agents
Faculty of Advocates
The Gateway Exchange
The Institute of Professionals, Manager and Specialists
HM Chief Inspector of Prisons
Home Office
The Howard League for Penal Reform
The Howard League (Scotland)
The Joint Prison Chaplaincies Board
The Law Society for Scotland
Local Review Committees
National Union of Civil and Public Servants: Governors' Committee Northern Ireland Office
Parliamentary Commissioner for Administration
Parole Board for Scotland
The Principal Clerk of Sessions and Justiciary
Prison Reform Trust
Scottish Association for the Care and Resettlement of Offenders
Scottish Association for the Study of Delinquency
Scottish Committee of the Council on Tribunals
Scottish Council for Civil Liberties
Scottish Legal Action Group
Scottish Parliamentary All Party Penal Affairs Group
Scottish Prison Officers' Association
Scottish Prison Service Trade Union Side
The Scottish Prison Social Workers
Sheriffs Association
Sheriffs Principal
University of Dundee Department of Law
University of Edinburgh Department of Criminology
University of Edinburgh Department of Social Policy
Visiting Committee Chairmen
Women's National Commission

Manpower Services Commission

Mr. Morgan: To ask the Secretary of State for Scotland what steps his Department has taken to constitute a voluntary early retirement scheme applicable to former Manpower Services Commission staff seconded to the local enterprise companies or previously seconded; and what undertakings have been sought in relation to applicants from among such secondees that they were taking early retirement.

Mr. Stewart *[holding answer 13 May 1994]:* On the establishment of Scottish Enterprise and Highlands and Islands Enterprise former Department of Employment staff in Scotland were seconded to those bodies—rather than to the local enterprise companies—and were entitled to exercise a right to take up an offer of employment from the body in question until the termination of their secondment on 31 March 1994.

Former Department of Employment staff who accepted an offer of employment from Scottish Enterprise or Highlands and Islands Enterprise became subject to the terms and conditions of service of these bodies, which are subject to approval by my right hon. Friend. A number of former Department of Employment secondees subsequently accepted voluntary severance or early retirement under those terms and conditions as part of a general programme of staff reduction within Scottish Enterprise and Highlands and Islands Enterprise. Detailed arrangements relating to voluntary severance and early retirement are an operational matter for Scottish Enterprise and Highlands and Islands Enterprise but the terms of these arrangements did not include any conditions applicable solely to former Department of Employment secondees.

Department of Employment secondees remained eligible, until they took up an offer of employment, for any applicable early retirement schemes offered by that Department; the detailed arrangements are a matter for my right hon. Friend the Secretary of State for Employment.

Fishing

Mr. Beith: To ask the Secretary of State for Scotland whether it is the practice of his officials to prohibit the use of nets between 70 and 90mm in the United Kingdom nephrops fishery where the square mesh panel is fitted forward of any flapper as an alternative to placing it three flapper lengths to the rear of the flapper.

Sir Hector Monro *[holding answer 12 May 1994]:* Article 4(1) and (2) of the Sea Fish (Specified Sea Areas) (Regulation of Nets and Other Fishing Gear)(Variation) Order 1991, as amended, sets out the requirements for the use of square mesh panels in nets of between 70-90mm mesh size used for nephrops fishing in ICES area IV (north Sea).

Guidance to Fishery Officers was issued in December 1993 to confirm that square mesh panels should be sited either in the cod-end or in any extension piece, or immediately in front of any cod-end or any extension piece, as required by article 4(1)(c). Article 4(1)(f) sets out additional requirements in relation to any flappers that may be used, and allows the panel to be placed forward of any flapper.

Office Space, Edinburgh

Mr. Worthington: To ask the Secretary of State for Scotland what assessment he has made as to the availability of quality, modern, open-plan office space in the Edinburgh area; and what plans he has to address any shortfall.

Mr. Stewart *[holding answer 12 May 1994]:* My right hon. Friend has made no such assessment. Data may be available, of course, from private sector interests and publications and other sources. Local enterprise companies generally have a responsibility to work with the market to ensure that business development is not constrained by a lack of suitable accommodation. I understand that Lothian and Edinburgh Enterprise Limited conducted a major audit of the Lothian property market last winter.

The hon. Member may therefore wish to approach the chairman of Lothian and Edinburgh Enterprise Limited to seek further information about the audit and about its present activities in this area.

Strathclyde Regional Council

Mr. Foulkes: To ask the Secretary of State for Scotland what is his estimate of the value of central *(a)* administrative, *(b)* financial, *(c)* legal, *(d)* personnel and *(e)* information technology services provided to each of the (i) police, (ii) fire, (iii) water and (iv) sewerage departments by Strathclyde regional council in the latest available financial year.

Mr. Stewart *[holding answer 13 May 1994]:* The information requested is not held centrally.

OVERSEAS DEVELOPMENT

Development Assistance

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the unweighted average of official development assistance of *(a)* EC countries and *(b)* Development Assistance Committee countries, as a proportion of gross national product in (i) 1992 and (ii) 1993; how much the United Kingdom spent by the same measure; and by how much the United Kingdom would have needed to increase its assistance in cash terms in those years to have reached (1) EC and (2) DAC average expenditure.

Mr. Lennox-Boyd: Figures for official development assistance are not yet available for 1993. In 1992, the unweighted average official development assistance as a proportion of gross national product for EC countries and DAC countries was 0·45 per cent. and 0·48 per cent. respectively—the weighted averages are 0·44 per cent. and 0·33 per cent. respectively.

The United Kingdom official development assistance as a proportion of gross national product in 1992 was 0·31 per cent. In cash terms, the United Kingdom would have needed to increase its assistance by £844 million and £1,012 million to have reached the unweighted average expenditure levels for EC countries and DAC countries respectively.

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of British aid was spent on *(a)* primary health care, *(b)* nutrition, *(c)* basic education, *(d)* family planning and *(e)* safe water and sanitation in (i) 1992 and (ii) 1993; and how much in cash terms would need to have been spent in each year in order to increase the amount spent on those basic needs to 20 per cent. of official development assistance.

Mr. Lennox-Boyd: Figures for official development assistance are not yet available for 1993. In 1992, the specified sectors as a proportion of the United Kingdom's bilateral official development assistance that can be allocated to a sector was:

	Per cent.
Primary health care	4·7
Nutrition	0·06
Education	20·4
Family planning	0·4
Safe water/sanitation	2·9
Total	28·0

Our bilateral aid programme also includes a large amount of assistance which cannot be allocated by sector, such as debt relief, economic reform programmes and humanitarian assistance, but which also helps the poorest.

Least Developed Countries (Aid)

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs how much British aid was spent in the least developed countries in *(a)* 1992 and *(b)* 1993; how much this was as a proportion of gross national product; and by how much British official development assistance to the least developed countries would have needed to increase in cash terms in those years in order to meet the level recommended by the 1990 United Nations programme of action for the least developed countries.

Mr. Lennox-Boyd: Figures for official development assistance for 1993 are not yet available. In 1992, the United Kingdom gave £610·7 million to the least developed countries. This amounted to 0·10 per cent. of gross national product. To meet the 1990 United Nations programme of action for the least developed countries target, an increase of £278 million would have been needed. It should be noted however that the United Nations' category of least developed countries excludes states such as India and Pakistan, which are as poor as many least developed countries and are major recipients of United Kingdom aid.

Sub-Saharan Africa

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of its official development assistance the United Kingdom spent in sub-Saharan Africa in 1992 and 1993; and what was the change in percentage terms between those years, giving the figures for *(a)* bilateral aid, *(b)* multilateral aid and *(c)* in total.

Mr. Lennox-Boyd: Figures for official development assistance are not yet available for 1993. In 1992, the United Kingdom gave 55·5 per cent. of its total official development assistance to sub-Saharan Africa. This represented a 4·8 per cent. increase over the 1991 figure, with bilateral assistance decreasing by 6 per cent. and multilateral assistance increasing by 13 per cent.

Human Needs

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy towards the recommendations of the United Nations Development Programme on the proportion of developing countries' budgets which should be devoted directly to meeting the priority human needs of their people and the proportion of which international aid for development should directly support those needs.

Mr. Lennox-Boyd: We recognise the importance of addressing priority human needs, but do not consider it

appropriate to prescribe proportional targets for expenditure on a global basis. The imposition of such targets on to the budgets of developing countries can restrict their capacity to prioritise expenditure to cope with their particular circumstances.

The proportion of the British aid budget allocable by sector to priority human needs is already significant. In the financial year 1992-93, about 31 per cent.—£180 million—of allocable bilateral aid went to the health, education, and water sectors.

Grameen Bank, Bangladesh

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will encourage third-world Governments and institutions in the establishment of banks similar to the Grameen bank in Bangladesh;

(2) if he will consider giving financial assistance to the Grameen bank in Bangladesh; and what assessment he has made of the work of the Grameen bank.

Mr. Lennox-Boyd: The Overseas Development Administration endorses the objectives of the Grameen bank in its work with the poor in Bangladesh. We have not been asked for financial support. If requested, help to establish similar credit institutions in other countries would be candidates for consideration from our bilateral aid programme on a case-by-case basis.

Overseas Aid

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made for the proportion of overseas aid which actually goes to the poor of the countries that it is intended to help.

Mr. Lennox-Boyd: In 1992-93, 80 per cent. of the British bilateral aid allocatable by income group went to the poorest countries in the world. All of our aid effort is intended, either directly or indirectly, to help poor people in the recipient countries.

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received on the extent to which aid is spent by Governments on projects and bureaucracy rather than on people in need.

Mr. Lennox-Boyd: The overall purpose of the aid programme is to promote sustainable economic and social development in other countries and the welfare of their people. The Government finance a range of projects and programmes in support of this. Some are carried out through non-governmental organisations and the private sector. Many are carried out through Governments. In all cases, we assess the likely effectiveness of the institutions concerned in advance of the project and monitor this during the project's execution.

EDUCATION

School Tests

Mr. David Porter: To ask the Secretary of State for Education if he will make a statement on the respective duties and responsibilities of *(a)* teachers, *(b)* heads, *(c)* governors and *(d)* local education authorities to ensure testing of the national curriculum at key stage 3 in the current year; and what are the penalties in each case for failure to comply.

Mr. Robin Squire: It is the duty of local education authorities and governing bodies to exercise their functions with a view to securing, and the duty of the head teacher to secure, the implementation of all aspects of the national curriculum including the key stage 3 tests. Under their contracts of employment, classroom teachers are required to carry out duties under the direction of the head teacher. Head teachers are also under a contractual duty to carry out their statutory obligations.

If a teacher or head teacher is in breach of contract of employment it falls to his or her employer to consider what action to take. The employer would decide what, if any, disciplinary action is called for, except in an LEA-maintained school with a delegated budget, where it would be the responsibility of the governing body. If an LEA or governing body acts unreasonably or fails to carry out one of its duties then the Secretary of State has the power to issue a direction to that governing body or LEA.

Teacher Training Agency

Mr. Ian Taylor: To ask the Secretary of State for Education what arrangements he has made for setting up the new teacher training agency.

Mr. Patten: The Government intend, subject to the passage of the Education Bill currently before Parliament, to establish a new funding agency in England to administer all central funds for initial teacher training. Parliamentary approval for expenditure associated with this new service in 1994-95 will be sought in a revised estimate for the higher and further education vote (class X, vote 2). Pending that approval, urgent and essential preparatory expenditure estimated at £74,000 will be met by a repayable advance from the Contingencies Fund.

Student Grants

Mr. Jenkin: To ask the Secretary of State for Education if he will announce the post graduate bursary and studentship rates payable by his Department for the academic year 1994-95.

Mr. Boswell: The main maintenance rates under the Department's own postgraduate awards scheme for certain professional and vocational courses in the academic year 1994-95 will be as follows, with 1993-94 rates shown in brackets:

	1994-95 £	*1993-94* £
Bursaries		
London	3,295	(3,170)
Elsewhere	2,600	(2,500)
Parental home	1,965	(1,890)
Studentships		
London	5,555	(5,340)
Elsewhere	4,415	(4,245)
Parental home	3,255	(3,130)

These represent increases of 4 per cent. on the current year's rates. The relevant supplementary allowances will be increased broadly in line.

NATIONAL HERITAGE

English Heritage

Ms Mowlam: To ask the Secretary of State for National Heritage what representations have been received from the London boroughs by *(a)* English Heritage and *(b)* his Department in respect of English Heritage's proposal to transfer responsibility for negotiation with owners and developers of listed buildings to them.

Mr. Brooke: My Department has no record of direct representations on this issue since I agreed last year to English Heritage's negotiating directly with individual boroughs, with a view to devolving to them the responsibility for determining applications for listed building consent for minor alterations and extensions to grade II listed buildings under "flexible authorisation". I refer to the answer given to my right hon. Friend the Member for Westminster, North (Sir John Wheeler) on 23 April 1993 at columns 228-2[illegible].

Since then, English Heritage has signed agreements with three of the boroughs where such applications are most frequent—Bexley, Kensington and Chelsea, and Wandsworth. Agreements with the City of London, the City of Westminster and Kingston-upon-Thames are imminent. Discussions are in progress with a number of other boroughs and it is expected that further agreements will be signed over the next year. In addition to devolution of this casework the agreements provide, where appropriate, a measure of financial support for conserva tion staff posts and training. All the remaining boroughs have indicated a willingness to discuss with English Heritage the handling of conservation work and the support that English Heritage could give them.

Ms Mowlam: To ask the Secretary of State for National Heritage what was the ratio of professional and technical staff to managers and administrators at English Heritage in *(a)* 1983, *(b)* 1990 and *(c)* the latest available date.

Mr. Brooke: English Heritage was established in 1984. The ratios of professional and technical staff to managers and administrators are as follows:

	Professional/ Technical	*Managers/ Administration*
1984	45	55
1990	48	52
1994	47	53

These ratios exclude custodial and industrial staff.

Millennium Commission

Ms Mowlam: To ask the Secretary of State for National Heritage, pursuant to his answer of 5 May, *Official Report*, column *608*, if he will give a breakdown of the estimated £670,000 administration costs of the Millennium Commission which remains after subtracting the elements for salary and staff costs, and for publicity.

Mr. Brooke: The estimated £670,000 administration costs of the Millennium Commission which is expected to remain after subtracting the elements for salary and staff costs and for publicity, is expected to break down as follows:

	£
Contracted-out services	159,000
Consultants, including project appraisal	240,000
Accommodation and fitting out costs	244,000
Utilities	14,000
Office services	13,000

Radio Reception, Llanbrynmair

Mr. Alex Carlile: To ask the Secretary of State for National Heritage if he will make it his policy to improve FM radio reception in Llanbrynmair; and if he will make a statement.

Mr. Brooke: It is for the broadcasters to determine the engineering priorities aimed at extending or improving reception of programmes to specific areas.

HOUSE OF COMMONS

Child Care

Mr. Mudie: To ask the Chairman of the Administration Committee if the results of the survey on child care in the Parliamentary Estate will be made public.

Mr. Michael J. Martin: The Committee has now reported its conclusions in respect of the provision of child care to the House of Commons Commission. That part of the Committee's proceedings which contain the principal deliberations on this issue have now been published in HC 374-i to ix. The Committee has decided not to publish the results of the survey.

HEALTH

Children (Accidents and Deaths)

Mrs. Golding: To ask the Secretary of State for Health how many notifications of *(a)* child deaths and *(b)* incidents of serious harm to children have been received by the Department of Health under the terms of part 8 of "Working Together" each year since the implementation of the Children Act 1989.

Mr. Bowis: The Department does not hold central information in the form requested. The table shows the number of child deaths reported to the Department since 1 April 1991.

Year ending 31 March	[1]*Number reported*
1992	[2]115
1993	116
1994	112

[1] Not all deaths are due to abuse and subject to Review under part 8 of Working Together. Figures cover all deaths of children looked after by a local authority or accommodated at a childrens home (eg: this would include children whose deaths were due to natural causes).

[2] Figure includes 58 deaths recorded in the period up to 13 October 1991 prior to the implementation of the Children Act 1989.

NHS Trusts

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 20 April, *Official Report*, column *541*, regarding trusts which fail to meet their capital return

targets, what action her Department has at its disposal when trusts so fail; and how often action has been taken to date.

Mr. Sackville: The regional offices of the national health service executive monitor the financial performance of trusts on behalf of my right hon. Friend the Secretary of State. Where a trust fails to meet one or more of its financial duties by a material amount it will be required to produce a recovery plan which will then be monitored closely by the regional office. Any trust which exceeds its authorised external financing limit has its limit for the following year reduced by the amount of the excess.

In some circumstances failure to meet financial duties on a recurrent basis may indicate a trust is no longer financially viable. In those circumstances the NHS executive will investigate whether the trust should be merged with another, or exceptionally dissolved, if there is no longer any demand for its services.

Appropriate action as above has been taken in each case of material failure to meet a financial duty.

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 20 April, *Official Report*, column *541*, how many trusts that *(a)* failed to meet and *(b)* succeeded in meeting their financial targets (i) borrowed finance and (ii) had loans guaranteed by her Department; and what sums of money were involved.

Mr. Sackville: All the borrowing detailed as follows was within agreed limits whether or not the trust met its financial duties. Trusts negotiate overdraft facilities with their bankers and the Department issues guarantees in support of these arrangements. Information is not available centrally about the extent to which these facilities were taken up during the year. Information for 1993-94 will not be available until the annual accounts of trusts are audited.

1991-92 (57 trusts established)

Six of the trusts which failed to achieve one or more of their financial targets in 1991-92 received loans from the Department. The amount involved was £17,336,000 of which £3,100,000 was short-term borrowing repaid in year.

Thirteen of the trusts meeting their financial targets in 1991-92 received loans from the Department. The amount involved was £80,567,000 of which £30,150,000 was short-term borrowing repaid in year.

Seven of the trusts which failed to meet one or more of their financial targets in 1991-92 were issued with overdraft guarantees by the Department. The amount involved was £3,125,000.

Seven of the trusts meeting their financial duties in 1991-92 were issued with overdraft guarantees by the Department. The amount involved was £2,550,000.

1992-93 (156 trusts established)

Thirty-eight trusts which failed to meet one or more of their financial targets in 1992-93 received loans from the Department. The amount involved was £257,875,972 of which £66,663,731 was short-term borrowing repaid in year.

Thirty-three trusts which met their financial targets in 1992-93 took loans from the Department. The amount involved was £186,310,425 of which £64,751,000 was short-term borrowing repaid in year.

Twenty-one trusts which failed to meet one or more of their financial targets in 1992-93 were issued with overdraft guarantees by the Department. The amount involved was £7,135,000.

Twenty-four trusts which met their financial targets in 1992-93 were issued with overdraft guarantees by the Department. The amount involved was £11,425,000.

Mr. Ainger: To ask the Secretary of State for Health if she will list those English NHS trusts which in 1992-93 failed to achieve a 6 per cent. return on capital in *(a)* percentage terms and *(b)* cash terms.

Mr. Sackville *[pursuant to his reply 15 March 1994 columns 560-61]:* I regret that there were errors in my previous reply.

The amounts of return on capital employed for Broadgreen hospital and St. Helen's and Knowsley national health service trusts should read—£2,145,000 and £4,268,000 respectively. The percentages were however correct.

Staff Contracts

Mr. Cox: To ask the Secretary of State for Health what is now the number of personnel working within the national health service who are *(a)* on short-term contracts and *(b)* on temporary contracts; and if she will make a statement.

Dr. Mawhinney: The information is not available centrally.

Child Abuse

Mrs. Golding: To ask the Secretary of State for Health if her Department has, or intends to develop, a preventive strategy which concentrates on eliminating the range of factors and circumstances which can give rise to abuse or neglect of children; and if she will make a statement.

Mr. Bowis: The Government attach a high priority to this problem and seeks to tackle it through guidance, measures designed to promote training in this field and through the Children Act 1989.

In October 1991, to coincide with the implementation of the Children Act, the Home Department, the Department of Health, the Department for Education and the Welsh Office published a revised edition of "Working Together under the Children Act 1989—a guide to arrangements for inter-agency co-operation for the protection of children from abuse". The guide incorporates lessons learned in individual cases which have caused public and professional concern in recent years. Copies of the guide are available in the Library.

Local authorities have a duty to provide services to prevent children in their area suffering ill treatment or neglect, which forms part of a general duty to safeguard and promote the welfare of children in need.

Cosmetic Surgery

Mr. French: To ask the Secretary of State for Health what plans she has to regulate private cosmetic surgery clinics.

Mr. Sackville: Private cosmetic surgery clinics are covered by the Registered Homes Act 1984. There are no plans to extend regulation.

Mr. French: To ask the Secretary of State for Health what training is required by those who wish to practise as cosmetic surgeons.

Mr. Sackville: There is no separate speciality of comsetic surgery. Surgeons in plastic surgery in the national health service are required to undergo basic and higher specialist training in posts, and to standards, approved by the Joint Committee on Higher Surgical Training of the Royal Colleges of Surgeons. The required training for those who wish to practise plastic surgery in the independent sector is a matter for the employer and the health insurers.

Christopher Clunis

Dr. Lynne Jones: To ask the Secretary of State for Health how the performance management system for the mental health services works; and to what extent the deficiencies in the care and treatment of Christopher Clunis, described in the Ritchie report, have been remedied.

Mr. Bowis: The ten-point plan, which my right hon. Friend the Secretary of State announced last August, outlined a programme of work to improve the care of mentally ill people in the community. The plan includes the introduction of supervision registers, the issuing of new guidance on discharge and new legislation to introduce a supervised discharge for a small number of patients.

The National Health Service Executive is taking action to strengthen its monitoring of community care for severely mentally ill people in line with one of the key recommendations of the Ritchie report. The aim is to ensure that health authorities systematically deliver the care programme approach and other policy commitments in their contracts with service providers and that they work effectively with local authorities and other agencies. A local audit tool for the care programme approach is being produced to provide a clear basis against which health authorities can review local arrangements with their providers and other agencies involved and identify areas for improvement. The NHS executive will follow this up with a national sample audit to ensure that the arrangements are working satisfactorily.

The mental health task force is working with health authorities and other agencies in London to review the arrangements for the management of severely mentally ill people in the community and is helping authorities to develop action plans to address problems which are identified.

Dental Services and Sight Tests (NHS Staff)

Mr. Blunkett: To ask the Secretary of State for Health (1) if she will publish a list of those regional health authorities, district health authorities, family health services authorities, or other NHS bodies, which operate schemes for reimbursing charges incurred by their employees for NHS dental examinations or sight tests;

(2) what guidance has been issued by her Department or the NHS executive to NHS authorities regarding the operation of schemes for reimbursing charges incurred by their employees for NHS dental examinations or sight tests; and if she will make a statement.

Dr. Mawhinney: Information on national health service bodies who offer such reimbursement schemes is not available centrally. No guidance has been issued to national health service employers about these schemes.

The decision on whether to introduce a scheme is a matter for each national health service employer.

Counselling

Mr. Spellar: To ask the Secretary of State for Health, pursuant to her answer of 10 May, *Official Report*, column 84, what studies she has instituted to ascertain the cost and benefits to the NHS of introducing payments for counselling.

Mr. Bowis: Research evidence on the cost effectiveness of counselling and psychotherapy services is being examined as part of a current departmental review of strategic policy on psychotherapy services.

Mental Health

Dr. Lynne Jones: To ask the Secretary of State for Health in what way the National Health Service Executive takes account of the views of the carers of those for whom mental health services are provided.

Mr. Bowis: The National Health Service Executive is committed to involving both users and carers. It is involved in the NHS executive's mental health task force London project. The mental health task force has also commissioned the National Schizophrenia Fellowship to undertake a survey on the experiences and needs of people caring for someone with mental illness.

Dr. Lynne Jones: To ask the Secretary of State for Health if she will provide further information about the tool kit of measures relating to performance management of mental health services reported in evidence to the House of Commons Health Committee in December 1993, by the director of the mental health task force.

Mr. Bowis: The mental health task force has initiated an annual survey, now in its second year, of progress on reprovision of old-style long-stay services. This information is now being combined with other information on the full range of mental health services provided by health and social services to enable comparisons to be made at health authority level across England. This analysis will be available to support performance management in the national health service executive regional offices and in purchasing authorities.

Guidance to purchasers on specifying a service for severely mentally ill people is also in preparation. A range of other materials highlighting best practice have been or are about to be published, including a series of videos on innovative service provision and publications on releasing fixed costs and on approaches to reproviding services across three regions.

Dr. Lynne Jones: To ask the Secretary of State for Health if she will now establish a permanent inter departmental advisory group on mental health; and if she will make a statement.

Mr. Bowis: We are considering the Health Select Committee's recommendation on this and will respond to the Committee shortly.

Health Services, Sunderland

Mr. Etherington: To ask the Secretary of State for Health how many and what percentage of patients out of the total annual patient population were discharged from each of the Sunderland hospitals in each year since 1990 to *(a)* residential homes and *(b)* residential nursing homes.

Mr. Bowis: This is a matter for the Sunderland district health authority, to whom I refer the hon. Member.

NHS Estate

Mr. Gordon Prentice: To ask the Secretary of State for Health for each year since 1987, how much the NHS has paid to district valuation officers for valuation work on NHS land and property assets which are earmarked for disposal.

Mr. Sackville: Health authorities contract individually with the district valuation office for required services. The total of amounts paid are not available centrally.

The valuation office has recently centralised its own records enabling it to set out the total paid by the national health service for services—in England—and has provided the following figures. They include for all services, not just for work in respect of disposals. Information for prior years could be provided only at disproportionate cost.

	£
1991-92	1,131,432
1992-93	831,625
1993-94	1,696,692

Obsessive Compulsive Disorder

Mr. Blunkett: To ask the Secretary of State for Health how many NHS hospitals or community health centres have established units for the treatment of obsessive compulsive disorder.

Mr. Bowis: Treatment of those suffering from obsessive compulsive disorder is provided within general mental health services which are available in every district.

Hearing Apparatus (Charges)

Ms Walley: To ask the Secretary of State for Health what plans she has to introduce charges for people with hearing difficulties in respect of hearing apparatus, aids, repairs and batteries; and if she will make a statement.

Mr. Bowis: None.

Diethylstilbestrol

Mr. Ron Davies: To ask the Secretary of State for Health if she will list the firms which are or have been involved in the manufacture of diethylstilbestrol for distribution in the United Kingdom.

Mr. Sackville: Firms that currently hold marketing authorisations for the drug diethylstilbestrol are Approved Prescription Services, A. Nelson and Co. Ltd. and Norgine Ltd.

Mr. Ron Davies: To ask the Secretary of State for Health (1) what is the percentage uptake of regular diethylstilbestrol examinations by those women whose mothers received it during pregnancy in each local health authority in England and Wales;

(2) what guidelines her Department has issued regarding the frequency of diethylstilbestrol examinations for women whose mothers were prescribed it during pregnancy.

Mr. Sackville: The Department has issued no guidelines on regular diothylstilbestrol examinations for women whose mothers were prescribed it during pregnancy.

Mr. Ron Davies: To ask the Secretary of State for Health under which names diethylstilbestrol is or has been marketed in the United Kingdom.

Mr. Sackville: Diethylstilbestrol has been marketed under the following brand names: Stilboestrol, Stilboestrol BP, Tampovagan Stilboestrol and Lactic Acid Pessary, Menopax, Sedestran, Merven and Pabestrol.

Hormonal Transplacental Carcinogenesis

Mr. Ron Davies: To ask the Secretary of State for Health what research her Department has undertaken or commissioned on hormonal transplacental carcinogenesis in the United Kingdom.

Mr. Sackville: None.

Nutritional Therapy

Mr. Alex Carlile: To ask the Secretary of State for Health how many representations she has received concerning the inclusion of nutritional therapy in the national health service; what was the nature of these representations; and if she will make a statement.

Mr. Sackville: Representations have been received from an organisation called the Society for the Promotion of Nutritional Therapy.

The availability of nutritional therapy within the national health service will depend—as with orthodox medicine—on the clinical judgment of the responsible clinician in respect of individual patients and on decisions taken locally by district health authorities, general practitioner fundholders and family health services authorities on how they should best use their funds to meet the health needs of the local population.

Transgenic Pigs

Mr. Alex Carlile: To ask the Secretary of State for Health if she will make a statement on her Department's position on the use of transgenic pigs for human transplant operations.

Mr. Sackville: The modification of animal organs for transplantation into human beings has not yet been developed. Procedures of this kind would not be practised in the United Kingdom without the approval of the medical profession and with consideration of the ethical issues involved. Any clinical or medical research involving national health service patients would have to be referred to the appropriate local research ethics committee.

Disablement Grants

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) what assessment she has made of the operation of the provisions of the Children Act 1989 limiting disablement facilities grants to people aged 18 years or over; what is the reason for these provisions; and what representations she has received for (a) Coventry and (b) elsewhere on the subject;

(2) what assessment she has made of trends in the number of people in Coventry who are eligible to receive disablement grants; and how many people in Coventry are excluded for eligibility for the grant by the changes made in the Children Act 1989.

Mr. Sackville: I refer the hon. Member to the reply I gave him on 16 May at columns *323-24*. The number of people in Coventry eligible for disablement facilities grants is not available centrally.

Tobacco-related Deaths

Mr. Blunkett: To ask the Secretary of State for Health what is her estimate of the total number of tobacco-related deaths in each year since 1983-84.

Mr. Sackville: The only statistics available are for 1988, published in the Health Education Authority's report "The Smoking Epidemic", copies of which are available in the Library. It was then estimated that smoking-related diseases account for some 110,000 deaths a year in the United Kingdom.

Sight Tests

Mr. Blunkett: To ask the Secretary of State for Health how many national health service sight tests paid for by the family health service authorities took place in 1993-94 in each regional health authority.

Dr. Mawhinney: The figures for 1993-94 are not yet available.

GP Fundholders

Mr. Blunkett: To ask the Secretary of State for Health if she will list, by region, the allocation for general practitioner fundholding for prescribing in *(a)* 1990-91, *(b)* 1991-92, *(c)* 1992-93 and *(d)* 1993-94.

Dr. Mawhinney: General practitioner fundholding commenced in April 1991; prescribing allocations for the years since then are shown in the table. Fundholding practices may vire between the prescribing elements of their budgets and those for staff costs and hospital and community health services.

Fundholding prescribing allocations

Cash

Region	*1991-92*	*1992-93*	*1993-94*
Northern	15,934,291	26,141,569	47,885,444
Yorkshire	20,493,035	40,091,223	72,853,258
Trent	14,728,729	33,489,726	84,915,707
East Anglia	5,378,891	9,201,810	31,167,885
North West Thames	9,791,918	21,828,519	47,730,650
North East Thames	5,449,000	10,991,000	24,835,826
South East Thames	7,353,300	15,792,100	47,178,307
South West Thames	8,764,415	20,177,992	38,200,663
Wessex	8,732,605	21,727,541	37,730,212
Oxford	13,020,177	26,606,056	43,867,848
South Western	9,912,110	22,241,703	40,893,887
West Midlands	14,183,746	34,587,254	79,716,686
Mersey	11,626,278	26,484,731	53,510,834
North Western	9,476,185	19,293,355	43,645,118
TOTAL	154,844,679	328,654,579	694,132,325

Mr. Blunkett: To ask the Secretary of State for Health what is the number of general practitioner non-fundholding practices in each region; what percentage of regional total of general practitioner practices this represents; and what percentage of the regional population they serve.

Dr. Mawhinney: The table gives the requested information as at 1 October 1993 when 75 per cent. of the population was served by non-fundholding general practitioners. On 1 April 1994 this was reduced to 65 per cent. as a further 805 practices joined the fundholding scheme.

Region	*Number of non-fundholding practices*[1]	*Percentage of all practices*[1]	*Percentage of population served*[1]
Northern	451	86	76
Yorkshire	553	82	67
Trent	693	81	69
East Anglia	248	83	75
North West Thames	723	88	73
North East Thames	853	94	86
South East Thames	688	89	79
South West Thames	449	87	76
Wessex	385	87	78
Oxford	306	80	66
South Western	496	87	80
West Midlands	925	87	74
Mersey	341	77	65
North Western	796	91	83

[1] The figures are based on numbers of practices at 1 October 1993.

Waiting List Initiative

Mr. Blunkett: To ask the Secretary of State for Health what monitoring she has undertaken regarding schemes financed by the additional funds for the waiting list initiative announced on 17 February; and if she will place the data obtained in the Library.

Dr. Mawhinney *[holding answer 19 April 1994]:* When the additional funding was allocated regional health authorities were asked to record the resulting activity. Initial returns show that at least 38,000 patients have benefited from earlier treatment as a result of the Government's initiative.

Health Visitors and Nurses

Ms Primarolo: To ask the Secretary of State for Health how many *(a)* health visitors, *(b)* district nurses, *(c)* community psychiatric nurses and *(d)* school nurses were employed in the NHS for each of the last five years, broken down by regional health authority and expressed as whole-time equivalents.

Mr. Sackville *[holding answer 13 May 1994]:* The information available will be placed in the Library. The information shows an overall increase of 3·7 per cent. between 1988 to 1992. The number of practice nurses has increased by 162·1 per cent. from 3,480 in 1988 to 9,120 in 1992. This gives an overall increase of 22·7 per cent. for community nursing staff.

WALES

Dyslexia

Mr. Barry Jones: To ask the Secretary of State for Wales what are his current policies to assist *(a)* adults and *(b)* children of school age who suffer dyslexia; and what new measures he plans.

Sir Wyn Roberts: The Further Education Funding Council for Wales has responsibility for ensuring that adequate arrangements are in place to meet the needs of adult students with learning difficulties and/or disabilities.

Since 1 April 1993 the funding council may fund courses which teach independent living and communication skills to adults who have learning difficulties so as to prepare them for vocational or academic courses; courses which prepare them for entry to higher education courses; courses for basic literacy in English; or courses for proficiency or literacy in Welsh. The council supported over 2,100 students with learning difficulties and/or disabilities in 1993-94, including those with dyslexia.

It is the responsibility of local education authorities and schools to make appropriate provision for children with special educational needs, including dyslexia. The code of practice on the identification and assessment of special educational needs, which has been approved by Parliament, and which comes into effect in September 1994, gives guidance to help LEAs and schools in those responsibilities. From that date also school governing bodies have the duty of preparing and publishing their policies for children with special educational needs, including those with dyslexia.

Under the grants for education support and training programme for 1994-95, the Welsh Office has made grant available to LEAs specifically for training of teachers of children with dyslexia in addition to more general training in special educational needs. The 1995-96 programme is currently under consideration.

Pollution Control

Mr. Llew Smith: To ask the Secretary of State for Wales how many copies of the guide on the implementation of integrated pollution control, prepared with the Department of the Environment, have been distributed in Wales; to whom it has been made available; and at what cost.

Mr. Gwilym Jones: The guide is a priced document at £5 a copy, available from Her Majesty's Stationery Office, its accredited agents and through certain booksellers. Around 2,700 copies have been sold to date, but no separate record exists as to the number of purchasers in Wales or their identity.

Prescriptions

Mr. Alan Williams: To ask the Secretary of State for Wales how many prescriptions are dispensed in any one year in Wales; and what is the number receiving exemptions from charges.

Mr. Gwilym Jones: I refer the hon. Member to the reply I gave to the hon. Member for Gower (Mr. Wardell) on 10 May, c. *103.*

Llangollen

Mr. Martyn Jones: To ask the Secretary of State for Wales how many representations he has had from individuals and organisations relating to the inclusion of Llangollen in a new unitary authority of Wrexham; how many were in favour of this development; and what dates they were received in his office.

Mr. Gwilym Jones: My right hon. Friend and I have received 19 representations about the implications of local government reorganisation for the community of Llangollen. The details are as follows:

	In favour of including Llangollen in Wrexham	*Against*	*No clear indication of views*	*Total*
Individuals (including MPs)	11	3	—	14
Organisations	3	1	1	5
	14	4	1	19

The dates of those representations received in favour of the inclusion of Llangollen in the proposed Wrexham unitary authority are as follows:

31 March 1993
10 May 1993
28 June 1993
June 1993
1 July 1993
22 April 1994
29 April 1994
30 April 1994
3 May 1994
4 May 1994
5 May 1994
7 May 1994
8 May 1994
9 May 1994

Buckley Link Road

Mr. Barry Jones: To ask the Secretary of State for Wales if he will grant extra funds to Clwyd county council to enable it to build the Buckley town link road.

Sir Wyn Roberts: No. Under arrangements agreed with local authorities, road schemes costing less than £5 million are financed from unhypothecated resources.

Mr. Barry Jones: To ask the Secretary of State for Wales if he will ensure that the valuation of homes blighted by the proposed Buckley-Clwyd link road is satisfactory; and if he will make a statement.

Mr. Gwilym Jones: The scheme is the responsibility of Clwyd county council, which is obliged to pay the open market value of the homes required. Where the value is disputed home owners can refer the issue to the Lands Tribunal, an independent expert body appointed to deal with such disputes.

Homes (Road Schemes)

Mr. Barry Jones: To ask the Secretary of State for Wales what guidelines are used by those who value homes due to be demolished or which are blighted as a consequence of road schemes; and if he will make a statement.

Mr. Gwilym Jones: The Welsh Office employs the district valuer to negotiate the appropriate level of compensation which includes the open market value of the property being acquired under blight or compulsory purchase. In establishing the market value the district valuer will take into account comparable transactions in the locality and disregard any depreciating effect of the road proposals.

Housing

Mr. Llwyd: To ask the Secretary of State for Wales how many council houses there were in each district council area and in Wales as a whole in each year since 1988-89, indicating the percentage change in each case between 1988-89 and the latest available year.

Mr. Gwilym Jones: The numbers of local authority dwellings in each district council area in each year since 1989-90 are given in the following table.

Local authority dwelling stock[1]

	[2]1988	1989	1990	1991	1992	1993	[3]1994	Percentage change 1988-89 to 1994-95
Aberconwy	2,936	2,814	2,577	2,503	2,461	2,446	2,414	-17·8
Alyn and Deeside	5,317	5,215	4,981	4,875	4,861	4,840	4,797	-9·8
Arfon	5,118	5,033	4,875	4,820	4,799	4,764	4,726	-7·7
Blaenau Gwent	10,583	10,425	9,938	9,757	9,628	9,536	9,448	-10·7
Brecknock	2,875	2,791	2,672	2,609	2,559	2,532	2,486	-13·5
Cardiff	20,301	19,773	18,680	18,345	18,163	18,013	17,961	-11·5
Carmarthen	3,600	3,544	3,441	3,355	3,274	3,212	3,133	-13·0
Ceredigion	3,580	3,521	3,315	3,207	3,163	3,075	2,975	-16·9
Colwyn	2,686	2,623	2,511	2,459	2,433	2,401	2,373	-11·7
Cynon Valley	5,403	5,355	5,157	4,916	4,755	4,697	4,653	-13·9
Delyn	4,807	4,754	4,603	4,509	4,454	4,398	—	—
Dinefwr	2,654	2,591	2,481	2,418	2,383	2,360	2,350	-11·5
Dwyfor	1,479	1,469	1,438	1,402	1,399	1,389	1,379	-6·8
Glyndwr	3,057	2,978	2,793	2,745	2,726	2,706	2,682	-12·3
Islwyn	6,296	6,125	5,879	5,831	5,732	5,658	5,548	-11·9
Llanelli	7,107	6,894	6,677	6,514	6,490	6,376	6,286	-11·6
Lliw Valley	5,268	5,195	4,948	4,843	4,764	4,706	4,647	-11·8
Meirionnyd	2,091	2,064	1,967	1,934	1,900	1,879	1,849	-11·6
Merthyr Tydfil	7,003	6,860	6,568	6,446	6,378	6,312	6,240	-10·9
Monmouth	5,116	4,996	4,765	4,730	4,637	4,569	4,467	-12·7
Montgomeryshire	3,072	2,995	2,884	2,832	2,614	2,581	—	—
Neath	5,771	5,618	5,309	5,270	5,188	5,126	5,065	-12·2
Newport	13,609	13,449	13,027	12,889	12,799	12,720	12,740	-6·4
Ogwr	10,003	9,744	9,258	9,041	8,831	8,736	8,634	-13·7
Port Talbot	6,318	6,104	5,649	5,451	5,285	5,132	5,033	-20·3
Preseli Pembrokeshire	5,873	5,726	5,366	5,231	5,162	5,060	4,970	-15·4
Radnorshire	1,184	1,161	1,116	1,123	1,106	1,110	1,100	-7·1
Rhondda	4,889	4,833	4,706	4,539	4,505	4,366	4,302	-12·0
Rhuddlan	2,779	2,706	2,650	2,610	2,604	2,597	2,579	-7·2
Rhymney Valley	10,310	10,132	9,770	9,503	9,350	9,210	9,090	-11·8
South Pembrokeshire	2,934	2,878	2,747	2,677	2,633	2,608	2,587	-11·8
Swansea	17,711	17,325	16,493	16,166	15,697	15,433	15,121	-14·6
Taff Ely	7,769	7,513	6,965	6,726	6,580	6,465	5,964	-23·2
Torfaen	13,691	13,502	12,893	12,604	12,432	12,229	11,979	-12·5
Vale of Glamorgan	6,423	6,212	5,866	5,776	5,702	5,649	5,560	-13·4
Wrexham Maelor	16,290	16,078	15,152	14,866	14,717	14,549	14,373	-11·8
Ynys Mon	5,842	5,717	5,395	5,264	5,206	5,167	5,125	-12·3
Wales	241,745	236,713	225,512	220,786	217,370	214,607	—	—

Source: Housing Revenue Account Subsidy Claim Forms.
[1] At 1 April.
[2] Average number of dwellings 1988-89.
[3] First Advance Claim Forms for 1994-95 not received from Delyn or Montgomeryshire.

Mr. Dafis: To ask the Secretary of State for Wales how many homes were provided by housing associations *(a)* for rent, *(b)* for sale and *(c)* in total in each year since 1989-90 for (i) each district council and (ii) Wales.

Mr. Gwilym Jones: The following tables show the number of homes provided by housing associations and the number of these homes which were intended for rent and for sale in each year since 1989-90.

Provision of social housing by housing associations[1]

	1989-90	1990-91	1991-92	1992-93
Aberconwy	71	84	84	75
Alyn and Deeside	26	8	77	136
Arfon	50	145	56	89

	1989-90	1990-91	1991-92	1992-93
Blaenau Gwent	47	89	236	184
Brecknock	74	52	78	51
Cardiff	172	643	360	960
Carmarthen	73	14	68	83
Ceredigion	10	33	105	105
Colwyn	52	44	17	107
Cynon Valley	95	65	52	128
Delyn	17	56	101	129
Dinefwr	23	28	14	90
Dwyfor	4	24	37	52
Glyndwr	26	61	63	80
Islwyn	88	49	188	37
Llanelli	44	39	33	127
Lliw Valley	25	66	158	85
Meirionnydd	10	38	36	32
Merthyr Tydfil	59	103	116	75
Monmouth	6	68	19	226
Montgomeryshire	26	25	62	138
Neath	52	80	88	87
Newport	236	93	95	277
Ogwr	121	248	86	259
Port Talbot (Afan)	31	73	95	55
Preseli Pembrokeshire	45	18	71	117
Radnorshire	4	4	49	62
Rhondda	168	166	144	69
Rhuddlan	41	37	40	104
Rhymney Valley	216	54	52	186
South Pembrokeshire	11	13	15	63
Swansea	267	184	292	299
Taff-Ely	48	105	96	168
Torfaen	67	59	146	127
Vale of Glamorgan	76	132	49	139
Wrexham Maelor	48	39	126	234
Ynys Mon	13	21	144	39
WALES	2,442	3,060	3,548	5,274

[1] Includes newbuild, acquisitions and rehabilitation of self-contained units and special needs and other shared housing bedspaces.

Provision of social housing by housing association[1]

	1989-90		1990-91		1991-92		1992-93	
	For rent	For sale	For rent	For sale	For rent	For sale	For rent[2]	For sale
Aberconwy	71	0	77	7	60	24	53	22
Alyn and Deeside	26	0	8	0	77	0	126	10
Arfon	50	0	145	0	56	0	82	7
Blaenau Gwent	47	0	89	0	236	0	184	0
Brecknock	74	0	52	0	43	35	51	0
Cardiff	172	0	643	0	330	30	890	70
Carmarthen	73	0	14	0	62	6	75	8
Ceredigion	10	0	33	0	85	20	105	0
Colwyn	52	0	42	2	15	2	96	11
Cynon Valley	95	0	65	0	52	0	128	0
Delyn	17	0	39	17	97	4	88	41
Dinefwr	23	0	28	0	14	0	86	4
Dwyfor	4	0	24	0	37	0	47	5
Glyndwr	26	0	51	10	58	5	70	10
Islwyn	88	0	49	0	188	0	37	0
Llanelli	44	0	39	0	33	0	127	0
Lliw Valley	25	0	66	0	158	0	85	0
Meirionnydd	10	0	38	0	36	0	30	2
Merthyr Tydfil	59	0	103	0	116	0	75	0
Monmouth	6	0	49	19	19	0	209	17
Montgomery	26	0	25	0	56	6	138	0
Neath	52	0	80	0	88	0	53	34
Newport	236	0	66	27	78	17	277	0
Ogwr	121	0	217	31	76	10	250	9
Port Talbot	31	0	73	0	81	14	54	1
Preseli	45	0	18	0	64	7	109	8
Radnor	4	0	4	0	49	0	62	0
Rhondda	168	0	166	0	144	0	69	0
Rhuddlan	41	0	37	0	40	0	80	24
Rhymney valley	216	0	42	12	52	0	156	30
South Pembrokeshire	11	0	13	0	15	0	63	0
Swansea	267	0	177	7	285	7	290	9
Taff Ely	48	0	105	0	95	1	168	0
Torfaen	67	0	59	0	135	11	127	0

	1989-90		1990-91		1991-92		1992-93	
	For rent	For sale	For rent	For sale	For rent	For sale	For rent[2]	For sale
Vale of Glamorgan	76	0	112	20	49	0	139	0
Wrexham Maelor	48	0	39	0	118	8	232	2
Ynys Mon	13	0	21	0	144	0	39	0
Wales	2,442	0	2,908	152	3,341	207	4,950	324

[1] Includes newbuild, acquisitions and rehabilitation of self contained units and special needs and other shared housing bedspaces.
[2] Includes 1,198 dwellings acquired through the Acquisition Initiative.

Sheep Farming

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make a statement on the French Government's authorisation of an aid package to French sheep farmers, with regard to this action's effect on sheep farmers in Wales.

Mr. Redwood: The announcement of the French support for its sheepmeat industry was made comparatively recently and we do not, therefore, have sufficient details to be able to assess its impact on Welsh sheep farmers. However, under articles 92 and 93 of the treaty of Rome, national aid schemes are strictly controlled in order to prevent unfair competition. Member states must obtain the prior approval of the Commission for any new state aids or modification to existing aids. The Commission has the authority to require the abolition or amendment of any scheme including the repayment of any aid paid illegally.

We are making inquiries of the Commission to determine the status of this particular aid scheme.

Mr. Ron Davies: To ask the Secretary of State for Wales what recent discussions he has had with the Minister of Agriculture, Fisheries and Food about sheep scab; and what plans he has to make sheep scab a fully notifiable disease.

Mr. Redwood: Sheep scab is a disease which can be controlled readily by individual farmers, who are well aware of the preventive measures and procedures needed to deal with it. A recent official surveillance programme at markets and sales has indicated that the number of affected sheep has increased from the levels recorded before deregulation. Sheep scab can lead to serious welfare problems and has commercial implications for farmers and the leather industry. The Government therefore propose to carry out a publicity campaign to encourage farmers to treat their sheep. To ensure that farmers take their welfare responsibilities seriously, sheep suffering from scab will be required to be removed from markets for treatment and the vendor may be prosecuted.

Local Government Reorganisation

Mr. Ron Davies: To ask the Secretary of State for Wales, pursuant to his answer of 13 April, *Official Report*, column *48*, how many representations of the 13 he received in favour of the inclusion of Wick, St. Bride's Major and Ewenny in the proposed Vale of Glamorgan unitary authority were made by members of the public.

Mr. Redwood: Of the 13 representations I received since the publication of the White Paper in favour of the inclusion of Wick, St. Bride's Major and Ewenny in the proposed Vale of Glamorgan unitary authority, six were from members of the public.

Mr. Ron Davies: To ask the Secretary of State for Wales (1) if he will list the representations he has received *(a)* in favour of and *(b)* in opposition to the inclusion of Llanelly in the proposed new unitary authority of Powys since publication of his White Paper, "Local Government in Wales: A Charter for the Future";

(2) if he will list the representations he received prior to his White Paper, "Local Government in Wales: a Charter for the Future", and the dates he received them, which were opposed to the inclusion of Wick, St. Bride's Major and Ewenny in the proposed unitary authority of the Vale of Glamorgan.

Mr. Redwood: I will write to the hon. Gentleman and place a copy of my letter in the Library of the House.

FOREIGN AND COMMONWEALTH AFFAIRS

Parliamentary Questions

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs how many parliamentary questions, in the period November 1992 to March 1993, were answered with the response that the information requested is not held centrally and could be obtained only at disproportionate cost; how many were referred to an agency chief executive; and, in each case, what percentage of the total number of questions asked this constituted.

Mr. Lennox-Boyd: Seven parliamentary questions were answered during the period concerned using the answer in question. This represents 0·5 per cent. of the total questions answered. None was referred to an agency chief executive.

Hong Kong

Mr. Spellar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current position on discussions regarding terms to be offered to expatriate civil servants currently based in Hong Kong.

Mr. Goodlad: We consulted the Association of Members of Her Majesty's Overseas Civil Service in Hong Kong in March on a proposed package of benefits. The association suggested a number of changes to the package. These suggestions will be carefully considered before the package is finalised.

Iraq

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Kuwaitis are being kept in Iraqi prisons as a consequence of the Gulf war; and what representations he, or international bodies, have been making about these prisoners.

Mr. Douglas Hogg: The Kuwaiti Government estimate that 592 Kuwaitis are unaccounted for after the Gulf war.

We raise the plight of Kuwaiti and other detainees with the Iraqi Government at every suitable opportunity, for example at the next Security Council review of sanctions on 17 May. We also fully support the International Red Cross in its efforts to persuade Iraq to respond to requests for information about the detainees.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimates exist of the number of foreign nationals being kept in Iraqi prisons; how many of these are British; and what representations are being made about access to them and about their release.

Mr. Douglas Hogg: We have no record of any British citizens being held in Iraqi prisons at the moment. Records are not kept of detained foreign nationals.

Bulgaria

Sir Dudley Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Kingdom's current relations with Bulgaria; and when a senior Government Minister last visited that country.

Mr. Douglas Hogg: We enjoy friendly relations with Bulgaria and strongly support Bulgaria's political and economic reforms. President Zhelev called on the Prime Minister in March. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs visited Bulgaria in June last year. He and I look forward to receiving Foreign Minister Daskalov on 19 May.

Human Rights

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government are supporting the proposal of the Belgian Government that the European Union accede to the European convention on human rights as a collective entity.

Mr. Douglas Hogg: We see no need for the Community, as a collective entity, to accede to the convention when its principles are already applied and observed at all levels within the Community. All the member states are parties to the convention, and the European Court of Justice applies the principles and case law of the convention, as necessary, to cases before it. We do not see that accession by the Community would bring any extra benefit to the individual citizen, and are thus not in favour of a proposal which would have only symbolic value.

European Union

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out the commitments made by chancellor Kohl to the European Parliament at the time it was voting on enlargement; and in what way each of those commitments bind *(a)* the EU institution or *(b)* the United Kingdom.

Mr. Heathcoat-Amory: Chancellor Kohl said that he would

"endeavour to have a working group set up, composed of governments as well as European Members of Parliament, and which would work in association with the Commission."

Chancellor Kohl's commitment is not binding, since the precise terms of reference for the working group will be decided by member states at the Corfu European Council.

South Africa

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs when trade sanctions against the Republic of South Africa will be lifted; and if he will make a statement.

Mr. Lennox-Boyd: The only sanctions remaining in force against South Africa are the UN arms embargo and related European Union and Commonwealth restrictions. The European Union has agreed that it will work for the earliest possible lifting of remaining UN sanctions and concurrently to withdraw related EU measures.

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs when the embargo on the sale of arms to the Republic of South Africa will be lifted; and if he will make a statement.

Mr. Lennox-Boyd: It is for the United Nations Security Council to decide when to lift the arms embargo. The European Union has agreed that it will work for the earliest possible lifting of remaining UN sanctions and concurrently to withdraw related EU measures. The President of the Security Council has promised President Mandela that, on receipt of a request from the new South African Government, the Council will urgently debate lifting the arms embargo.

TRANSPORT

Road Schemes

Mr. Meacher: To ask the Secretary of State for Transport what representations he has received from local authorities with designated assisted area status which are trying to progress necessary infrastructure schemes on the effect of the removal of automatic supplementary credit approval for road schemes under the Industrial Development Act 1982; and what plans he has to review this policy.

Mr. Key: The Department has received representations from three local authorities and a local authority association about recently revised arrangements for grants under section 13 of the Industrial Development Act—IDA. Under the new arrangements grants are calculated on the total costs of schemes and deductions are no longer made for contributions from European regional development fund grants and from the private sector. The changes are intended to ensure that as many worthwhile schemes as possible can be supported and to provide incentives to maximise private sector involvement. Supplementary credit approvals—SCAs—have never been automatically available, but local authorities can continue to include bids for SCAs in their transport policies and programmes.

Contracts

Mr. Meacher: To ask the Secretary of State for Transport if he will list the companies with which his Department has had contracts since 1 September 1990 which have resulted in either financial or administrative problems and have consequently been either renegotiated or terminated.

Mr. Norris: The firms which have been identified are shown in the table. It does not include companies whose

contracts have been subject to normal variations or those where novation is a purely technical matter resulting from a change of ownership and the contract is transferred to the new company.

As a matter of policy the Department does not seek to renegotiate the terms of existing road scheme contracts in the event of a company getting into financial difficulties. However, since September 1990 one consultant and four contractors have gone into receivership and their contracts have been novated to other firms. Some road construction contracts have also been terminated because of poor performance but information on these is not held centrally and could be provided only at disproportionate cost.

Name of Company	*Description of problems encountered*
BCW Communications—1 Contract	The company went into receivership. The contract was novated to another company.
A. F. Budge (Contractors) Ltd—9 Contracts[1]	The company went into receivership. The contract was novated to another company.
Cooper MacDonald plc—3 Contracts[1]	The company went into receivership. The contract was novated to another company.
Eden Construction Ltd—2 Contracts[1]	The company went into receivership. The contract was novated to another company.
A. E. Farr Ltd—1 Contract[1]	The company went into receivership. The contract was novated to another company.
Lilley Construction Ltd—1 Contract[1]	The company went into receivership. The contract was novated to another company.
Colin Buchanan & Partners	The quality of the company's work was not satisfactory. The contract was terminated.
Peter Davidson Consultancy	The company found it could not undertake the requirement as they had proposed in their tender. The contract was renegotiated.
Ferranti International plc—3 Contracts	Ferranti Road Traffic Systems Ltd were sold to Peek Traffic Ltd, necessitating novations of the contracts.
G. & W. Energieanlagen	The company had supplier and other problems. The contract was extended.
Kingswinford Fuel Injection Services Ltd	The company failed to meet the requirement. The contract was terminated.
Precision Profiles	The company failed to deliver on time. The contract was terminated.

[1] Road schemes.

Northern Relief Road, Birmingham

Ms Walley: To ask the Secretary of State for Transport what is his latest assesment of the implications of the proposed Birmingham northern relief road on *(a)* traffic forecasts, *(b)* carbon dioxide emissions and *(c)* asthma; and if he will make a statement.

Mr. Robert Key: The question relates to matters which are the responsibility of the Highways Agency; the chief executive will write to the hon. Member.

Letter from Lawrie Haynes to Ms Joan Walley, dated 17 May 1994.

You asked the Secretary of State for Transport what is his latest assessment of the implications of the proposed Birmingham Northern Relief Road on *(a)* traffic forecasts, *(b)* carbon dioxide emissions and *(c)* asthma.

A Technical Update package was published by Midland Expressway Ltd., the Department's Concessionaire, and the Department at the beginning of February this year. This package includes an update of the traffic information as well as an update on air quality information. A set of the documents which comprise the package is being sent to the House of Commons Library so that you may study them if you wish. They are:

Birmingham Northern Relief Road
Technical Update and Summary
Noise Update Report
Air Quality Update
Local Model Validation Report
Model Development Forecasting Report

I expect you know that a public inquiry into this scheme opens in Walsall on 21 June. Proofs of the detailed evidence to be presented to that inquiry on traffic and air quality are being made available in advance of the inquiry opening. These will add detail to the information in the February Update and explain fully how it has been arrived at. The air quality evidence is available now; the evidence on traffic is expected to be available at the end of this month. Copies of these two proofs can be sent to you if you require them.

It is not possible to say what effect the Birmingham Northern Relief Road itself might have on asthma. The Highways Agency is aware that a large number of studies have been undertaken to investigate the medical effects of air pollution from many sources, including vehicle emissions. There is no evidence that vehicle emissions cause asthma but it is possible that existing asthmatics may have their symptons made worse.

Rail Chiefs

Mrs. Dunwoody: To ask the Secretary of State for Transport what are the current rates of pay to *(a)* the chairman of British Rail and *(b)* the chairman of Railtrack; and what are the figures as a percentage of the 1993-94 salary rate.

Mr. Freeman: The current rates of pay, which are at 1993-94 salary rates, are £131,663 to the chairman of British Rail and £121,800 to the chairman of Railtrack.

However, the chairman of the British Railways Board's salary as from 1 April 1994 is 60 per cent. of his previous salary, reflecting his move to a three-day week from his previous full-time appointment.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list details and costs of the services or benefits made available in addition to salary to *(a)* the chairman of British Rail, *(b)* the chairman of Railtrack, *(c)* the rail regulator and *(d)* the franchise director.

Mr. Freeman: Information in the case of the chairman of British Rail was given in note 5(c) to the "British Railways Board Annual Report and Accounts 1992-93". Disclosure will be made also in subsequent annual reports and accounts of the British Railways Board, and is to be expected for the chairman of Railtrack in the annual report and accounts of Railtrack plc.

The rail regulator and the franchise director each have a pension arrangement broadly by analogy with the principal civil service pension scheme, with no special enhancements, on salary up to the level of the pension schemes earning cap—£76,800 from 6 April 1994, normally increased annually in line with retail prices.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the criteria, other than inflation, used to determine the percentage increase on 1993-94 salary rates for *(a)* the rail regulator and *(b)* the franchise director; and what were the percentage increases in each case.

Mr. Freeman: Increases in the remuneration of the rail regulator and the franchise director are determined by my right hon. Friend in the light of the Government's decision on recommendations made by the Senior Salaries Review Body and the subsequent Treasury guidance on the consequential arrangements for chairmen and members of non-commercial public boards and holders of broadly similar appointments. The decision on the body's 1994 report was announced by my right hon. Friend the Prime Minister on 3 February 1994, *Official Report,* column 848-50. As regards the percentage increases awarded to the rail regulator and the franchise director from 1 April 1994, I refer the hon. Member to the answer I gave to her on 9 May, *Official Report,* column *56.*

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the criteria, other than inflation, that he is using to determine the 1994-95 salary increases for *(a)* the chairman of British Rail and *(b)* the chairman of Railtrack.

Mr. Freeman: Salary increases will be determined in the light of the Government's policy to pay no more than is necessary to retain and motivate suitably qualified board members and will take account of any 1994-95 pay increases which may be agreed for the staff.

Mrs. Dunwoody: To ask the Secrtary of State for Transport when the salaries for 1994-95 for *(a)* the chairman of British Rail and *(b)* the chairman of Railtrack will be detemined; and if he will make a statement.

Mr. Freeman: Salaries for 1994-95, which will require approval by Treasury, will be determined in due course.

Mrs. Dunwoody: To ask the Secretary of State for Transport what is the cost in each case of the company cars available to *(a)* the chairman of British Rail, *(b)* the chairman of Railtrack, *(c)* the rail regulator and *(d)* the franchise director.

Mr. Freeman: The provision of company cars and the consequent cost for the chairman of British Rail and the chairman of Railtrack is a matter between them and the industry concerned.

The rail regulator and the franchise director head non-ministerial Government departments and are entitled, under their terms of appointment, to have the use of a car for official business, the costs of which are charged to their departments.

Night Flying

Sir Dudley Smith: To ask the Secretary of State for Transport if he will list those airports in England and Wales at which flights are allowed after *(a)* 12.30 am and *(b)* 1 am on a consistent basis.

Mr. Norris: Of the 28 airports in England and Wales subject to economic regulation—that is, those with an annual turnover in excess of £1 million—night operations are not prohibited at the following, although various restrictions apply:

Birmingham
Blackpool
Bournemouth
Bristol (Lulsgate)
Cambridge
Cardiff
Coventry
East Midlands
Exeter
Gatwick
Gloucestershire
Heathrow
Humberside
Leeds-Bradford
Liverpool
Luton
Manchester
Newcastle
Norwich
Southampton
Southend
Stansted
Teesside

Sir Dudley Smith: To ask the Secretary of State for Transport how many weekly take-offs and landings there were at airports in England and Wales between midnight and 5 am.

Mr. Norris: The precise information requested is not available, and an approximation could be derived only at disproportionate cost.

Railtrack

Mrs. Beckett: To ask the Secretary of State for Transport what has been the cost of setting up Railtrack Headquarters in London; and what arrangements have been made for the provision of information and answering of queries concerning services now that the changeover has been made.

Mr. Freeman: Staff costs, legal fees and accommodation costs including refurbishment of Railtrack headquarters amounted to some £7 million in 1993-94.

Information about train services is the responsibility of train operating companies. Railtrack is responsible for the production of a national train timetable and can provide information about that.

School Transport

Mr. Roger Evans: To ask the Secretary of State for Transport how many schoolchildren have been *(a)* injured and *(b)* killed while travelling to school on a school coach or minibus in each of the last five years.

Mr. Key: It is not possible to identify school coaches or minibuses in the road injury accident data collection system. However, it is possible to identify school pupil casualties in coaches and minibuses during journeys to and from school. Estimates of the information requested are shown in the following table.

School pupil[1] casualties: killed or injured in a journey to or from school: Great Britain 1988-92

Casualties

	Minibus/motor caravan	*Bus or coach*
1988		
Fatal	3	0
Serious	6	23
Slight	92	411
Total	101	434
1989		
Fatal	0	1
Serious	5	46
Slight	74	503
Total	79	550
1990		
Fatal	0	0
Serious	9	37
Slight	85	545
Total	94	582
1991		
Fatal	1	0
Serious	4	26
Slight	95	403
Total	100	429
1992		
Fatal	0	1
Serious	3	23
Slight	105	498
Total	108	522

Note: Children are aged as 0 to 15 years of age, and most school pupils within this category will be aged 4 to 15 years of age.

SOCIAL SECURITY

Child Support Agency

Sir Dudley Smith: To ask the Secretary of State for Social Security when the hon. Member for Warwick and Leamington can expect a response to his letter of complaint about the Child Support Agency's treatment of his constituent, Mr. N. A. Leach, of Leamington Spa, about which he wrote to the Under-Secretary of State on 23 February.

Mr. Burt: I replied to the hon. Member today.

Mr. Ingram: To ask the Secretary of State for Social Security how many appeals have been made to child support appeal tribunals to-date; in how many of these cases the Child Support Agency has forwarded submissions and how many of these met the target of responding to the independent tribunal service within 18 days; how many of these appeals have been heard to date; and in how many of those the child support officer's decision has been overturned.

Mr. Burt: I am informed that the number of child support appeals received by the independent tribunal service to the end of April is 2,070. On these appeals, the Child Support Agency has forwarded a total of 521 submissions; 184 within the 18 day target. By 30 April, 250 appeals had been heard, of which 221 have been finally decided. In 91 of the decided cases the child support officer's decision was overturned.

Mr. Terry Davis: To ask the Secretary of State for Social Security what was the purpose of the Child Support Agency event at Abberley in Worcestershire from 9 May to 11 May; which hotel was used; how many people attended the event; what was the estimated cost; and from how many hotels quotations were sought.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Terry Davis, dated 16 May 1994.

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency's event at Abberley.

The event in question was a management training course for staff at the Child Support Agency Centre in Dudley. It was held at the Elms Hotel, Abberley and was attended by nine members of the Agency's staff. The total cost incurred was £1,515.40. Quotations were sought from nine hotels before making the reservation.

I hope this reply is helpful.

Health Insurance

Mr. Bradley: To ask the Secretary of State for Social Security how many and what percentage of invalidity benefit recipients are in receipt of payments from permanent health insurance schemes; and what is the average amount paid per week.

Mr. Scott: This information is not available.

Civil Rights (Disabled Persons) Bill

Mr. Sheerman: To ask the Secretary of State for Social Security what was the most recent date before 6 May on which he met the Minister of State for Disabled People to discuss the progress of the Civil Rights (Disabled Persons) Bill.

Mr. Lilley: I discussed a number of matters, including the Government's proposals on civil rights for disabled people, with my right hon. Friend, the Minister of State, on 4 May.

Identity Cards

Mr. Spellar: To ask the Secretary of State for Social Security what plans he has to introduce identity cards for pensioners and other claimants.

Mr. Hague: We are currently looking at improved ways of confirming the identity of the recipients of benefit payments cashed at post offices.

Correspondence

Mr. Winnick: To ask the Secretary of State for Social Security when the hon. Member for Walsall, North will receive a reply to his letter of 17 March concerning a constituent ref. 6/3644/76.

Mr. Burt: I replied to the hon. Member today.

DUCHY OF LANCASTER

Alzheimer's Disease

Mr. Llwyd: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his Department's funding for research into Alzheimer's disease.

Mr. Waldegrave: The Medical Research Council, which receives its funding from the Office of Science and Technology, spent £1·5 million on research directly related to Alzheimer's disease in 1992-93, and a further £3.4 million on research of relevance to the condition.

The MRC is always willing to consider soundly based scientific proposals in competition with other applications for research funding.

Executive Search Agencies

Mrs. Roche: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 10 May, *Official Report*, column *134*, what was the total cost of the use of executive search agencies in 1992-93.

Mr. David Davis: No figures are held centrally for the costs of using search consultants in 1992-93; these costs are paid direct by the departments and agencies which use them.

Mrs. Roche: To ask the Chancellor of the Duchy of Lancaster what guidance is given by his Department to Government Departments and agencies regarding the use of executive search agencies and particularly regarding their cost to public funds.

Mr. David Davis: Advice on the use of executive search consultants is given in the "Guide on Public Appointments Procedures", produced in September 1992, by the Public Appointments Unit, a copy of which is in the Library of the House.

More detailed information about the executive search process and what it involves is given in "Executive Searchlight", of which the third edition was issued by the unit in February 1994. This includes guidance on how and when to use executive search, and the need to ensure that this form of recruitment meets the requirements of the Department and provides value for money. I am arranging for a copy of this publication to be placed in the Library of the House.

Mrs. Roche: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 10 May, *Official Report*, column *134*, if he will name the six executive search agencies referred to as being used by the Civil Service Commission.

Mr. David Davis: The six search consultants used by Departments for 11 appointments approved by the commissioners at grade 5 level and above in 1992-93 were:

Korn Ferry International Ltd.
NB Selection Ltd.
Price Waterhouse Executive Selection
Russell Reynolds Associates
St. James's Management Recruitment
Saxton Bampfylde International PLC

Charterline

Mrs. Roche: To ask the Chancellor of the Duchy of Lancaster what was the total cost to public funds of the Charterline; and how many calls it received.

Mr. David Davis: Total costs, including set-up and operational costs to date were £2,463,190. The final figures will be published when final bills are received.

Charterline received 5,882 calls between 19 May 1993 and 6 May 1994.

ATTORNEY-GENERAL

Accountants

Mr. Austin Mitchell: To ask the Attorney-General whether he will provide a table showing the contracts currently being worked on for his Department by Coopers and Lybrand, Ernst and Young, Price Waterhouse, KPMG Peat Marwick, Grant Thornton, Robson Rhodes, Levy Gee, BDO Binder Hamlyn, Hacker Young, Pannell Kerr Forster and Stoy Hayward.

The Attorney-General *[pursuant to his reply 31 March 1994, Official Report, column 953-54]:* In addition to the contracts listed in my earlier answer, Price Waterhouse was on 31 March 1994 working on a contract for the Serious Fraud Office in relation to the case of Arrows plc.

AGRICULTURE, FISHERIES AND FOOD

Fishery Protection

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if she will increase the level of surveillance by the Royal Navy to fishery protection duties in the English channel off the coast of Devon; and if she will make a statement as to the level of activity that the Royal Navy is currently providing in this area.

Mr. Jack: Deployment of the Royal Navy's fishery protection vessels within British fishery limits takes account of the nature and level of fishing activity, as well as sightings information provided by fisheries surveillance aircraft on contract to the Ministry and local intelligence collected by the sea fisheries inspectorate. Deployment is flexible and is adjusted as and when necessary to take account of changing circumstances and the needs in particular areas. In the first four months of 1994 vessels on task to MAFF were present in ICES area VIIe, which includes the waters off south Devon, for 129 patrol days.

Animal Welfare

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food if she will set out all *(a)* British and *(b)* EC legislation governing the welfare of animals during transit.

Mr. Soames: British legislation governing the welfare of animals during transport is as listed.

Section 1(b) of the Protection of Animals Act 1911
Section 1(b) of the Protection of Animals (Scotland) Act 1912
Sections 40 to 42 and 44 to 47 of the Animals Health Act 1981
The Transit of Animals Order of 1927, S.R.& O.1927/289
The Animals (Sea Transport) Order of 1930, S.R.& O. 1930/923
The Horses (Sea Transport) Order 1952, S.I. 1952/1291
The Export of Horses (Veterinary Examination) Order 1966, S.I. 1966/507
The Export of Horses (Protection) Order 1969, S.I. 1969/1784
The Transit of Animals (General) Order 1973, S.I. 1973/1377
The Transit of Animals (Road and Rail) Order 1975, S.I. 1975/1024
The Importation of Animals Order 1977, S.I. 1977/1175
The Export of Animals (Protection) Order 1981, S.I. 1981/1051
The Welfare of Poultry (Transport) Order 1988, S.I. 1988/851
The Welfare of Animals during Transport Order 1992, S.I. 1992/3304

At Community level the welfare of animals during transport is governed by Council directive 91/628/EEC (OJ No. L340, 11.12.91, p.17). This is implemented by the 1992 order as well as some of the earlier orders, as is set out in the explanatory note of the 1992 order. The directive permits certain national legislation to be retained pending the adoption of further detailed rules. The United Kingdom has taken advantage of this by maintaining certain national rules, in particular a maximum interval of 15 hours for feeding and watering animals in transport.

Rabbits

Mr. Colvin: To ask the Minister of Agriculture, Fisheries and Food (1) what enforcement action has been taken by her officials in accordance with their powers under the Pests Act 1954 to ensure that occupiers of land remove rabbits from it;

(2) what action she is taking to meet the statutory obligations under the Pests Act 1954 to control the number of rabbits on land used for rail and road transport; and if she will make a statement.

Mr. Soames: Section 1 of the Pests Act 1954 places a continuing obligation on occupiers of land designated as rabbit clearance areas to control rabbits harboured on their land. The current Rabbit Clearance Order, issued in 1972, covers the whole of England and Wales excluding the City of London, the Isles of Scilly and Skokholm island. This obligation is irrespective of the use being made of the occupier's land.

Where occupiers are failing to meet their obligations under the 1954 Act, the Agriculture Ministers have the power, under section 98 of the Agriculture Act 1947, to require action to be taken. These powers are discretionary and MAFF generally seeks to gain compliance with the legislation without resorting to the use of its legal powers. Nevertheless, these powers remain available and are invoked where necessary. MAFF is aware of the damage that rabbits can cause and keeps its policy on rabbit control under continual review.

Meat Exports (Germany)

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what action she plans to take if Germany decides to impose a partial ban on the import of British beef and veal; and if she will make a statement.

Mr. Soames: We have made it very clear that we would not accept a unilateral trade restriction if this were to be imposed by the German Government. The European Commission has made it clear to the German authorities that it too sees no justification for such measures and that it would take appropriate action.

A range of measures have already been introduced nationally and at Community level to protect consumers from any possible health hazard because of bovine spongiform encephalopathy. BSE has been discussed many times at expert and political level within the European Union and no less than three times in recent months at Council of Ministers level. The view of the Commission and all member states except Germany, is that there is no scientific justification for further measures.

Fisheries

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food how many fishing vessels left the non-sector to join fish producer organisations between 1993 and 1994; how much cod quota in total and per boat average went with them; and if she will make a statement.

Mr. Jack: Between 1 January 1993 and 1 January 1994, 146 vessels moved from the non-sector to producer organisations. Information about the cod quota attributable to the vessels which left the non-sector is not readily available and could be provided only at disproportionate cost.

Mr. David Porter: To ask the Minister of Agriculture, Fisheries asnd Food if she will make it her policy to persuade the European Commission to abandon fishing discards before Norway joins the European Union.

Mr. Jack: Discards occur since different species and sizes of fish are caught together. If fishermen are to comply with the current common fisheries policy rules on quotas and minimum landing sizes they necessarily have to discard fish which cannot be legally landed. In Norwegian waters the mix of species and the legal requirements are different and a discard ban is in operation. Under its accession treaty, Norway has been authorised to maintain its discard ban for three years.

The Government support the search for ways to reduce discards within the CFP. However, banning discards is not a practicable proposition, if the CFP is to operate effectively. The Council of Ministers has considered a Commission report on the discard problem and asked the Commission to bring forward proposals for action on a Community-wide basis. To this end, the Commission is funding a two-year project, which began in October 1993, to examine more selective fishing gears and the technical operational, economic and social pressures surrounding their adoption, taking account of regional variations. Recommendations are to be made as to how the Community might adapt its policies more effectively to promote selective fishing and reduce discards.

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food if she will make a statement on the

changes to the common fisheries policy British fishermen will need to adopt *(a)* in the preparation for Norway's entry into the European Union and *(b)* once Norway has joined.

Mr. Jack: In my reply of 19 April to the hon. Member for Great Grimsby (Mr. Mitchell), *Official Report*, columns 440-41, I set out the provisions on fisheries management in the treaty of accession.

Few changes are made, by the accession treaty to the reciprocal rights of access for Norway and the EU to each others' waters and fisheries. The Commission has proposed a system of fishing permits to control the exploitation of Community resources when the CFP applies to an enlarged Community and the Council is likely to consider this at its June meeting. It is for the Commission to propose any further new or amending regulations which may be necessary.

Scrapie

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food how many cases of sheep scrapie have been notified in Great Britain during each month since notification became a legal requirement.

Mr. Soames: Scrapie became notifiable on 1 January 1993.

The table provides details of the number of cases of scrapie confirmed in sheep by laboratory investigations from 1 January 1993 to 30 April 1994.

	1993	*1994*
January	22	22
February	31	14
March	54	[1]20
April	27	[1]17
May	22	—
June	17	—
July	30	—
August	17	—
September	14	—
October	33	—
November	17	—
December	2	—
TOTALS	286	[1]73

[1] These are provisional figures and may be subject to alteration.

Note:

Laboratory investigation of suspect cases of scrapie is not usually carried out for two years after the disease has been confirmed in a flock/herd.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what experiments have been performed in Great Britain over the last 10 years which involve the inoculation or feeding of cattle with infected material from sheep scrapie; and what were the results.

Mr. Soames: Since 1984 no experiments involving the inoculation or feeding of cattle with infective material from sheep with scrapie have been undertaken in Great Britain.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what research has been undertaken in Great Britain over the last 10 years into the possible relationship of scrapie in sheep and motor neurone disease in the human population.

Mr. Soames: Motor neurone disease of man and scrapie of sheep are quite separate and distinct diseases. The Ministry is not aware of any such research.

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what information she has on differences in the properties of strains of scrapie from Suffolk sheep from the USA and the United Kingdom.

Mr. Soames: Scrapie isolates from sheep can be strain-typed by identifying their biological characteristics in mice. Strains which have been derived by selection in mice may not be the same as those existing in the sheep from which the material was originally obtained. This Ministry is not aware of any direct comparison of strains of scrapie derived from sheep in the USA and sheep in Great Britain, that have been undertaken using the same strains of mice in the same laboratory. However it is known that at least one strain of scrapie—as determined by mouse bioassay—is common to British and USA sheep.

Spongiform Encephalopathy Advisory Committee

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food if she will list the names of consultancies held by members of the Spongiform Encephalopathy Advisory Committee during the last five years.

Mr. Soames: Members of the Spongiform Encephalopathy Advisory Committee are not asked to provide this information.

Animal Health

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food what specific measures she plans to take to ensure that Britain's animal health and veterinary standards are not jeopardised by moves to harmonise such standards throughout Europe; and if she will make a statement.

Mr. Soames: I refer the hon. Member to my reply to the hon. Member for North Cornwall (Mr. Tyler) on 27 April, *Official Report*, column *230*.

Sheep Exports

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food what action her Department has taken concerning reported deaths of sheep travelling between Portsmouth and France; and if she will make a statement.

Mr. Soames: It has been reported that 30 dead sheep were found after a vehicle was unloaded from a ferry sailing between Portsmouth and St. Malo on 19 April. It has also been reported that in a separate incident on 25 April 39 sheep were found to be dead in similar circumstances after crossing from Portsmouth to Le Havre. No carcases have been made available either to the British or French authorities to determine the cause of death. The Ministry has discussed the circumstances of both cases with the exporters, ferry companies and Hampshire county council, which is responsible for enforcing the legislation on the welfare of animals during transport. It has been concluded that there is insufficient evidence to prove beyond all reasonable doubt that any person carried out an action so as to cause the animals unnecessary suffering.

The Ministry has issued comprehensive guidance for exporters and ferry operators about the standards to be observed when livestock is carried on roll on/roll off ferries. Steps have been taken to remind exporters about

the importance of following this guidance and the Ministry will be inviting ferry operators to participate in discussions about their procedures for ensuring that proper arrangements are made to safeguard the welfare of animals.

EMPLOYMENT

Working Mothers

7. **Mr. Cann:** To ask the Secretary of State for Employment what percentage of lone mothers with dependent children were in work in 1979; and what percentage of lone mothers with dependent children are now in work.

14. **Mr. David Marshall:** To ask the Secretary of State for Employment what percentage of lone mothers with dependent children were in work in 1979; and what percentage of lone mothers with dependent children are now in work.

Miss Widdecombe: The latest estimates from the labour force survey for autumn 1993 show that 37 per cent. of lone mothers of working age with dependent children were in employment. The equivalent figure for spring 1981 —the earliest date available—is 45 per cent.

Unemployment

13. **Mr. Thurnham:** To ask the Secretary of State for Employment by what percentage the unemployment rate changed during the period 1974 to 1979; and if he will make a statement.

Mr. Michael Forsyth: During the period of the last Labour Government unemployment increased by 122 per cent.

Social Chapter

15. **Mr. Riddick:** To ask the Secretary of State for Employment what representations his Department has received from business men or business organisations urging the Government to adopt the social chapter.

Mr. Michael Forsyth: The overwhelming majority of British business supports the Government's decision to reject the social chapter because of its adverse effects on jobs and prosperity.

30. **Sir Fergus Montgomery:** To ask the Secretary of State for Employment what representations he has received concerning the United Kingdom adopting the social chapter.

Mr. Michael Forsyth: The Government's decision to reject the social chapter was supported by the great majority of employers' organisations because of the damage it would have done to the United Kingdom economy and jobs.

Senior Managers

16. **Mr. Ottaway:** To ask the Secretary of State for Employment what initiatives he has encouraged to improve opportunities for women to progress into senior management positions.

Mr. David Hunt: Our new joint initiative with the Equal Opportunities Commission Fair Play for Women, will promote and expand the role of women at work, building on the success of our New Horizons campaign, our out-of-school childcare initiative and our support for the employer-led Opportunity 2000.

Full Employment

17. **Mr. Soley:** To ask the Secretary of State for Employment when he expects to achieve full employment.

Mr. Michael Forsyth: Employment cannot be created by Act of Parliament or by Government action alone. Government policy will be directed to bringing conditions favourable to the maintenance of a high level of employment.

Part-time Employment

18. **Mr. Duncan Smith:** To ask the Secretary of State for Employment what measures will be brought forward to continue to enhance growth in part-time employment in the United Kingdom.

Miss Widdecombe: We shall continue with policies designed to create a flexible and deregulated labour market.

Works Councils

19. **Mr. Richards:** To ask the Secretary of State for Employment what plans he has to impose statutory trade union-dominated works councils on the businesses of the United Kingdom.

Mr. Michael Forsyth: None.

Economic Competitiveness

20. **Mr. Ian Taylor:** To ask the Secretary of State for Employment what measures his Department is taking to improve the competitiveness of the United Kingdom economy.

Mr. David Hunt: In the submission my right hon. Friend the Chancellor of the Exchequer and I made at the G7 jobs conference in Detroit, we said that we would improve competitiveness by:

enhancing the working of the labour market; increasing the ability of unemployed people to get jobs and encouraging investment in skills.

Unemployment, Dartford

21. **Mr. Dunn:** To ask the Secretary of State for Employment how many persons are unemployed in the Dartford travel-to-work area; and if he will make a statement.

Mr. Michael Forsyth: Dartford is covered by the London travel-to-work area, where unadjusted claimant unemployment in March 1994 stood at 414,551. This is 24,621 or 6 per cent. lower than in April 1993.

Employment Appeal Tribunal

22. **Mr. Mackinlay:** To ask the Secretary of State for Employment if he will review the working and running of the Employment Appeal Tribunal with a view to strengthening its independence from the Executive.

Miss Widdecombe: The Employment Appeal Tribunal is an entirely independent judical body.

Labour Statistics

23. **Mrs. Peacock:** To ask the Secretary of State for Employment how the total of civilian employment in Yorkshire and Humberside has changed in the last 10 years.

Mr. David Hunt: Between December 1983 and December 1993, the civilian workforce in employment in Yorkshire and Humberside rose by 96,000, or 5 per cent.

24. **Mr. Thomason:** To ask the Secretary of State for Employment what has been the change in the total of civilian employment in the west midlands in the last 10 years.

Mr. Michael Forsyth: Between December 1983 and December 1993, the civilian workforce in employment in the west midlands rose by 73,000 or 3 per cent.

Mr. Robert Banks: To ask the Secretary of State for Employment how many people in the Harrogate/Knaresborough travel-to-work area have been placed in work by the Employment Service in the past 12 months.

Mr. Michael Forsyth: Responsibility for the subject of the question has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from M. E. G. Fogden to Mr. Robert Banks, dated 17 May 1994.

The Secretary of State has asked me to reply to your question asking how many people in the Harrogate travel to work area have been placed in work by the Employment Service in the past twelve months.

It may be helpful if I explain that Jobcentre boundaries do not match travel to work area boundaries. Harrogate travel to work area covers the towns of Harrogate and Knaresborough, and villages mainly to the north west of Harrogate. Harrogate is the only Jobcentre in the travel to work area. The Jobcentre boundary closely matches the travel to work area, but also includes Wetherby which falls into the neighbouring Leeds travel to work area.

In the past twelve months, up to and including 8 April 1994, a total of 5,379 people have been placed in work by the Harrogate Employment Service Jobcentre.

I hope this is helpful.

28. **Mr. Madden:** To ask the Secretary of State for Employment what has been the change in *(a)* absolute terms and *(b)* percentage terms in unemployment in the parliamentary constituencies of Bradford, West and Bradford, South over the period April 1992 to March 1994.

Mr. Michael Forsyth: In Bradford, West unadjusted claimant unemployment fell by 11, or 0·2 per cent., and in Bradford, South it rose by 13, or 0·3 per cent.

26. **Mr. Lidington:** To ask the Secretary of State for Employment what steps his Department is taking to help unemployed people in Buckinghamshire find new jobs.

Mr. Michael Forsyth: In the year to March 1994, jobcentres in Buckinghamshire placed nearly 19,000 people into jobs—up 15 per cent. on the previous year.

Training and Enterprise Councils

27. **Mr. Milburn:** To ask the Secretary of State for Employment if he will make a statement on funding for training and enterprise councils.

Miss Widdecombe: The Department negotiates funding locally with training and enterprise councils on an annual basis, in line with the contents of their agreed business plans.

Strikes

29. **Mr. Merchant:** To ask the Secretary of State for Employment how many days were lost through strikes in *(a)* the United Kingdom and *(b)* Germany in the latest year for which figures are available; and what the figures for the United Kingdom and West Germany were in 1979.

Mr. David Hunt: In 1992 the United Kingdom lost 0·5 million days to labour disputes, one third of the former west Germany total of 1·5 million. In 1979 the United Kingdom lost 29·5 million days, over 50 times the west Germany total of 0·5 million.

Mr. Robert Banks: To ask the Secretary of State for Employment how many working days were lost through strikes in Yorkshire in each year since 1978.

Mr. Michael Forsyth: Data for Yorkshire and Humberside are given in the following table:

Year	*Working days lost (thousands)*
1993	23
1992	46
1991	55
1990	89
1989	325
1988	244
1987	339
1986	250
1985	2,076
1984	9,354
1983	415
1982	575
1981	449
1980	2,832
1979	3,115
1978	799

Earnings

Mr. Cox: To ask the Secretary of State for Employment what monitoring is done by his Department of the wage rates being paid in employment that was covered by wages councils; and if he will make a statement.

Mr. Michael Forsyth: The Department monitors the earnings of workers by industrial sector, including those sectors where there were wages councils, through the monthly average earnings indices and the annual new earnings survey.

Part-time Workers

25. **Mr. Khabra:** To ask the Secretary of State for Employment if the Government intend to introduce legislation to protect part-time workers.

Miss Widdecombe: Only 3 per cent. of employees are disqualified from employment protection on the basis of hours alone. Part-timers benefit from the enhanced rights introduced by the Trade Union Reform and Employment Rights Act 1993.

Hall's Electrical Contracting Company, Ossett

Mr. William O'Brien: To ask the Secretary of State for Employment (1) if he will investigate the length of notice given to workers at the Hall's electrical contracting company in Ossett, West Yorkshire, when it was closed;

(2) if he will investigate the extent of prior consultations with the workers at the Hall's electrical contracting works in Ossett, West Yorkshire, owned by East Midlands Electricity on the closure of the plant;

(3) if he will set up an inquiry into the manner in which workers at the Ossett electrical contracting business company in West Yorkshire owned by the East Midlands Electricity Board were given notice that the company would close.

Mr. Michael Forsyth *[holding answers 16 May 1994]:* Any complaint that an employer has failed to consult representatives of recognised trade unions about proposed redundancy dismissals in accordance with the statutory requirements would be a matter for determination by an industrial tribunal. Rights to individual notice of termination are contractual matters, though statutory minimum periods are specified in section 49 of the Employment Protection (Consolidation) Act 1978. Questions concerning proper contractual notice, or pay in lieu of notice, are matters for the courts.

Written Answers to Questions

Wednesday 18 May 1994

LORD CHANCELLOR'S DEPARTMENT

Magistrates Courts

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department how many amalgamations of magistrates court committee areas he has determined to make; how many committee areas *(a)* will be affected, and *(b)* will remain; and if he will list the names of the committee areas that will be affected by each amalgamation.

Mr. John M. Taylor: The White Paper "A New Framework for Local Justice", published in February 1992, announced that the Government would like to see a progressive reduction in the number of separate management units, and that we judged that something between 50 and 60 would in due course provide a good balance between the local character of the service and operational needs. The Lord Chancellor has reached no final conclusions about any specific amalgamations.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list all the magistrates court committees that he has consulted about possible amalgamation; and what plans he has to consult other magistrates court committees about amalgamation.

Mr. John M. Taylor: All magistrates courts committees were consulted during 1992 about criteria for magistrates court committee areas and were subsequently consulted on how those criteria could be met in their area. As a result of this, the Lord Chancellor published indicative conclusions as to possible amalgamations, but these do not constitute final decisions. Under the provisions contained in the Police and Magistrates Courts Bill, no order amalgamating or otherwise adjusting the boundaries of a magistrates court committee area could be made without consultation with the magistrates courts committee or committees concerned, except where they themselves had requested that such an order be made.

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his oral answer of 18 January, *Official Report,* column 454, if he will list all the criteria by which he has decided to reduce the number of magistrates court committees.

Mr. John M. Taylor: Any decision to amalgamate or otherwise adjust the boundaries of a magistrates court committee or committees would be taken in the light of local circumstances and against criteria appropriate at that time.

Mr. Redmond: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list by year for the last 10 years, and for the year to date, the number of magistrates courts that have been closed.

Mr. John M. Taylor: The provision of magistrates court-house accommodation is a matter for the courts committees for the area concerned in conjunction with the local paying authority. The Department has no central record of the number of magistrates court-houses that have been closed or are scheduled to be closed. A local authority that is aggrieved by a decision of a magistrates court committee to close a court-house has the right of appeal to the Lord Chancellor. Since 1993 the Lord Chancellor has dealt with six appeals and there is currently one appeal outstanding.

Justices' Clerks

Mr. Boateng: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 3 May, *Official Report,* column *403,* if he will list all the other non-judicial functions of justices' clerks.

Mr. John M. Taylor: No definitive list of the non-judicial functions of justices' clerks is possible. Section 28(3) of the Justices of the Peace Act 1979 states what the functions of a justices' clerk include, and section 28(4) of the Act goes on to state that subsection (3) ". . . shall not be taken as defining or in any respect limiting the powers and duties belonging to a justices' clerk . . .".

Parliamentary Questions

Mr. Meacher: To ask the Parliamentary Secretary, Lord Chancellor's Department how many parliamentary questions, in the period November 1992 to March 1993, were answered with the response that the information requested is not held centrally and could be obtained only at disproportionate cost; how many were referred on to an agency chief executive; and, in each case, what percentage of the total number of questions asked this constituted.

Mr. John M. Taylor: During this period 16 questions tabled to me were not answered on the basis of disproportionate cost and nine were referred on to an agency chief executive. These figures represent 4·22 per cent. and 2·37 per cent. respectively of the total number of questions tabled to me.

Trial Waiting Times

Mr. Redmond: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the current average waiting time for trial at *(a)* magistrates courts and *(b)* Crown courts for (i) defendants granted bail and (ii) those remanded in custody in (1) Doncaster, (2) Barnsley, (3) Rotherham and (4) Sheffield.

Mr. John M. Taylor: For the magistrates courts the average time from listing to completion for indictable and either way offences for the named metropolitan districts in 1993 were as follows:

	Weeks
Doncaster	7·0
Barnsley	12·0
Rotherham	7·4
Sheffield	8·6

However, the Barnsley figures are less reliable statistically than the others as only a small number of defendants was surveyed. Given the sample sizes, these figures cannot be broken down to show defendants granted bail and those remanded in custody without producing unrepresentative results.

The average time from committal for trial to arraignment or start of trial for defendants dealt with at the Crown court centre in Doncaster during four months to the end of March 1994 was 17·6 weeks for those remanded on bail and 13·5 weeks for those remanded in custody. The corresponding times for the centre in Sheffield were 24 weeks and 17·5 weeks respectively. Barnsley and Rotherham do not have Crown court centres.

Child Witnesses

Mr. Cox: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the courts, adult and juvenile, in the London area which now have screens, television equipment and pre-recorded interview facilities or other equipment for the use of child witnesses in court cases in which they are involved; and if he will make a statement.

Mr. John M. Taylor: The following courts in the London area are fitted with live television link equipment and video playback equipment for use in the presentation of evidence by child witnesses. The use of screens by child witnesses is available at all courts upon the direction of the judge.

Central Criminal Court
Crown Court at Croydon (two sets)
Crown Court at Harrow
Crown Court at Kingston-upon-Thames
Crown Court at Southwark
Crown Court at Wood Green
Crown Court at Woolwich
Thames Magistrates' Court

HOME DEPARTMENT

Immigration

Mr. Tony Banks: To ask the Secretary of State for the Home Department how many applications from foreign nationals to enter or remain in the United Kingdom on the basis of a stable and committed homosexual partnership with a United Kingdom national have been received in each of the last five years.

Mr. Charles Wardle: The information requested is not separately identified in the statistics.

Mr. Tony Banks: To ask the Secretary of State for the Home Department if he will make it his policy to allow foreign nationals to enter or remain in the United Kingdom on the basis of a stable and committed homosexual partnership with a United Kingdom national; and if he will make a statement.

Mr. Charles Wardle: No. I refer the hon. Member to the remarks that I made in reply to the hon. Member for Birmingham, Selly Oak (Dr. Jones) in the Adjournment debate on 4 May on the case of Mr. Bryan Ruppert, *Official Report*, columns 820-26.

Colin Ivor Dunning (Appeal)

Mr. Maclennan: To ask the Secretary of State for the Home Department if he will refer the case of Colin Ivor Dunning to the Court of Appeal under the provisions of section 17 of the Criminal Appeals Act 1968; and if he will make a statement.

Mr. Maclean: The representations submitted on Mr. Dunning's behalf in February 1994, together with earlier representations, are currently being considered. My right hon. and learned Friend the Secretary of State will determine in the light of that consideration whether it would be right to refer Mr. Dunning's case to the Court of Appeal or to take any other action in the matter.

Vehicle Crime

Mr. Michael: To ask the Secretary of State for the Home Department (1) if he will list for each police authority in 1992 the number of known offenders found guilty of or cautioned for offences of *(a)* theft of a motor vehicle or *(b)* unauthorised taking of a motor vehicle; and what proportion of the total number of known offenders in total and in each category were (i) juveniles and (ii) young adults;

(2) if he will list for each police authority in 1992 the number of known offenders found guilty of or cautioned for offences of theft from a motor vehicle; and what proportion of those offenders were (i) juveniles and (ii) young adults.

Mr. Maclean: The information is given in the tables.

Table A
Number and percentage of persons found guilty or cautioned for the indictable offence of theft of a motor vehicle[1] by police force area and age group, 1992

	10 – 16		*17 – 20*		*All ages*	
Police force area	*Number*	*Per cent.*	*Number*	*Per cent.*	*Number*	*Per cent.*
Avon and Somerset	20	23	28	32	88	100
Bedfordshire	56	49	33	29	115	100
Cambridgeshire	28	20	51	37	139	100
Cheshire	30	29	40	39	102	100
Cleveland	36	32	36	32	112	100
Cumbria	9	21	16	38	42	100
Derbyshire	27	29	34	37	93	100
Devon and Cornwall	22	15	57	39	147	100
Dorset	7	17	20	49	41	100
Durham	21	21	38	37	102	100
Essex	80	33	84	35	241	100
Gloucestershire	12	22	25	45	55	100
Greater Manchester	118	31	96	25	380	100
Hampshire	48	29	41	25	163	100
Hertfordshire	32	33	33	34	96	100
Humberside	69	44	38	24	157	100
Kent	142	40	119	34	352	100
Lancashire	11	14	17	22	76	100

Police force area	10 – 16 Number	10 – 16 Per cent.	17 – 20 Number	17 – 20 Per cent.	All ages Number	All ages Per cent.
Leicestershire	34	29	45	38	119	100
Lincolnshire	9	24	14	37	38	100
City of London	—	—	1	50	2	100
Merseyside	17	18	32	35	92	100
Metropolitan Police	75	22	82	24	335	100
Norfolk	17	22	21	27	79	100
Northamptonshire	11	17	23	35	66	100
Northumbria	35	23	49	32	151	100
North Yorkshire	13	21	20	32	63	100
Nottinghamshire	77	39	63	32	197	100
South Yorkshire	106	42	74	29	254	100
Staffordshire	6	10	17	28	61	100
Suffolk	29	35	30	37	82	100
Surrey	20	30	16	24	67	100
Sussex	23	27	19	22	85	100
Thames Valley	45	24	79	41	191	100
Warwickshire	26	39	18	27	67	100
West Mercia	5	8	23	38	61	100
West Midlands	104	29	114	32	353	100
West Yorkshire	80	26	94	31	307	100
Wiltshire	10	22	14	31	45	100
Dyfed Powys	2	9	7	32	22	100
Gwent	3	6	22	47	47	100
North Wales	13	31	5	12	42	100
South Wales	26	24	39	36	109	100
England	1,510	29	1,654	32	5,216	100
Wales	44	20	73	33	220	100
England and Wales	1,554	29	1,727	32	5,436	100

[1] Theft Act 1968 Section 1.

Table B

Number and percentage of persons found guilty or cautioned for the summary offence of stealing and unauthorised taking of a motor vehicle[1] by police force area and age group, 1992

Police force area	10 – 16 Number	10 – 16 Per cent.	17 – 20 Number	17 – 20 Per cent.	All ages Number	All ages Per cent.
Avon and Somerset	121	33	158	43	365	100
Bedfordshire	79	33	106	44	242	100
Cambridgeshire	45	31	62	43	143	100
Cheshire	222	44	190	38	506	100
Cleveland	201	46	167	38	439	100
Cumbria	90	41	90	41	222	100
Derbyshire	127	39	133	40	329	100
Devon and Cornwall	110	29	167	45	373	100
Dorset	54	31	69	39	176	100
Durham	60	34	80	45	176	100
Essex	152	36	159	38	419	100
Gloucestershire	74	46	54	34	160	100
Greater Manchester	917	42	791	36	2,191	100
Hampshire	255	44	198	34	577	100
Hertfordshire	80	33	117	48	246	100
Humberside	248	53	157	33	469	100
Kent	80	31	107	41	259	100
Lancashire	226	38	225	38	590	100
Leicestershire	137	33	198	48	411	100
Lincolnshire	57	36	59	38	157	100
City of London	3	16	9	47	19	100
Merseyside	281	34	352	43	816	100
Metropolitan Police	941	42	737	33	2,243	100
Norfolk	87	41	90	43	210	100
Northamptonshire	38	18	114	53	217	100
Northumbria	264	35	302	41	745	100
North Yorkshire	73	36	86	42	203	100
Nottinghamshire	218	43	196	39	502	100
South Yorkshire	206	36	250	43	580	100
Staffordshire	167	40	162	39	418	100
Suffolk	57	38	51	34	152	100
Surrey	31	22	62	45	138	100
Sussex	116	36	138	43	322	100
Thames Valley	388	45	338	39	871	100
Warwickshire	38	35	46	42	110	100
West Mercia	132	42	127	40	316	100
West Midlands	592	39	621	41	1,525	100
West Yorkshire	512	36	617	43	1,420	100
Wiltshire	45	38	48	41	118	100

Police force area	10 – 16 Number	10 – 16 Per cent.	17 – 20 Number	17 – 20 Per cent.	All ages Number	All ages Per cent.
Dyfed Powys	19	16	58	50	117	100
Gwent	79	47	56	34	167	100
North Wales	74	37	78	39	200	100
South Wales	325	39	346	42	823	100
England	7,524	39	7,638	39	19,375	100
Wales	497	38	538	41	1,307	100
England and Wales	8,021	39	8,176	40	20,682	100

[1] Theft Act 1968 Section 12(1) as amended by CJA 1988 Section 37: being carried knowing vehicle to have been taken or driven away; unauthorised taking of a motor vehicle.

Table C

Number and percentage of persons found guilty or cautioned for the indictable offence of theft from a motor vehicle[1] by police force area and age group, 1992

Police force area	10 – 16 Number	10 – 16 Per cent.	17 – 20 Number	17 – 20 Per cent.	All ages Number	All ages Per cent.
Avon and Somerset	43	17	122	48	252	100
Bedfordshire	64	37	70	40	173	100
Cambridgeshire	59	31	88	46	192	100
Cheshire	72	33	102	47	219	100
Cleveland	128	48	96	36	267	100
Cumbria	26	31	39	46	84	100
Derbyshire	87	25	155	45	346	100
Devon and Cornwall	25	18	62	44	142	100
Dorset	40	25	62	38	163	100
Durham	69	29	105	44	241	100
Essex	169	32	238	44	535	100
Gloucestershire	61	34	75	42	178	100
Greater Manchester	390	47	273	33	824	100
Hampshire	152	27	261	46	570	100
Hertfordshire	63	22	155	53	290	100
Humberside	106	32	122	36	336	100
Kent	135	27	238	48	498	100
Lancashire	118	33	171	48	358	100
Leicestershire	139	32	187	43	432	100
Lincolnshire	32	18	100	55	182	100
City of London	—	—	3	38	8	100
Merseyside	151	47	101	31	323	100
Metropolitan Police	498	37	453	33	1,359	100
Norfolk	55	35	69	44	157	100
Northamptonshire	11	10	70	63	111	100
Northumbria	143	32	174	39	449	100
North Yorkshire	62	38	58	35	165	100
Nottinghamshire	131	30	182	42	431	100
South Yorkshire	148	30	202	40	499	100
Staffordshire	58	31	99	52	190	100
Suffolk	64	35	80	43	184	100
Surrey	46	27	77	46	169	100
Sussex	54	15	192	55	351	100
Thames Valley	182	35	231	45	515	100
Warwickshire	36	26	72	52	139	100
West Mercia	55	33	67	41	165	100
West Midlands	476	47	361	35	1,023	100
West Yorkshire	320	41	282	36	776	100
Wiltshire	37	23	67	42	159	100
Dyfed Powys	68	68	23	23	100	100
Gwent	19	17	59	51	115	100
North Wales	43	24	89	49	181	100
South Wales	119	40	118	39	300	100
England	4,505	33	5,561	41	13,455	100
Wales	249	36	289	42	696	100
England and Wales	4,754	34	5,850	41	14,151	100

[1] Theft Act 1968 Section 1.

Ethnic Minorities

Ms Walley: To ask the Secretary of State for the Home Department if he will give details of the mechanism under which submissions are to be made for section 11 funding.

Mr. Peter Lloyd: The matter is under consideration. I will write to the hon. Member once the position is clearer.

Police Complaints Authority

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department in what circumstances the Police Complaints Authority may withhold evidence in criminal proceedings.

Mr. Charles Wardle: The responsibilities of the Police Complaints Authority do not normally involve the supply

of evidence. Where a police investigation discloses material which may be of relevance to criminal proceedings, either in the past or under consideration for the future, any such material would be made available to the Crown Prosecution Service by the police.

Justice and Home Affairs Council

Mr. Allen: To ask the Secretary of State for the Home Department if he will set out the agenda which has been proposed for the forthcoming meeting in Greece of the Justice and Home Affairs Ministers of the member states of the European Union treaty on 20 and 21 June, meeting in accordance with the title U1 of the European Union treaty.

Mr. Charles Wardle: No draft agenda has yet been proposed.

Mr. Allen: To ask the Secretary of State for the Home Department if he will make a statement on the results of the meeting of the Interior Ministers of the member states of the European Union, meeting in accordance with Title U1 of the European Union treaty, in Thessalonika, Greece on 6 and 7 May.

Mr. Charles Wardle: The meeting in Thessalonika on 6 and 7 May was an informal meeting of the Justice and Home Affairs Council. As such, it did not reach any formal conclusions. Representatives of the member states continued a wide-ranging debate of the Commission's recent communication on immigration and asylum policy.

Drug Trafficking

Mr. Colin Shepherd: To ask the Secretary of State for the Home Department how much money has now been seized as a consequence of convictions involving section 1 of the Drug Trafficking Offences Act 1986.

Mr. Maclean: Information collected centrally is given in the table:

Amount (£) recovered[1] by the Secretary of State in Confiscation orders under the Drug Trafficking Offences Act 1986 by financial year 1987-88—1992-93 England and Wales

Year	Amount recovered £
1987-88	600,000
1988-89	
1989-90[2]	1,375,200
1990-91[2]	1,448,000
1991-92	5,384,500
1992-93	5,180,900

[1] The information collected centrally is known to be incomplete as returns were not received from all petty sessional divisions.

[2] There was some confusion with the recording of the Drug Trafficking Offences Act 1986 and the Criminal Justice Act 1988 during these two years. In consequence it is considered that data has been under-recorded for the Drug Trafficking offence Act 1986 and over-recorded for the Criminal Justice Act 1988.

Misuse of Drugs Act

Mr. Colin Shepherd: To ask the Secretary of State for the Home Department how much money has now been paid over to constabularies as a consequence of the provisions of section 27 of the Misuse of Drugs Act 1971.

Mr. Maclean: Information is not collected centrally on the type or monetary value of property ordered to be forfeited.

Trans-sexual Prisoners

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will make available gender reassignment treatment to Kelly Denise Richards, currently serving a sentence at HM Prison, Parkhurst; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Alex Carlile, dated 18 May 1994:

The Home Secretary has asked me to reply to your recent Question about gender reassignment for Kelly Richards, a prisoner currently at Parkhurst prison.

Kelly Richards, who is also known as David Cross, has been seen by a consultant psychiatrist and a doctor from the Gender Identity clinic at Charing Cross hospital. No treatment has been recommended and arrangements are currently being made for Mr. Cross to be seen by another consultant.

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what is the policy of his Department on male-to-female trans-sexuals serving sentences in male prisons; and if he will make a statement.

Mr. Peter Lloyd: Responsibility for this matter has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter From Derek Lewis to Mr. Alex Carlile, dated 18 May 1994:

The Home Secretary has asked me to reply to your recent Question about the policy on male to female transsexuals serving sentences in male prisons.

The handling of transsexuals in prisons is dificult, both in administrative and medical terms.

Any transsexual is likely to have difficulties in adjusting to prison life, and it is more often than not necessary to segregate in a vulnerable prisoner unit or prison health care centre those whose transsexuality is obvious. We prefer to treat each case individually and the principal criteria is the most obvious physical characteristics of the person concerned and their ability to integrate with other inmates. A male to female transsexual who had undergone surgery and hormone treatment would therefore be more appropriately allocated to a femal establishment. Conversely, a transsexual who had not undergone any form of treatment would be unlikely to be accepted by fellow inmates in an establishment for the gender of their choice.

Nessun Quinliven and Pearse McAuley

Mr. Maginnis: To ask the Secretary of State for the Home Department (1) what steps have been taken to initiate formal extradition proceedings in the Irish Republic against Nessun Quinliven and Pearse McAuley; what discussions with the authorities in the Irish Republic have taken place; and what has been the Irish Republic's response;

(2) when he was first informed of the capture by the Irish Republic's authorities of Nessun Quinliven and Pearse McAuley; and whether he was officially given details by the Irish Government.

Mr. Maclean: The Metropolitan police was informed by the Irish authorities on 4 April and 9 April 1993 of the arrests in that country of Nessun Quinliven and of Pearse McAuley on those days. The Irish authorities were immediately informed of our interest in securing the return of the two men, in respect of whom arrest warrants had been issued here. But as I explained in my letter to the hon. Member of 4 August 1993, the domestic Irish proceedings against Quinliven and McAuley take precedence over requests for extradition. Nessun Quinliven was sentenced to four years' imprisonment on 7 October 1993, and Pearse McAuley to seven years on 18 November 1993, by the Dublin Special Criminal Court. These sentences of imprisonment will have to be served before they could be surrendered to the United Kingdom authorities.

FOREIGN AND COMMONWEALTH AFFAIRS

Dependent Territories

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his responsibilities for the environment of Pitcairn island and other dependent territories.

Mr. Lennox-Boyd: I refer the hon. Gentleman to the answer given by my right hon. Friend the Prime Minister on 14 February, *Official Report*, column *581*, which outlines the FCO's responsibilities for the dependent territories.

The setting of domestic policies and priorities is a matter for the dependent territories' own Governments. Environmental protection is a high priority for them. We are consulting the dependent territories on their participation in environmental agreements which are most appropriate to their particular circumstances.

We take seriously the issue of environmental protection in the Pitcairn Islands. We are preparing a management plan to address conservation issues on Henderson Island. Any conservation measures will need to take into account the isolation and remoteness of the Pitcairn Islands and must be agreed by the islanders.

Multilateral Trade Negotiations

Mr. Mans: To ask the Secretary of State for Foreign and Commonwealth Affairs when copies of the final Act embodying the results of the Uruguay round of multilateral trade negotiations and the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April will be presented to Parliament.

Mr. Hurd: Copies of the final Act embodying the results of the Uruguay round of multilateral trade negotiations and the agreement establishing the World Trade Organisation were presented to Parliament and published by Her Majesty's Stationery Office as Command Papers, miscellaneous series, on Monday 16 May.

NATIONAL HERITAGE

English Heritage

Ms Mowlam: To ask the Secretary of State for National Heritage on how many occasions, and in what circumstances, he has disregarded the advice of English Heritage on the listing of historic buildings.

Mr. Brooke: The advice of English Heritage is never disregarded, but my decisions must finally be my own judgment of a building's special architectural or historic interest.

Since April 1992, I have added 5,550 buildings to the statutory lists. During that period, I have decided in 55 cases not to accept recommendations from English Heritage in favour of listing. In a very small number of cases, I have decided to list buildings against the advice of English Heritage.

Outdoor Education Centres

Mr. Pendry: To ask the Secretary of State for National Heritage (1) what contribution the Sports Council has made to developing an accreditation scheme for outdoor activity centres;

(2) what support his Department has provided to the Sports Council and the English tourist board in developing a code of practice for outdoor education centres.

Mr. Sproat: I refer to the answer given to the hon. Member for Plymouth, Devonport (Mr. Jamieson) on Monday 16 May, *Official Report*, column *347*.

Film Lighting

Mr. Nicholas Winterton: To ask the Secretary of State for National Heritage if he will commission a report on competition in the film lighting supply industry; and what recent representations on this subject he has received.

Mr. Brooke: I have recently received a representation from my hon. Friend on this subject. The Director General of Fair Trading is responsible for reviewing competition in markets, and any concerns that my hon. Friend has should be referred to him.

AGRICULTURE, FISHERIES AND FOOD

Primates

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food, pursuant to her answer of 29 April, *Official Report*, column *377*, if she will list those establishments which have been approved as sources of primates under directive 92/65.

Mr. Soames: No establishment has yet completed the necessary approval procedures to be a source of primates under directive 92/65.

Animal Exports

Mr. Etherington: To ask the Minister of Agriculture, Fisheries and Food if she will place in the Library a copy of the recent investigation undertaken by staff of her chief veterinary officer into alleged irregularities in the veterinary certification of the export of live farm animals.

Mr. Soames: The investigations into alleged irregularities in the veterinary export certification of farm animals are continuing. Some are being undertaken by local authorities assisted by investigation officers of the Department and prosecutions may follow. These matters are therefore sub judice and, as is normal practice, copies of the investigations will not be placed in the Library.

SCOTLAND

Forestry Commission

Mr. Morley: To ask the Secretary of State for Scotland, pursuant to his answer of 9 May, *Official Report*, column *48*, on what date he will publish the document which will form the basis of consultation on the Government's preferred options for the future of the Forestry Commission.

Sir Hector Monro: I have nothing further to add to the answer that I gave the hon. Gentleman on 9 May, *Official Report*, column *48*.

Waste Water Treatment Directive

Mr. Kynoch: To ask the Secretary of State for Scotland what progress he has made with the identification of sensitive areas and high natural dispersion areas in connection with the urban waste water treatment directive; and if he will make a statement.

Sir Hector Monro: The Scottish waters identified as sensitive areas and high natural dispersion areas —HNDAs —in connection with the urban waste water treatment directive are set out in the table.

The general requirement of the directive is that all discharges of urban waste water from a population equivalent of 2,000 or more to freshwaters or estuaries, or 10,000 or more to coastal waters, should receive secondary treatment.

In areas identified as sensitive, more stringent treatment will be required while in HNDAs, the directive permits less stringent treatment—but at least primary treatment. The adequacy of less stringent treatment to prevent adverse effects on the environment requires to be demonstrated by comprehensive studies and confirmed by subsequent monitoring.

A map showing the locations of these areas has been prepared and will be forwarded to the European Commission. It will be made available for public inspection at the offices of the river purification authorities and meanwhile has been placed in the Library of the House.

Sensitive Areas
- River Almond (Cramond to Whitburn)
- Forfar Loch/Dean Water
- South Calder Water/Strathclyde Park Loch

High Natural Dispersion Areas (HNDAs)
- Eyemouth Coast
- Firth of Forth
- Forth Estuary (E)
- Firth of Tay (E)
- Angus Coast (South)
- Angus Coast (North)
- Kincardine Coast
- Peterhead Coast
- Fraserburgh Coast
- Banff Coast
- Buckie Coast
- Moray Firth (Lossiemouth/Burghead)
- Cromarty Firth (E)
- Wick Bay
- Thurso Bay
- The String, Kirkwall
- Lerwick Harbour
- The Minch (Stornoway)
- Oban Bay
- Campbeltown Loch
- Inner Firth of Clyde
- Clyde Coast (Irvine/Ayr)
- Clyde Coast (Girvan)
- Inner Solway Firth (E)

Note:
All HNDAs are in coastal waters, except those marked (E), which are in estuaries.

Ambulance Service

Mrs. Fyfe: To ask the Secretary of State for Scotland in what way the Scottish ambulance service becoming a trust will enable it to compete on a level playing field with the other demands on health service finance.

Mr. Stewart *[holding answer 13 May 1994]:* Trust status for the Scottish ambulance service would allow it to operate on the same basis as the majority of hospitals to which it provides services and which are now NHS trusts. With the exception of the London ambulance service, all ambulance services in the United Kingdom have applied for or have already been granted trust status.

TRANSPORT

Tamar Crossing

Mr. Streeter: To ask the Secretary of State for Transport if he has decided to proceed with the proposal for a second crossing of the River Tamar.

Mr. Key: The proposal for a new crossing of the River Tamar has generated much interest and more than 5,000 people visited the public exhibitions held in the summer. Although the views of the public were evenly balanced, we have also had due regard for the views of the local authorities and other interested parties, who have expressed concern about the economic effects on the local area of a new tolled crossing.

Therefore, I shall be commissioning further studies into these effects as the next step forward on this important project. Officials of the south-west network management division of the Highways Agency will now contact the local authorities to discuss the precise aspects that the studies should cover.

No decision has been taken about the means of financing any new crossing of the Tamar and the degree to which private finance could be involved.

To choose any route corridor in such a beautiful and environmentally important area is difficult, but I am satisfied that if a new crossing of the River Tamar ultimately proceeds, the red route corridor as recommended by my consultants, and preferred by the majority of the people who have made comments on the various route options, is the least damaging in environmental terms. I have therefore decided that this route should be protected from development, but this does not mean that a decision to proceed with the project has definitely been taken: I need to see the outcome of the further studies first.

Network SouthEast

Mr. Tony Banks: To ask the Secretary of State for Transport if he will publish a table showing for each Network SouthEast division in each four-week period during *(a)* 1992 and *(b)* 1993 the number of incidents, including cancellations, which resulted in a headway of (1) more than 20 minutes and (2) more than one hour; and if he will make a statement.

Mr. Roger Freeman: This information is not available.

Mr. Tony Banks: To ask the Secretary of State for Transport (1) if he will publish a table showing (1) the number of trains which arrived more than five minutes late during peak hours on each of the Network SouthEast divisions in each four-week period during *(a)* 1992 and *(b)* 1993, and the numbers attributable to (i) train breakdowns, (ii) signal failures, (iii) track and points failures, (iv) leaves on the line, (v) staff shortages, (vi) adverse weather conditions, excluding leaves on the line and (vii) other and (2) the percentage of peak hour trains which were on time or up to five minutes late on each of the Network SouthEast divisions in each four-week period during (I) 1992 and (II) 1993;

(2) if he will publish a table showing (1) the number of trains cancelled on each of the Network SouthEast divisions in each four-week period during *(a)* 1992 and *(b)* 1993, and the numbers attributable to (i) train breakdowns, (ii) signal failures, (iii) track and points failures, (iv) leaves on the line, (v) staff shortages, (vi) adverse weather conditions, excluding leaves on the line and (vii) other and (2) the percentage of timetabled trains which did not run on each of the Network SouthEast divisions in each four-week period during (I) 1992 and (II) 1993.

Mr. Freeman: The information requested has been placed in the Library and I have sent the hon. Member a copy.

TRADE AND INDUSTRY

Regional Assistance, East Midlands

Mr. Hoon: To ask the President of the Board of Trade what is the average size and number of regional enterprise grants awarded to companies employing fewer than 25 people in *(a)* Ashfield, *(b)* Nottinghamshire and *(c)* the east midlands since the new assisted areas map was announced in 1993.

Mr. Sainsbury: The average size and number of grants offered on applications received since 1 August 1993 to companies employing fewer than 25 people in Ashfield is £11,847 and 13; for Nottinghamshire £16,831 and 35; and the east midlands £16,418 and 60.

Mr. Hoon: To ask the President of the Board of Trade (1) what is the number, average size and average effect in terms of predicted jobs created of grants awarded since the new assisted area map was announced in the east midlands to *(a)* companies relocating into the area and *(b)* companies already located in the area;

(2) what is the number, average size and average effect in terms of predicted jobs created of grants awarded since the new assisted area map was announced in Nottinghamshire to *(a)* companies relocating into the area and *(b)* companies already located in the area.

Mr. Sainsbury: The number, average size and average effect in terms of predicted jobs to be created or safeguarded of regional selective assistance grants offered on applications received since 1 August 1993 for *(a)* companies locating into the area and *(b)* companies already located in the area is, in the east midlands *(a)* nine, £233,888 and 77 and *(b)* 16, £90,103 and 31·5 and in Nottinghamshire *(a)* six, £316,666 and 91 and *(b)* five, £52,930 and 14.

Regional Assistance/East Midlands

Mr. Hoon: To ask the President of the Board of Trade (1) how many companies in the Ashfield constituency employing *(a)* fewer than 25 people, *(b)* fewer than 50 people, *(c)* fewer than 100 people, *(d)* fewer than 200 people, *(e)* 200 or more people have been awarded (i) regional selective assistance and (ii) regional enterprise grants since the new assisted areas map was announced in 1993;

(2) how many companies in the east midlands employing *(a)* fewer than 25 people, *(b)* fewer than 50 people, *(c)* fewer than 100 people, *(d)* fewer than 200 people, *(e)* 200 or more people have been awarded (i) regional selective assistance and (ii) regional enterprise grants since the new assisted areas map was announced in 1993;

(3) how many companies in Nottinghamshire employing *(a)* fewer than 25 people, *(b)* fewer than 50 people, *(c)* fewer than 100 people, *(d)* fewer than 200 people, *(e)* 200 or more people have been awarded (i) regional selective assistance and (ii) regional enterprise grants since the new assisted areas map was announced in 1993.

Mr. Sainsbury: Regional selective assistance has been offered to one company in the Ashfield constituency, 11 companies in Nottinghamshire and 25 companies in the east midlands on applications received since 1 August 1993. Of the total for the east midlands, 11 were to companies employing fewer than 25 people. The remainder were spread over the other categories. For regional enterprise grants, the figures are 14, 38 and 68 respectively. All 68 employed fewer than 50 people.

Regional Assistance, East Midlands

Mr. Hoon: To ask the President of the Board of Trade (1) how many companies in the east midlands have received grants since the new assisted areas map was announced; and what was the average size of grant in: primary production standard industrial classification division 0 and 1; manufacture of metals, mineral products and chemicals, SIC division 3; manufacture of textiles, SIC class 43; manufacture of footwear and clothing, SIC class 45; other manufacturing, SIC division 4; construction, SIC division 5; distribution, hotels and catering, SIC division 6; transport and communications, SIC division 7; banking, finance, insurance, business services and leasing, SIC division 8; and other services, SIC division 9;

(2) how many companies in the Ashfield constituency have received grants since the new assisted areas map was announced; and what was the average size of grant in: primary production standard industrial classification division 0 and 1; manufacture of metals, mineral products and chemicals, SIC division 3; manufacture of textiles, SIC class 43; manufacture of footwear and clothing, SIC class 45; other manufacturing, SIC division 4; construction, SIC division 5; distribution, hotels and catering, SIC division 6; transport and communications, SIC division 7; banking, finance, insurance, business services and leasing, SIC division 8; and other services, SIC division 9;

Mr. Sainsbury: On applications received since 1 August 1993, 93 offers of grant have been made to companies in the east midlands; 15 offers were made to companies in Ashfield. Sixty-eight of the grants offered —14 in the Ashfield constituency—were to companies in

SIC divisions 3 and 4, with an average size of grant offered of £59,667—£13,601 in Ashfield. The remaining offers of grant were spread over SIC divisions 1, 2, 3, 45, 6, 7, 8 and 9, with an average size of grant offered of £26,618.

Mr. Hoon: To ask the President of the Board of Trade what is the average size and number of regional selective assistance grants awarded in *(a)* Ashfield, *(b)* Nottinghamshire and *(c)* the east midlands since the new assisted areas map was announced in 1993.

Mr. Sainsbury: As only one company in the Ashfield constituency has been offered regional selective assistance, the average amount of grant offered, for reasons of commercial confidentiality, cannot be disclosed. The average grant offered and the number of offers made are: for Nottinghamshire, £196,786 and 11; and for the east midlands, £141,866 and 25.

Dounreay

Mr. Simpson: To ask the President of the Board of Trade what proposals he has received from the Atomic Energy Authority for plans to reprocess *(a)* the core fuel pins and *(b)* the blanket from the prototype fast reactor at Dounreay.

Mr. Eggar: The DTI has received proposals from the AEA setting out plans for the reprocessing of all remaining prototype fast reactor—PFR—fuel, including PFR breeder fuel. On the basis of these proposals, reprocessing operations are now expected to continue for between one and three years beyond the 1996-1997 closure date which was foreseen when the Government decided in 1988 that the Dounreay prototype fast reactor would close in 1994.

Konver Programme

Mr. Clifton-Brown: To ask the President of the Board of Trade if it is his intention that the Cotswolds will continue to be included in the list of areas eligible for funding via the Konver programme.

Mr. Sainsbury: Under the Commission's current proposals for Konver II each member state would have to prepare a map which concentrates funding in a limited number of areas which have lost or announced losses of at least 1,000 jobs in defence activities since 1 January 1990.

The Government have made it clear to the Commission that they favour a more flexible approach which would allow each member state to decide which areas should benefit under the Community initiative.

Film Lighting

Mr. Nicholas Winterton: To ask the President of the Board of Trade if he will ask the Director General of Fair Trading to examine competition in the supply of lighting equipment to the United Kingdom film industry; and if he will make a statement.

Mr. Neil Hamilton: This is a matter for the Director General of Fair Trading, Sir Bryan Carsberg, to consider directly. Any concerns that my hon. Friend has should therefore be addressed to Sir Bryan.

Cross-Media Promotion

Mr. Patrick Thompson: To ask the President of the Board of Trade what progress has been made in preparation of a code of practice on cross-media promotion as recommended in Mr. John Sadler's report on this subject, published in 1991.

Mr. Neil Hamilton: I am pleased to announce that the newspaper and periodical industry has today published a code of practice on cross-media promotion in response to Mr. Sadler's recommendation, Cm 1436. The code, which draws on existing good industry practice, covers both the advertising and editorial content of newspapers and magazines as well as the promotion of premium-rate telephone services. It has been endorsed by the Newspaper Society, the Newspaper Publishers Association, the Periodical Publishers Association, the Scottish Daily Newspaper Society and the Scottish Newspaper Publishers Association. Copies of the code have been placed in the Libraries of both Houses of Parliament.

Plutonium

Sir Thomas Arnold: To ask the President of the Board of Trade what is his policy on the storage of plutonium; and if he will make a statement.

Mr. Eggar: It is for the owners of plutonium to make arrangements for its storage and use, subject to meeting the internationally agreed guidelines for physical protection arrangements and the requirements of the international safeguards regime. The United Kingdom's civil plutonium stock is held safely and securely, principally in purpose-built stores at Sellafield. It is expected that the material will ultimately be burnt in reactors to generate electricity.

Offshore Oil and Gas Industry

Mr. Ainger: To ask the President of the Board of Trade if he will make it his policy to impose on oil exploration licences any conditions recommended by the Joint Nature Conservation Committee.

Mr. Eggar *[holding answer 17 May 1994]:* Where blocks are offered in sensitive areas, conditions will be attached to licences which will protect those sensitivities. As in previous rounds, these conditions will be discussed with the Joint Nature Conservation Committee and other bodies as appropriate.

PRIME MINISTER

EC White Paper

Mr. Austin Mitchell: To ask the Prime Minister if he will publish a White Paper setting out the economic gains and losses for EEC membership since Britain joined.

The Prime Minister: The Government's White Paper on competitiveness, to be published on 24 May, will set out the United Kingdom's approach to Europe, the benefits that that has brought, and how we can enhance the performance of the European economy as a whole.

Kashmir

Mr. Cox: To ask the Prime Minister, pursuant to his answer of 14 April, *Official Report*, column *264*, if he has now received from the Indian Human Rights Commission its report of the incident at Bijbehara in Kashmir which took place in October 1993.

The Prime Minister: The Indian Human Rights Commission report into the incident at Bijbehara in October 1993 was published on 24 April. A copy was placed in the Library of the House of Commons on 12 May.

Correspondence

Mrs. Roche: To ask the Prime Minister if he will make a statement as to whether his office has obtained or sought to obtain a copy of the receipt and letter from the Ritz hotel in Paris referred to in the correspondence between the Prime Minister and Mr. Peter Preston, editor of *The Guardian* newspaper.

The Prime Minister *[holding answer 13 May 1994]:* I have nothing further to add to the letter sent from my office to Mr. Preston on 29 March 1994.

NORTHERN IRELAND

Police Services

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what percentage of total expenditure on police services in Northern Ireland has been deemed attributable to rate-relevant expenditure for each year since 1985.

Sir John Wheeler: The cost of policing in Northern Ireland is funded by Government from moneys voted by Parliament. However, in order to ensure that ratepayers contribute towards the cost of services which elsewhere in the United Kingdom are provided by local authorities a regional rate is struck. In striking this rate, approximately 25 per cent. of total expenditure each year on police services is deemed attributable to rate relevant expenditure.

Neurosurgical Services

Mr. Maginnis: To ask the Secretary of State for Northern Ireland (1) what is the waiting time for non-emergency neurosurgical admissions at the Royal Victoria hospital, Belfast; how many consultant neurosurgeons are employed; how many beds are available; and what are the number of operating sessions each week;

(2) what hospitals in Northern Ireland provide neurosurgical facilities.

Mr. Ancram: The number of patients and the lengths of time they have been waiting for admission to the Royal Victoria hospital's neurosurgery unit at 31 March 1994, the latest date for which information is available, are set out in the table.

Waiting times (months)	*Ordinary admissions*
0-2	85
3-5	43
6-8	35
9-11	33
12-14	30
15-17	6
18-20	3
Total	235

There are currently four consultant neurosurgeons employed in the Royal Victoria hospital, the only hospital in Northern Ireland which provides neurosurgical facilities.

The average number of beds available during the period 1 April 1993 to 31 March 1994 was 42. In the same period the average number of operating sessions held per week was 11.

Further Education Colleges

Mr. Stott: To ask the Secretary of State for Northern Ireland how many further education colleges in Northern Ireland are to be amalgamated during 1994-95 following the publication of the Stewart inquiry; what study has been made of additional expenditure required to carry out the mergers; if that additional expenditure is expected to be met from colleges' own delegated budgets or from additional finance provided by the Government; and if he will make a statement.

Mr. Ancram: Five mergers involving 12 colleges will be implemented on 1 September 1994, reducing the total number of colleges from 24 to 17. There was no overall study on the costs to carry out the mergers; details of additional expenditure will become available following decisions made by local management. The Department of Education will continue to review the situation with the education and library boards concerned and every effort will be made to ensure that college budgets will not be adversely affected.

Education Budget

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many third level students from Northern Ireland have enrolled in universities or colleges in *(a)* Eire, *(b)* Great Britain, *(c)* other European Community countries and *(d)* other non-European countries in each year since 1984-85; and what has been the cost or benefit, in each category, to the Northern Ireland education budget.

Mr. Ancram: Available information relates to full-time undergraduate students and is as follows:

	Eire	*Great Britain*	*Other EC[1] and non-EC*
1984-85	578	5,051	—
1985-86	489	5,632	—
1986-87	462	6,185	—
1987-88	396	6,968	—
1988-89	367	7,560	4
1989-90	406	8,415	—
1990-91	424	8,970	—
1991-92	408	9,524	—
1992-93	803	10,836	11
1993-94	1,120	11,962	10

Notes:

[1] Separate data is not available.

Figures for 1993-94 are provisional.

Information on costs is not available for the years requested. However, the estimated cost to public funds during the years 1991-92 to 1993-94 for fees and maintenance awards for students from Northern Ireland attending institutions/colleges in the Republic of Ireland is as follows:

	Cost (£)
1991-92	1,530,000
1992-93	2,057,000
1993-94	3,313,000

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many third level students from *(a)* Eire, *(b)* Scotland, *(c)* England, *(d)* Wales, *(e)* other European Community countries and *(f)* other non-European Community countries enrolled in Northern Ireland universities or colleges in each year since 1984-85; and what has been the yearly cost or income, in each category, to the Northern Ireland education budget.

Mr. Ancram: Available information relates to full-time undergraduate students and is as follows:

	1984-85	*1985-86*	*1986-87*	*1987-88*	*1988-89*	*1989-90*	*1990-91*	*1991-92*	*1992-93*	*1993-94*
Eire	178	305	441	764	1,066	1,314	1,516	1,718	2,018	2,288
Scotland	66	94	110	114	101	95	96	75	72	64
England	534	637	629	623	560	537	596	591	575	526
Wales	22	20	27	30	26	22	18	18	17	14
Other EC	9	32	68	65	84	109	185	189	235	334
Other non EC	270	245	341	405	484	448	405	382	352	372

Information in the exact form and covering the period requested is not available. However, the estimated cost to the Northern Ireland educational budget for fees for students from the Republic of Ireland enrolled in Northern Ireland universities/colleges during the years 1991-92 to 1993-94 is as follows:

Year	*Cost £*
1991-92	3,800,000
1992-93	4,500,000
1993-94	4,600,000

Accommodation Addresses

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many successful prosecutions there have been in respect of the acquisition of public sector housing for the purpose of providing an accommodation address for fraudulent social security claims and on the illegal sub-letting of such property in each year since 1985.

Mr. Tim Smith: None, since neither of these activities constitutes a criminal offence.

Stewart Report

Mr. Stott: To ask the Secretary of State for Northern Ireland what representations he has received from teachers' organisations concerning recommendations contained within the Stewart report; and if he will make a statement.

Mr. Ancram: Representations were invited when the report was published and three teachers' organisations responded; further representations were formally made on three subsequent occasions.

The main areas of concern have related to the effect and cost of college mergers and the level of capital and recurrent funding for the further education sector in general.

Rate Poundages

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what has been the percentage increase during each year since 1985 in *(a)* non-domestic regional rate poundage, *(b)* domestic regional rate poundange and *(c)* average district rate poundage; and what is the overall percentage increase in each during that period.

Sir John Wheeler: (1) The information is as follows:

Year	*Non domestic regional rate Per cent.*	*Domestic regional rate Per cent.*	*Average district rate Per cent.*
1985-86	+8·07	+9·26	+5·61
1986-87	+9·43	+10·70	+9·76
1987-88	+2·85	+3·20	+4·98
1988-89	+7·98	+8·92	+4·25
1989-90	+12·63	+14·00	+2·38
1990-91	+7·39	+8·09	+5·52
1991-92	+11·55	−47·60	+9·45
1992-93	−7·39	−5·92	+6·16
1993-94	−8·61	−1·77	+3·52
1994-95	+6·22	+13·19	+2·73

(2) Overall percentage increases

	Per cent.
(a) Non-domestic regional rate	+59·3
(b) Domestic regional rate	−8·2
(c) Average district rate	+69·3

Health and Social Services

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland how many nursing and midwifery staff, excluding agency staff, were employed by each health and social services board in each year since 1991; and if he will make a statement.

Mr. Ancram: It is for employing authorities to decide the number of nursing and midwifery staff to be employed and the appropriate skill mix to ensure the provision of a quality service to patients and clients.

The information requested is detailed in the table:

Nursing and Midwifery Staffing Levels

Board	September 1991 WTE			September 1992 WTE			September 1993 WTE		
	Trained Nurses	Student Nurses	Other Nurses	Trained Nurses	Student Nurses	Other Nurses	Trained Nurses	Student Nurses	Other Nurses
EHSSB	6,016	1,411	1,746	5,859	889	1,783	5,720	308	1,806
NHSSB	2,158	150	411	2,152	60	412	2,164	6	420
SHSSB	1,955	138	548	2,001	40	563	2,025	2	573
WHSSB	2,088	352	486	2,088	165	517	2,022	36	544
TOTAL	12,217	2,051	3,191	12,100	1,154	3,275	11,931	352	3,343

Notes:
1. WTE=Whole Time Equivalent.
2. Figures for Student Nurses represent Traditional Nurse Students and exclude Project 2000 Nurse Students. (Project 2000 Nurse Students are not employees.)

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland how many managerial staff were employed by each health and social services board in each year since 1991; and if he will make a statement.

Mr. Ancram: Figures for the managerial staff group specifically are not readily available and could be compiled only at disproportionate cost. The table shows the combined managerial, administrative and clerical staffing levels in whole time equivalents in the four board areas since 1991.

Board	September 1991	September 1992	September 1993
Eastern	3,555	3,720	3,621
Northern	1,325	1,395	1,490
Southern	967	1,044	1,061
Western	912	1,006	1,018
Total	6,759	7,165	7,190

The intention of the HPSS reforms is to create more effective management of the services and a consequent improvement in patient client care.

Police Complaints

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when he will lay before Parliament copies of the annual report of the Independent Commission for Police Complaints for Northern Ireland; and if he will make a statement.

Sir Patrick Mayhew: The Commission's report for 1993, which is the sixth annual report to be produced by the Commission since its establishment in 1988, has been laid before Parliament today. It provides a detailed account of the Commission's oversight of police conduct, including the supervision of complaints against the police and the Commission's role in disciplinary proceedings once a complaint has been investigated.

It is essential that the community has confidence in the integrity of the police, and the Commission has a vital role in ensuring that complaints are fairly and properly investigated and that appropriate action is taken. Throughout the report, by providing detailed explanations of its work in investigating actual complaints, the Commission demonstrates the high standards and dedication which it applies to its task.

I am grateful to the Commission for all its work. I have no doubt that it will continue to contribute significantly to the enhancement of public confidence in the RUC. In this it has my full support.

DUCHY OF LANCASTER

Telephone Inquiry Service

Mr. McFall: To ask the Chancellor of the Duchy of Lancaster how many requests have been received for copies of the "Code of Practice on Access to Government Information" on the dedicated telephone line set up for that purpose; what organisations are responsible for operating the telephone inquiry and document distribution service; what required standards have been set down for timeliness of response to telephone inquiries; what is the performance of the telephone inquiry service to date; how many complaints have been received about non-delivery or late delivery of the document following a telephone request; and what has been the total cost to date of operating the service.

Mr. Waldegrave: In all, there have been some 440 calls to the inquiry service on 0345 223242 regarding the code of practice. In addition, my own office has received a further 120 calls. Copies of the code and a leaflet explaining its operation have been sent out in response.

IBM operates the service. Its contract with OPSS states that the service shall operate between 8 am and 8 pm daily; that 90 per cent. of calls received in a day—80 per cent. of calls received in any one hour—shall be answered within 10 seconds; and that 98 per cent. of all calls shall be answered within 20 seconds. The operators have consistently met their targets.

I am aware of only four complaints—less than 1 per cent. of requests—of late or non-delivery, and understand that these have now been dealt with to the satisfaction of those involved.

Dealing with open government inquiries was an addition to the existing service, which deals with inquiries on the 1994 charter mark scheme and the guide to the citizens charter second report, and as such incurred no start-up costs. The cost of responding to open government calls amounted by 12 May to £814·88—just under £2 per call. This figure includes the cost of posting material to callers.

Electronic Publishing

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his assessment of the environmental benefits that could result from the electronic publishing of *(a)* Government press releases and *(b)* other Government information instead of using paper.

Mr. Waldegrave: No assessment of environmental benefits has been carried out.

Government Information

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster what is the current income earned by the Exchequer from, or costs charged to, the Exchequer by electronic information providers who make available *(a)* Government Press releases and *(b)* other Government documents on a commercial basis as a result of contracts or arrangements for the publishing electronically of Government information by (i) the Central Office of Information and (ii) other Government bodies.

Mr. Waldegrave: In 1993-94 the Central Office of Information was able to offset the cost of distributing Government press releases by £35,186 earned from electronic information providers. The information providers made no charges to the Exchequer for this service.

During 1993-94 the Central Office of Information also earned £14,641·49 from the electronic publication of other Government documents. The information providers made no charges to the Exchequer for this service.

Income earned and costs incurred by other Government bodies are a matter for individual Departments.

Internet

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster if he will list the full Internet names of the newsgroups on which the Central Office of Information makes available Government press releases and other information; and whether each of those newsgroups is available to members of the public with Internet access without additional charge.

Mr. Waldegrave: No central list is kept of the Internet names that might be accessible through the many distributors, some of them overseas, involved in handling the Hermes files of Government press notices.

All distributors charge users for access.

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster if his Department will instruct the Central Office of Information to make available more Government information on the Internet and bulletin board systems in order that citizens with computer and modem access can monitor Government decisions and announcements without further charges.

Mr. Waldegrave: The Central Office of Information already makes available a large amount of information on behalf of Government Departments through on-line database files Hermes and Hermes Daily. The COI is always open to representations about demand for additional information which might be made available in this way.

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster if he will examine the feasibility of setting up a Central Office of Information electronic bulletin board system covering *(a)* Government press releases and *(b)* other Government information for free public access.

Mr. Waldegrave: The Central Office of Information's Hermes database of Government press releases is already available to the public via a number of on-line services. Charges for access are determined by the database hosts. I have no plans to examine the feasibility of setting up a Central Office of Information bulletin board system for free public access.

WALES

Parliamentary Questions

Mr. Meacher: To ask the Secretary of State for Wales how many parliamentary questions, in the period November 1992 to March 1993, were answered with the response that the information requested is not held centrally and could be obtained only at disproportionate cost; how many were referred on to an agency chief executive; and, in each case, what percentage of the total number of questions asked this constituted.

Mr. Redwood: Based on a text search on the POLIS database, 114 parliamentary questions answered by Ministers in this Department in the period 1 November 1992 and 31 March 1993 were either given a response that the information requested was not held centrally, or that the information could be provided only at disproportionate cost. This represents 6·2 per cent. of all written answers given in the same period. Five questions were referred to agency chief executives.

Housing

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make a statement on his policy concerning the purchase by housing associations in Wales as part of the housing acquisitions initiative, of properties which were in the private sector as a result of earlier sale under the right-to-buy provisions.

Mr. Redwood: Under the housing acquisition initiative in 1992-93 housing associations were asked to purchase properties from the private sector, on a cost-effective basis so as to maximise the beneficial impact on the market.

Mr. Alex Carlile: To ask the Secretary of State for Wales (1) how much public subsidy was involved in the purchase in 1993-94 by housing associations in Wales of properties which were in the private sector as a result of earlier sale under the right-to-buy provisions;

(2) how many houses bought by housing associations in Wales in 1993-94 had previously been owned and let for rent by local authorities and housing associations; and if he will make a statement.

Mr. Redwood: The number of former local authority houses purchased by housing associations in 1993-94 is not available centrally.

European Agricultural Guidance and Guarantee Fund

Mr. Martyn Jones: To ask the Secretary of State for Wales whether the guidance mechanism for FEOGA grants has been triggered with Wales in the current financial year.

Mr. Redwood: Reimbursement of expenditure by the Welsh Office is made, usually a year in arrears, from the guidance section of the European agriculture guidance and guarantee fund on receipt of claims from the Welsh Office for the relevant calendar year.

Schemes that attract reimbursement in this way, and the proportion of expenditure reimbursed by FEOGA, are as follows:

Hill livestock compensatory allowances, up to 25 per cent. reimbursed.

Capital grants (mainly the farm and conservation grant scheme), up to 25 per cent. reimbursed.

Receipts of £6·122 million are anticipated in 1994-95 in respect of expenditure incurred on these schemes in the calendar year 1993.

The marketing and processing projects scheme and grants for the restructuring of the inshore fishing industry are 100 per cent. reimbursed in-year. Total expenditure on these schemes in 1993-94 is planned to be £0·981 million.

Grant-maintained Schools

Mr. Dafis: To ask the Secretary of State for Wales how many *(a)* schools, *(b)* primary schools and *(c)* secondary schools there are in each county and in Wales as a whole; how many schools (i) have held ballots to decide whether or not to opt out of local education authority control and (ii) decided to opt out of local education authority control; and what was (i) and (ii) as a percentage of *(a)*, *(b)* and *(c)* for each county and for Wales as a whole.

Sir Wyn Roberts: The data requested are given in the following tables.

Numbers of schools in Wales[1]

	Primary	*Secondary*	*Total*
Clwyd	245	32	277
Dyfed	313	31	344
Gwent	213	33	246
Gwynedd	191	23	214
Mid Glamorgan	305	42	347
Powys	108	13	121
South Glamorgan	159	26	185
West Glamorgan	164	27	191
Total	1,698	227	1,925

[1] Number of schools as at January 1994.

Schools that have held ballots on opting out[2]

	Number of schools			*Percentage of all schools*		
	Primary	*Secondary*	*Total*	*Primary*	*Secondary*	*Total*
Clwyd	4	6	10	1·6	18·8	3·6
Dyfed	1	1	2	0·3	3·2	0·6
Gwent	1	4	5	0·5	12·1	2·0
Gwynedd	1	0	1	0·5	0·0	0·5
Mid Glamorgan	1	0	1	0·3	0·0	0·3
Powys	1	1	2	0·9	7·7	1·7
South Glamorgan	1	3	4	0·6	11·5	2·2
West Glamorgan	0	3	3	0·0	11·1	1·6
Total	10	18	28	0·6	7·9	1·5

[2] Number of ballots up to 30 April 1994.

Number of schools voting to opt out of LEA control

	Number of schools			*Percentage of all schools*		
	Primary	*Secondary*	*Total*	*Primary*	*Secondary*	*Total*
Clwyd	2	4	6	0·8	12·5	2·2
Dyfed	0	0	0	0·0	0·0	0·0
Gwent	1	4	5	0·5	12·1	2·0
Gwynedd	1	0	1	0·5	0·0	0·5
Mid Glamorgan	1	0	1	0·3	0·0	0·3
Powys	1	0	1	0·9	0·0	0·8
South Glamorgan	0	3	3	0·0	11·5	1·6
West Glamorgan	0	1	1	0·0	3·7	0·5
Total	6	12	18	0·4	5·3	0·9

General Development Orders

Mr. Dafis: To ask the Secretary of State for Wales what plans he has to review the process of granting licences or permission to carry out developments under long-standing general development orders or interim development orders to conform with environmental safeguards introduced during the last 20 years; what representations he has received on the efficacy of such orders; and if he will make a statement.

Mr. Gwilym Jones: The provisions of the general development order are kept under continual review. My right hon. Friend proposes to ensure that "permitted development" rights are not in breach of the habitats and environmental impact assessment directives. The Welsh Office received eight representations following public consultation on these proposals. The Planning and Compensation Act 1991 required holders of mineral permissions granted under interim development orders to apply for registration of the permissions and subsequently to apply for determination of the conditions to which the permissions are to be subject. Minerals planning guidance note 9 gives advice on the preparation and determination of such conditions, and the Welsh Office received six representations following public consultation on the draft.

Christmas Cards

Mr. Bayley: To ask the Secretary of State for Wales, pursuant to his answer of 20 January, *Official Report*, column *771*, how many official Christmas cards were sent out in 1993 by Ministers in his Department; and how much this cost.

Mr. Redwood *[holding answer 4 February 1994]:* A total of 1,062 Christmas cards were sent out in 1993 by Ministers in this Department, costing £1,154·93, including postage.

I am very sorry for the long delay in answering. We were held up by delays in invoices and then the question did not receive the prompt attention that it should have.

TREASURY

Tortoise Imports

Mr. Tony Banks: To ask the Chancellor of the Exchequer if he will give details of tortoises and tortoise products seized at ports of entry in each of the past three years; and what were the countries of origin.

Sir John Cope: Her Majesty's Customs and Excise made 57 such seizures over the period. The details for 1991, 1992 and 1993 are as follows:

Year	Number of live tortoises	Number of derived items
1991	67	44
1992	59	3
1993	37	1

It is not always possible to determine the origin of goods, although the countries of consignment of the seized items—which in most cases are likely to have corresponded with the countries of origin—were Antigua, Argentine, Brazil, Canary Islands, Colombia, Egypt, Ghana, Iran, Italy, Kenya, Lebanon, Malta, Morocco, Nigeria, Russia, Saudi Arabia, Spain, Turkey, USA and Venezuela.

Business Expansion Scheme

Sir David Madel: To ask the Chancellor of the Exchequer (1) what was the total value of funds attracted to the former business expansion scheme in each year for construction-related investments; and if he will list by category how many buildings were constructed or are still under construction;

(2) how many dwellings were built in each year or are still being built, as a result of the business expansion scheme, for the provision of housing in the privately rented market.

Mr. Dorrell: Available information is in the table. This relates to BES investments in companies in the construction industry and the numbers of new lettings from investments in private renting companies.

Year	Investment in construction companies (£ million)	Number of new lettings[1]
1983-84	7	—
1984-85	7	—
1985-86	10	—
1986-87	12	—
1987-88	17	—
1988-89	2	6,400
1989-90	neg	3,100
1990-91	1	5,700
1991-92	neg	9,300
1992-93[2]	neg	24,000
1993-94[2]	neg	28,000

[1] Estimates rounded to nearest 100.
[2] Provisional.

EC Anti-Fraud Funding

Mr. Worthington: To ask the Chancellor of the Exchequer how much money is available from the European Commission for anti-fraud work; and how much money the British Government have claimed in cash and percentage terms for each of the past five years.

Sir John Cope: In addition to the administrative resources within the Commission, the budgetary authority allocated 139·14 million ecu, £105 million, in the 1994 budget to programmes to fight fraud. This compares with an outturn of 115·285 million ecu, £87 million, in 1993, 67·245 million ecu, £51 million, in 1992, 69·626 million, ecu, £53 million, in 1991 and 50·842 million ecu, £38 million, in 1990. The budget for anti-fraud programmes includes both funds spent directly by the Commission and funds available to member states to co-finance new controls and anti-fraud mechanisms.

United Kingdom receipts from the EC budget for anti-fraud programmes are included with other departmental receipts. This information is not held centrally. However, the United Kingdom does take advantage of Community financing. For example, following the introduction of the integrated control and administration system, some £2·9 million was claimed in 1993 to meet part of the cost of introducing a computer database to record details of areas and livestock numbers subject to support. An application for a further £4·5 million has been made for 1994. The United Kingdom has also taken advantage of the provision for computer systems in the CAP export refund area, where Customs have claimed £110,768 and £74,250 in 1992 and 1993 respectively. Customs have also applied for £248,993 for the same purpose in 1994.

Revaluations, North Kent

Dame Peggy Fenner: To ask the Chancellor of the Exchequer (1) in how many cases of appeal in north Kent against the 1990 revaluation list, such appeal has resulted in an increase in the assessment;

(2) how many representations have been received since the adoption of a different basis of zoning by the Valuation Office after the new list came into force on 1 April 1990.

Mr. Nelson *[holding answer 3 May 1994]:* The information requested is not available centrally and could be collated only at disproportionate cost.

Council Tax

Mr. Burden: To ask the Chancellor of the Exchequer how many council tax banding appeals have been *(a)* submitted to date, *(b)* settled without a hearing and *(c)* settled at appeal.

Mr. Nelson *[holding answer 6 May 1994]:* A total of 945,795 council tax proposals for alteration of council tax bandings in England and Wales had been received as at 31 March 1994; 107,818 have been settled without referral to the valuation tribunals and 660,384 have been referred to the valuation tribunals within six months of receipt as required by law.

Of the 660,384 appeals referred to the tribunals, 189,944 have been settled without a hearing and 2,868 have been determined as a result of a hearing.

Scott Inquiry

Mr. Byers: To ask the Chancellor of the Exchequer (1) how many current and former officials and Ministers in his Department have been asked to give written or oral evidence to the Scott inquiry; and what have been the total costs to his Department of the Scott inquiry broken down by major expenditure heading;

(2) how many employees have worked on a full- or part-time basis with the Scott inquiry liaison unit set up within his Department; when the unit was established; and when its work will be completed.

Sir John Cope *[holding answer 12 and 13 May 1994]:* Five current or former Treasury Ministers—the Prime Minister, the right hon. and learned Member for Rushcliffe (Mr. Clarke), Lord Howe, the right hon. Member for St. Albans (Mr. Lilley) and the right hon. and learned Member for Putney (Mr. Mellor) have been asked to give written or oral evidence to Lord Justice Scott's Inquiry. Only one of these Ministers—the right hon. Member for Huntingdon (Mr. Major)—gave evidence in respect of his time as a Treasury Minister. One current Treasury official and 17 current and former officials of HM Customs and Excise have been asked to give written and/or oral evidence to the Scott inquiry. They have given this evidence on a personal basis and have not been supervised by the Department in its preparation. There is therefore no central record of the time spent or cost incurred in the provision of such evidence; serving officials prepared and gave their evidence as part of their official duties.

The direct central cost of providing evidence and information from HM Treasury to the inquiry is estimated to be £90,800 between November 1992 and March 1994. This represents the cost of staff time spent in providing information to the inquiry and the costs of photocopying and general presentation of the information. Four officials plus clerical and secretarial staff have been involved on a full or part-time basis as required. A separate liaison unit has not been created.

The total cost of Customs and Excise Scott liaison unit has been to date, £423,400 which consists of £420,000 on personnel; £2,700 on transcripts of the oral evidence, and £700 for photocopying. The Scott liaison unit in HM Customs and Excise consists of seven posts which are filled on a full or part-time basis. The unit was set up in the middle of November 1992 and its work will continue until the Department judges that it has been completed.

EDUCATION

Teacher Training

Mr. Redmond: To ask the Secretary of State for Education how many graduates trained as secondary school teachers at each college in South Yorkshire in the past 10 years and the subjects studied; how many new graduate teachers were employed per local authority in that time; what occupations each graduate qualifying in secondary school teaching has entered in the last 10 years; and what has been the cost of training graduate secondary school teachers in each year since 1984.

Mr. Robin Squire: Table 1 shows the number of students entering postgraduate courses at Sheffield university and Sheffield Hallam university to train as secondary school teachers in each year from 1983 to 1993. Table 2 shows the main subjects being studied for those entering such courses in 1993. Further details of individual subjects being studied in these institutions are available from the final reports of each survey held in the House of Commons Library.

Table 1
Recruitment to Secondary PGCE courses

Year	*Sheffield University*	*Sheffield Hallam University*
1983	153	73
1984	138	77
1985	126	63
1986	118	98
1987	140	100
1988	137	112
1989	153	98
1990	138	96
1991	182	164
1992	180	155
1993	186	164

Table 2
Secondary PCGE students by subject 1993

	Sheffield University	*Sheffield Hallam University*
Business Studies	—	34
Design and Technology	—	28
English	36	25
Geography	28	—
History	14	—
Modern Languages	37	15
Mathematics	20	23
Biology	14	—
Chemistry	7	—
General/Integrated Science	26	39
Physics	5	—

The total number of new entrants to teaching in the maintained nursery, primary and secondary schools sector in England and Wales for each year from 1983 to 1992 is given in table 3. Separate information for graduate teachers is not readily available.

Table 3
New entrants to teaching in the maintained nursery, primary and secondary sector

Year to March	*Numbers*
1983	14,000
1984	13,400
1985	11,900
1986	12,000
1987	12,600
1988	12,500
1989	14,200
1990	15,300
1991	15,300
1992	15,800

Information on the occupations taken up by successful initial teacher training students is not centrally available, although an analysis carried out by the Department shows that about 90 per cent. of completers go on to enter some form of teaching within five years after qualifying. Information on the cost of training secondary school teachers is not available.

Schools (Harrogate and Knaresborough)

Mr. Robert Banks: To ask the Secretary of State for Education what has been the pupil:teacher ratio in Harrogate and Knaresborough schools in each year since 1978.

Mr. Robin Squire: Information on pupil:teacher ratios in schools in Harrogate and Knaresborough is not available centrally. The overall pupil:teacher ratio for maintained schools in North Yorkshire local education authority for the years 1978 to 1993 is shown in the table.

Overall pupil:teacher ratio in maintained schools in North Yorkshire LEA
Postion in January each year

Year	*Overall Pupil:Teacher Ratio*[1]
1978	19·5
1979	19·0
1980	18·7
1981	18·4
1982	18·4
1983	18·1
1984	18·0
1985	18·0
1986	18·0
1987	17·9
1988	17·6
1989	17·4
1990	17·3
1991	17·2
1992	17·1
1993	17·0

[1] The overall PTR is calculated using the full-time equivalent (FTE) of all teachers employed by the LEA for service in maintained nursery, primary and secondary schools with the FTE numbers of pupils attending those schools.

Grant-maintained Schools

Mr. Clifton-Brown: To ask the Secretary of State for Education if he will list the amount deducted for the provision of central support services by each local authority in England prior to the allocation of funds to grant-maintained schools.

Mr. Robin Squire: Annual maintenance grant for grant-maintained schools is calculated in one of two ways. The Government have introduced a common funding formula to fund GM secondary schools in five local

education authority areas in 1994-95. This takes as its starting point the education standard spending assessment, not including the fifth sub-block which relates to services provided outside the school sector.

From this SSA-derived total, an amount is first deducted for the LEA's continuing responsibilities. Secondly, an amount is deducted for spending on primary schools, according to the relationship between the authority's spending on primary and secondary education in 1993-94. The remaining total forms the basis of allocations between all secondary schools within the area. The two deductions are shown in the table as percentages of the four schools-related sub-blocks of the SSA.

	Continuing responsibilities	*Primary education*
Bromley	13·79	39·16
Calderdale	12·41	45·10
Essex	17·41	39·92
Gloucestershire	20·00	40·06
Hillingdon	18·02	42·08

For GM schools not funded under the CFF, AMG consists of three separate sums. The first is what the GM school would have received under the local management of schools scheme of its former maintaining LEA. The second consists of an amount for school meals. The third is an amount for services which LEA schools receive free of charge but for which GM schools assume direct responsibility, and is a simple percentage of the first sum. The percentages applying, separately for primary and secondary schools, in 1994-95 in those LEA areas in which there are GM schools are as follows:

Local education authority	*Primary*	*Secondary*
Avon County Council	14·0	9·7
London Borough of Barking and Dagenham	11·0	8·4
London Borough of Barnet	13·6	9·8
Barnsley Metropolitan Borough Council	15·2	9·8
Bedfordshire County Council	15·3	11·6
Berkshire County Council	10·6	7·2
London Borough of Bexley	11·9	8·0
Birmingham City Council	14·5	10·2
Bolton Metropolitan Borough Council	14·4	9·8
Bradford City Council	11·8	9·4
London Borough of Brent	9·4	6·7
London Borough of Bromley	13·6	9·5
Buckinghamshire County Council	16·1	11·3
Bury Metropolitan Borough Council	12·5	9·1
Calderdale Metropolitan Borough Council	12·0	8·4
London Borough of Camden	13·6	10·1
Cambridgeshire County Council	11·4	7·9
Cheshire County Council	12·3	8·4
Common Council of the City of London	17·2	n/a
Cleveland County Council	18·0	11·7
Cornwall County Council	10·6	7·4
Coventry City Council	15·5	10·3
London Borough of Croydon	10·4	8·3
Cumbria County Council	10·4	7·5
Derbyshire County Council	14·1	8·9
Devon County Council	10·9	7·5
Doncaster Metropolitan Borough Council	15·9	10·5
Dorset County Council	13·7	9·6
Dudley Metropolitan Borough Council	9·1	6·6
Durham County Council	13·5	9·4
London Borough of Ealing	9·2	6·9
East Sussex County Council	15·4	10·2
London Borough of Enfield	11·9	8·4
Essex County Council	13·3	8·7
Gateshead Metropolitan Borough Council	16·8	11·9
Gloucestershire County Council	13·7	10·8
London Borough of Greenwich	18·1	13·9
London Borough of Hackney	19·8	13·5
London Borough of Hammersmith and Fulham	22·1	16·5
Hampshire County Council	14·0	9·8
London Borough of Haringey	16·5	12·0
London Boroughof Harrow	13·5	9·8
London Borough of Havering	12·5	8·0
Hereford and Worcester County Council	11·5	8·8
Hertfordshire County Council	7·8	5·3
London Borough of Hillingdon	13·4	9·9
London Borough of Hounslow	11·6	8·7
Humberside County Council	15·1	10·7
The Council of the Isles of Scilly	15·0	7·5
Isle of Wight County Council	17·2	13·0
London Borough of Islington	5·9	4·7
The Royal Borough of Kensington and Chelsea	18·8	13·1
Kent County Council	15·6	10·4
The Royal Borough of Kingston upon Thames	12·7	8·7
Kirklees Metropolitan Borough Council	14·9	10·2
Knowsley Metropolitan Borough Council	13·7	9·6
London Borough of Lambeth	16·4	11·1
Lancashire County Council	12·9	8·6
Leeds City Council	10·8	8·2
Leicestershire County Council	12·7	8·9
London Borough of Lewisham	15·3	11·2
Lincolnshire County Council	11·6	7·6
Liverpool City Council	17·1	10·3
Manchester City Council	11·3	7·1
London Borough of Merton	12·5	9·0
Newcastle-upon-Tyne City Council	14·1	9·5
London Borough of Newham	11·2	7·3
Norfolk County Council	13·6	9·2
North Tyneside Metropolitan Borough Council	12·4	8·9
Northamptonshire County Council	11·0	7·7
Northumberland County Council	10·2	7·8
North Yorkshire County Council	15·8	10·6
Nottinghamshire County Council	16·2	12·0
Oldham Metropolitan Borough Council	17·4	11·3
Oxfordshire County Council	10·8	8·1
London Borough of Redbridge	17·2	10·7
London Borough of Richmond upon Thames	15·1	11·9
Rochdale Metropolitan Borough Council	11·7	7·6
Rotherham Metropolitan Borough Council	15·9	11·3
St. Helens Metropolitan Borough Council	12·6	8·5
Salford City Council	10·9	7·3
Sandwell Metropolitan Borough Council	17·2	11·7
Sefton Metropolitan Borough Council	13·7	8·8
Sheffield City Council	11·3	8·1
Shropshire County Council	12·1	7·8
Solihull Metropolitan Borough Council	7·0	5·1
Somerset County Council	13·5	9·3
South Tyneside Metropolitan Borough Council	15·0	11·1
London Borough of Southwark	13·5	10·0
Staffordshire County Council	13·3	9·7
Stockport Metropolitan Borough Council	12·2	8·4
Suffolk County Council	11·9	8·7
Sunderland Metropolitan Borough Council	13·3	9·6
Surrey County Council	14·6	10·8
London Borough of Sutton	13·5	9·4
Tameside Metropolitan Borough Council	13·8	9·7
London Borough of Tower Hamlets	12·4	9·2
Trafford Metropolitan Borough Council	15·3	8·7
Wakefield Metropolitan District Council	16·1	9·9
Walsall Metropolitan Borough Council	13·5	9·6
London Borough of Waltham Forest	15·6	10·6
London Borough of Wandsworth	17·0	10·0
Warwickshire County Council	13·7	9·4
Westminster City Council	9·6	7·5
West Sussex County Council	14·0	9·9
Wigan Metropolitan Borough Council	17·6	11·7
Wiltshire County Council	13·8	8·8

Local education authority	Primary	Secondary
Wirral Metropolitan Borough Council	11·6	8·0
Wolverhampton Metropolitan Borough Council	12·0	7·7

Mr. Dafis: To ask the Secretary of State for Education how many *(a)* schools, *(b)* primary schools and *(c)* secondary schools there are in England and in each county; how many schools have (i) held ballots to decide whether or not to opt out of local education authority control and (ii) decided to opt out of local education authority control; and what are (i) and (ii) as a percentage of *(a)*, *(b)* and *(c)* for each county and for England.

Mr. Robin Squire: The information requested is given in the table for each local authority in England.

Schools are parental ballots on the question of seeking grant-maintained status

LEA Area	Schools	Total Ballots	All Schools Percentage	"Yes" Votes	Percentage
Avon	429	11	2·6	2	0·5
Barking	63	0	0·0	0	0·0
Barnet	110	17	15·5	12	10·9
Barnsley	111	3	2·7	1	0·9
Bedfordshire	289	22	7·6	14	4·8
Berkshire	334	27	8·1	20	6·0
Bexley	82	10	12·2	8	9·8
Birmingham	413	35	8·5	23	5·6
Bolton	121	4	3·3	4	3·3
Bradford	253	18	7·1	13	5·1
Brent	77	19	24·7	17	22·1
Bromley	95	21	22·1	19	20·0
Buckinghamshire	335	22	6·6	18	5·4
Bury	85	2	2·4	1	1·2
Calderdale	107	17	15·9	13	12·1
Cambridgeshire	310	34	11·0	24	7·7
Camden	52	3	5·8	2	3·8
Cheshire	522	20	3·8	10	1·9
Cleveland	247	4	1·6	0	0·0
Cornwall	281	1	0·4	1	0·4
Corporation of London	1	0	0·0	0	0·0
Coventry	128	1	0·8	0	0·0
Croydon	118	16	13·6	12	10·2
Cumbria	348	44	12·6	37	10·6
Derbyshire	511	42	8·2	25	4·9
Devon	506	20	4·0	8	1·6
Doncaster	161	6	3·7	4	2·5
Dorset	256	18	7·0	15	5·9
Dudley	105	10	9·5	8	7·6
Durham	341	1	0·3	0	0·0
Ealing	99	12	12·1	10	10·1
East Sussex	253	3	1·2	0	0·0
Enfield	87	10	11·5	6	6·9
Essex	686	157	22·9	145	21·1
Gateshead	95	1	1·1	0	0·0
Gloucestershire	305	57	18·7	48	15·7
Greenwich	94	2	2·1	1	1·1
Hackney	73	2	2·7	1	1·4
Hammersmith	48	2	4·2	2	4·2
Hampshire	674	45	6·7	37	5·5
Haringey	86	0	0·0	0	0·0
Harrow	64	2	3·1	1	1·6
Havering	93	9	9·7	4	4·3
Hereford and Worcester	364	10	2·7	5	1·4
Hertfordshire	520	47	9·0	39	7·5
Hillingdon	87	26	29·9	25	28·7
Hounslow	76	3	3·9	2	2·6
Humberside	414	9	2·2	3	0·7
Isle of Wight	67	0	0·0	0	0·0
Isles of Scilly	5	0	0·0	0	0·0
Islington	66	0	0·0	0	0·0
Kensington and Chelsea	31	3	9·7	3	9·7
Kent	706	102	14·4	96	13·6
Kingston upon Thames	46	5	10·9	5	10·9
Kirklees	192	8	4·2	3	1·6
Knowsley	79	3	3·8	1	1·3
Lambeth	87	13	14·9	13	14·9
Lancashire	711	24	3·4	13	1·8
Leeds	295	6	2·0	2	0·7
Leicestershire	414	12	2·9	5	1·2
Lewisham	85	3	3·5	1	1·2
Lincolnshire	356	63	17·7	58	16·3
Liverpool	234	8	3·4	4	1·7
Manchester	202	1	0·5	0	0·0
Merton	60	4	6·7	1	1·7

LEA Area	Schools	Total Ballots	All Schools Percentage	"Yes" Votes	Percentage
Newcastle upon Tyne	102	2	2·0	0	0·0
Newham	81	1	1·2	1	1·2
Norfolk	448	37	8·3	29	6·5
North Tyneside	87	5	5·7	3	3·4
North Yorkshire	451	5	1·1	1	0·2
Northamptonshire	335	37	11·0	26	7·8
Northumberland	204	3	1·5	1	0·5
Nottinghamshire	508	11	2·2	4	0·8
Oldham	119	1	0·8	0	0·0
Oxfordshire	284	3	1·1	1	0·4
Redbridge	71	2	2·8	1	1·4
Richmond upon Thames	47	0	0·0	0	0·0
Rochdale	90	13	14·4	8	8·9
Rotherham	133	1	0·8	0	0·0
Salford	106	4	3·8	1	0·9
Sandwell	132	5	3·8	2	1·5
Sefton	116	1	0·9	0	0·0
Sheffield	196	25	12·8	21	10·7
Shropshire	250	12	4·8	12	4·8
Solihull	83	3	3·6	2	2·4
Somerset	266	8	3·0	5	1·9
South Tyneside	69	0	0·0	0	0·0
Southwark	90	10	11·1	10	11·1
St. Helens	79	2	2·5	1	1·3
Staffordshire	497	16	3·2	9	1·8
Stockport	124	2	1·6	0	0·0
Suffolk	332	1	0·3	0	0·0
Sunderland	122	0	0·0	0	0·0
Surrey	423	39	9·2	36	8·5
Sutton	57	13	22·8	11	19·3
Tameside	100	6	6·0	3	3·0
Tower Hamlets	89	2	2·2	1	1·1
Trafford	94	6	6·4	4	4·3
Wakefield	169	2	1·2	2	1·2
Walsall	125	14	11·2	9	7·2
Waltham Forest	77	3	3·9	2	2·6
Wandsworth	82	13	15·9	10	12·2
Warwickshire	281	16	5·7	12	4·3
West Sussex	287	4	1·4	1	0·3
Westminster	50	1	2·0	0	0·0
Wigan	146	1	0·7	1	0·7
Wiltshire	338	45	13·3	34	10·1
Wirral	127	4	3·1	2	1·6
Wolverhampton	121	7	5·8	5	4·1
England	22,533	1,486	6·6	1,116	5·0

LEA area	Schools	Total ballots	Primary schools Percentage	"Yes" votes	Percentage
Avon	369	6	1·6	0	0·0
Barking	55	0	0·0	0	0·0
Barnet	89	6	6·7	2	2·2
Barnsley	96	1	1·0	1	1·0
Bedfordshire	218	3	1·4	3	1·4
Berkshire	275	10	3·6	7	2·5
Bexley	65	4	6·2	3	4·6
Birmingham	334	11	3·3	6	1·8
Bolton	105	1	1·0	1	1·0
Bradford	165	9	5·5	7	4·2
Brent	64	5	7·8	5	7·8
Bromley	78	7	9·0	6	7·7
Buckinghamshire	290	11	3·8	8	2·8
Bury	71	2	2·8	1	1·4
Calderdale	91	6	6·6	5	5·5
Cambridgeshire	267	9	3·4	7	2·6
Camden	41	0	0·0	0	0·0
Cheshire	454	9	2·0	6	1·3
Cleveland	203	1	0·5	0	0·0
Cornwall	250	1	0·4	1	0·4
Corporation of London	1	0	0·0	0	0·0
Coventry	109	1	0·9	0	0·0
Croydon	98	5	5·1	3	3·1
Cumbria	306	29	9·5	22	7·2
Derbyshire	450	16	3·6	9	2·0

LEA area	Schools	Total ballots	Percentage	"Yes" votes	Percentage
Devon	442	10	2·3	2	0·5
Doncaster	127	5	3·9	4	3·1
Dorset	200	2	1·0	1	0·5
Dudley	83	1	1·2	1	1·2
Durham	298	0	0·0	0	0·0
Ealing	87	4	4·6	4	4·6
East Sussex	219	1	0·5	0	0·0
Enfield	70	4	5·7	1	1·4
Essex	581	79	13·6	73	12·6
Gateshead	82	0	0·0	0	0·0
Gloucestershire	262	21	8·0	18	6·9
Greenwich	79	1	1·3	1	1·3
Hackney	63	1	1·6	1	1·6
Hammersmith	38	1	2·6	1	2·6
Hampshire	580	21	3·6	18	3·1
Haringey	77	0	0·0	0	0·0
Harrow	54	0	0·0	0	0·0
Havering	74	2	2·7	0	0·0
Hereford and Worcester	288	2	0·7	0	0·0
Hertfordshire	432	15	3·5	12	2·8
Hillingdon	72	11	15·3	11	15·3
Hounslow	62	0	0·0	0	0·0
Humberside	354	5	1·4	3	0·8
Isle of Wight	46	0	0·0	0	0·0
Isles of Scilly	4	0	0·0	0	0·0
Islington	57	0	0·0	0	0·0
Kensington and Chelsea	27	2	7·4	2	7·4
Kent	570	27	4·7	25	4·4
Kingston upon Thames	36	1	2·8	1	2·8
Kirklees	158	3	1·9	0	0·0
Knowsley	68	0	0·0	0	0·0
Lambeth	77	8	10·4	8	10·4
Lancashire	605	7	1·2	4	0·7
Leeds	249	3	1·2	1	0·4
Leicestershire	335	2	0·6	0	0·0
Lewisham	72	1	1·4	1	1·4
Lincolnshire	293	32	10·9	28	9·6
Liverpool	198	0	0·0	0	0·0
Manchester	174	0	0·0	0	0·0
Merton	49	1	2·0	0	0·0
Newcastle upon Tyne	80	1	1·3	0	0·0
Newham	67	0	0·0	0	0·0
Norfolk	396	21	5·3	17	4·3
North Tyneside	61	2	3·3	1	1·6
North Yorkshire	392	3	0·8	1	0·3
Northamptonshire	271	16	5·9	12	4·4
Northumberland	143	0	0·0	0	0·0
Nottinghamshire	426	1	0·2	0	0·0
Oldham	104	0	0·0	0	0·0
Oxfordshire	240	1	0·4	1	0·4
Redbridge	56	0	0·0	0	0·0
Richmond upon Thames	39	0	0·0	0	0·0
Rochdale	76	9	11·8	6	7·9
Rotherham	115	0	0·0	0	0·0
Salford	88	0	0·0	0	0·0
Sandwell	112	0	0·0	0	0·0
Sefton	94	0	0·0	0	0·0
Sheffield	165	17	10·3	15	9·1
Shropshire	213	5	2·3	5	2·3
Solihull	70	1	1·4	1	1·4
Somerset	227	5	2·2	3	1·3
South Tyneside	58	0	0·0	0	0·0
Southwark	76	5	6·6	5	6·6
St. Helens	67	1	1·5	1	1·5
Staffordshire	412	5	1·2	4	1·0
Stockport	110	0	0·0	0	0·0
Suffolk	255	0	0·0	0	0·0
Sunderland	105	0	0·0	0	0·0
Surrey	372	23	6·2	21	5·6
Sutton	43	5	11·6	3	7·0
Tameside	82	1	1·2	0	0·0
Tower Hamlets	74	0	0·0	0	0·0
Trafford	78	0	0·0	0	0·0
Wakefield	131	2	1·5	2	1·5
Walsall	104	3	2·9	2	1·9
Waltham Forest	61	1	1·6	0	0·0
Wandsworth	72	5	6·9	3	4·2
Warwickshire	244	7	2·9	4	1·6

LEA area	Schools	Total ballots	Percentage	"Yes" votes	Percentage
West Sussex	246	1	0·4	1	0·4
Westminster	42	0	0·0	0	0·0
Wigan	125	0	0·0	0	0·0
Wiltshire	294	21	7·1	18	6·1
Wirral	106	0	0·0	0	0·0
Wolverhampton	101	1	1·0	0	0·0
England	18,879	589	3·1	450	2·4

	Secondary Schools				
LEA Area	Schools	Total Ballots	Per cent.	"Yes" Votes	Per cent.
Avon	60	5	8·3	2	3·3
Barking	8	0	0·0	0	0·0
Barnet	21	11	52·4	10	47·6
Barnsley	15	2	13·3	0	0·0
Bedfordshire	71	19	26·8	11	15·5
Berkshire	59	17	28·8	13	22·0
Bexley	17	6	35·3	5	29·4
Birmingham	79	24	30·4	17	21·5
Bolton	16	3	18·8	3	18·8
Bradford	88	9	10·2	6	6·8
Brent	13	14	107·7	12	92·3
Bromley	17	14	82·4	13	76·5
Buckinghamshire	45	11	24·4	10	22·2
Bury	14	0	0·0	0	0·0
Calderdale	16	11	68·8	8	50·0
Cambridgeshire	43	25	58·1	17	39·5
Camden	11	3	27·3	2	18·2
Cheshire	68	11	16·2	4	5·9
Cleveland	44	3	6·8	0	0·0
Cornwall	31	0	0·0	0	0·0
Corporation of London	0	0	0·0	0	0·0
Coventry	19	0	0·0	0	0·0
Croydon	20	11	55·0	9	45·0
Cumbria	42	15	35·7	15	35·7
Derbyshire	61	26	42·6	16	26·2
Devon	64	10	15·6	6	9·4
Doncaster	34	1	2·9	0	0·0
Dorset	56	16	28·6	14	25·0
Dudley	22	9	40·9	7	31·8
Durham	43	1	2·3	0	0·0
Ealing	12	8	66·7	6	50·0
East Sussex	34	2	5·9	0	0·0
Enfield	17	6	35·3	5	29·4
Essex	105	78	74·3	72	68·6
Gateshead	13	1	7·7	0	0·0
Gloucestershire	43	36	83·7	30	69·8
Greenwich	15	1	6·7	0	0·0
Hackney	10	1	10·0	0	0·0
Hammersmith	10	1	10·0	1	10·0
Hampshire	94	24	25·5	19	20·2
Haringey	9	0	0·0	0	0·0
Harrow	10	2	20·0	1	10·0
Havering	19	7	36·8	4	21·1
Hereford and Worcester	76	8	10·5	5	6·6
Hertfordshire	88	32	36·4	27	30·7
Hillingdon	15	15	100·0	14	93·3
Hounslow	14	3	21·4	2	14·3
Humberside	60	4	6·7	0	0·0
Isle of Wight	21	0	0·0	0	0·0
Isles of Scilly	1	0	0·0	0	0·0
Islington	9	0	0·0	0	0·0
Kensington and Chelsea	4	1	25·0	1	25·0
Kent	136	75	55·1	71	52·2
Kingston upon Thames	10	4	40·0	4	40·0
Kirklees	34	5	14·7	3	8·8
Knowsley	11	3	27·3	1	9·1
Lambeth	10	5	50·0	5	50·0
Lancashire	106	17	16·0	9	8·5
Leeds	46	3	6·5	1	2·2
Leicestershire	79	10	12·7	5	6·3
Lewisham	13	2	15·4	0	0·0
Lincolnshire	63	31	49·2	30	47·6
Liverpool	36	8	22·2	4	11·1
Manchester	28	1	3·6	0	0·0

LEA Area	Secondary Schools: Schools	Total Ballots	Per cent.	"Yes" Votes	Per cent.
Merton	11	3	27·3	1	9·1
Newcastle upon Tyne	22	1	4·5	0	0·0
Newham	14	1	7·1	1	7·1
Norfolk	52	16	30·8	12	23·1
North Tyneside	26	3	11·5	2	7·7
North Yorkshire	59	2	3·4	0	0·0
Northamptonshire	64	21	32·8	14	21·9
Northumberland	61	3	4·9	1	1·6
Nottinghamshire	82	10	12·2	4	4·9
Oldham	15	1	6·7	0	0·0
Oxfordshire	4	2	4·5	0	0·0
Redbridge	15	2	13·3	1	6·7
Richmond upon Thames	8	0	0·0	0	0·0
Rochdale	14	4	28·6	2	14·3
Rotherham	18	1	5·6	0	0·0
Salford	18	4	22·2	1	5·6
Sandwell	20	5	25·0	2	10·0
Sefton	22	1	4·5	0	0·0
Sheffield	31	8	25·8	6	19·4
Shropshire	37	7	18·9	7	18·9
Solihull	13	2	15·4	1	7·7
Somerset	39	3	7·7	2	5·1
South Tyneside	11	0	0·0	0	0·0
Southwark	14	5	35·7	5	35·7
St. Helens	12	1	8·3	0	0·0
Staffordshire	85	11	12·9	5	5·9
Stockport	14	2	14·3	0	0·0
Suffolk	77	1	1·3	0	0·0
Sunderland	17	0	0·0	0	0·0
Surrey	51	16	31·4	15	29·4
Sutton	14	8	57·1	8	57·1
Tameside	18	5	27·8	3	16·7
Tower Hamlets	15	2	13·3	1	6·7
Trafford	16	6	37·5	4	25·0
Wakefield	38	0	0·0	0	0·0
Walsall	21	11	52·4	7	33·3
Waltham Forest	16	2	12·5	2	12·5
Wandsworth	10	8	80·0	7	70·0
Warwickshire	37	9	24·3	8	21·6
West Sussex	41	3	7·3	0	0·0
Westminster	8	1	12·5	0	0·0
Wigan	21	1	4·8	1	4·8
Wiltshire	44	24	54·5	16	36·4
Wirral	21	4	19·0	2	9·5
Wolverhampton	20	6	30·0	5	25·0
ENGLAND	3,654	897	24·5	666	18·2

Notes:

1. Numbers of schools shown are of maintained primary and secondary schools, eligible for GM status, currently recorded in the DFE Index of Educational Establishment.
2. The numbers of ballots are as 10th May 1994. They may change daily.
3. A small number of schools have held more than one ballot.

Special Educational Needs

Mr. Hinchliffe: To ask the Secretary of State for Education how many children at each grant-maintained school in 1993 had a statement of special educational needs.

Mr. Forth: A table giving the number of pupils with statements of special educational needs in each of the 337 grant-maintained schools operating in January 1993 has been placed in the Library.

Funding Agency for Schools

Mrs. Ann Taylor: To ask the Secretary of State for Education if the meetings of the Funding Agency for Schools and its committees and sub-committees will be open to members of the public; if the reports discussed by the agency and its committees and sub-committees will be available to members of the public; and if he will be represented at meetings of the board.

Mr. Robin Squire: My right hon. Friend wrote to the chairman of the Funding Agency for Schools, Sir Christopher Benson, on 11 April setting out a framework of accountability for the agency. In that letter he made it clear that it would be for the agency itself to develop a strategy for making itself publicly accountable. My right hon. Friend has chosen not to exercise his right to be represented at board meetings at the present time.

Mrs. Ann Taylor: To ask the Secretary of State for Education which grant-maintained schools, under section 93 of the Education Act 1993, have been transferred from one former maintaining local education authority to another for the purpose of the calculation and recovery of annual maintenance grant by the Funding Agency for

Schools; what were the local education authorities in each case; and what was the effect on the annual maintenance grant of each school concerned.

Mr. Robin Squire: Only one operating grant-maintained school has been affected by section 93 of the Education Act 1993. All Hallows RC school, formerly maintained by Hampshire local education authority, is located within the boundaries of Surrey. The Funding Agency for Schools is currently considering the basis for the determination of the school's grant for 1994-95.

OVERSEAS DEVELOPMENT ADMINISTRATION

Zimbabwe

Mr. Luff: To ask the Secretary of State for Foreign and Commonwealth Affairs what new initiatives he has taken on aid to Zimbabwe.

Mr. Lennox-Boyd: We will be providing £15 million of balance-of-payments assistance this financial year to support Zimbabwe's economic structural adjustment programme. In addition, we are launching a £9 million project to help strengthen Zimbabwe's health services and access to them for the poor.

Sierra Leone

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what contribution is being made or is planned by the Overseas Development Administration and the European Union to family planning work in Sierra Leone.

Mr. Lennox-Boyd: Our bilateral contribution is approximately £0·217 million over four years via Marie Stopes International. We are also contributing £7 million in 1994-95 to the United Nations Population Fund worldwide. Its programme includes a $3·5 million programme for Sierra Leone. Our share of EC spending on family planning in Sierra Leone is approximately £80,000 over three years.

Liberia

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current British and European Union distribution to humanitarian work in Liberia; and what is being done to rehabilitate child soldiers.

Mr. Lennox-Boyd: Since 1 January 1993, we have provided more than £1·6 million in bilateral humanitarian assistance. In the same period, European Community humanitarian assistance has totalled almost £7 million.

The United Nations Children's Fund has done much towards rehabilitation of child soldiers: 133 counsellors have been trained in delivering war trauma counselling services to children; in addition, local community-based rehabilitation activities, integrated with the supply of water and sanitation and health care facilities have been established to assist demobilised child soldiers.

HOUSE OF COMMONS COMMISSION

Attendants

Mrs. Roche: To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, pursuant to his answer of 5 May, *Official Report*, column *601*, if he will make a statement explaining why the number of attendants has been reduced.

Mr. Beith *[holding answer 17 May 1994]:* Following a staff inspection of the attendant grades throughout the House in 1992 and a detailed review of attendants' posts in the Serjeant at Arms' Department in the first part of 1993, the House of Commons Commission agreed that the Department's staffing level of attendants should be reduced by three. This reduction was subsequently achieved by natural wastage. The current staffing levels are being kept under review by the Department and the staff inspector will be reviewing them formally at the end of this year.

DEFENCE

Defence Accounts Agency

Ms Eagle: To ask the Secretary of State for Defence what consultation he has undertaken over the proposal for market testing of the Defence Accounts Agency in Liverpool.

Mr. Aitken: Normal and wide-ranging consultation has taken place and regular meetings have been held with both local trade unions and staff. In addition, national trades unions, trade associations and the agency's "customers", among others, have been consulted.

Ms Eagle: To ask the Secretary of State for Defence what consultation he has undertaken concerning questions of national security in the proposal for market testing of the Defence Accounts Agency in Liverpool.

Mr. Aitken: All security considerations will be taken fully into account when reaching a decision on the proposal to market-test the Defence Accounts Agency, Liverpool.

Ms Eagle: To ask the Secretary of State for Defence when he expects to make a decision over market testing of the Defence Accounts Agency in Liverpool; and if he will make a statement.

Mr. Aitken: I am currently evaluating the findings of the feasibility study into the possible market test of the Defence Accounts Agency, Liverpool. I am conscious of the need to end uncertainty and I will announce a decision as soon as I am in a position to do so.

Directorate of Contracts

Ms Eagle: To ask the Secretary of State for Defence what costs were incurred in moving the Directorate of Contracts from Liverpool and Harrogate to Huntingdon.

Mr. Aitken: Collocation of the related staff of the Directorate of Contracts at RAF Brampton and RAF Wyton will improve the efficiency with which the RAF's support management business is handled and follows a detailed investment appraisal. The Harrogate contracts

posts are due to transfer in 1995 and the majority of the Liverpool posts in the RAF's Support Management Group in 1996. The costs incurred in these moves can be assessed only when the number of staff moving is known.

EU Security Links

Mr. Llew Smith: To ask the Secretary of State for Defence what reductions in defence preparedness and defence expenditure will be made following the decision of the EU to establish closer security links with nine additional nations in eastern Europe.

Mr. Hanley: No such reductions are planned.

Parliamentary Questions

Mr. Meacher: To ask the Secretary of State for Defence how many parliamentary questions, in the period November 1992 to March 1993, were answered with the response that the information requested is not held centrally and could be obtained only at disproportionate cost; how many were referred on to an agency chief executive; and, in each case, what percentage of the total number of questions asked this constituted.

Mr. Hanley: Based on figures available from the House of Commons POLIS system, of 1,304 written parliamentary questions answered by my Department between 1 November 1992 and 31 March 1993, full answers could not be given to 34 because of disproportionate cost or because information was not held centrally; and 29 were referred to an agency chief executive for answer.

Low Flying

Mr. McFall: To ask the Secretary of State for Defence on what date Royal Air Force Tornadoes first carried out instrument low flying, using automatic terrain following radar, from Goose Bay, Labrador.

Mr. Hanley: In October 1983.

Mr. McFall: To ask the Secretary of State for Defence what facilities were provided to UK-based United States air force F111 units to maintain an instrument low flying capability prior to the establishment of the highlands restricted area.

Mr. Hanley: Prior to the introduction of the highlands restricted area in 1981 there were no facilities for flying in instrument meteorological conditions within the United Kingdom low flying system.

Mr. McFall: To ask the Secretary of State for Defence when he expects US air force F15E aircraft to commence using the highlands restricted area for instrument low flying training.

Mr. Hanley: United Kingdom-based USAF F15E aircraft began using the highlands restricted area for instrument low flying training in January 1994.

Canadian Forces Base, Goose Bay

Mr. McFall: To ask the Secretary of State for Defence how many deployments of forward air control personnel have been made to Canadian forces base Goose Bay in each year since 1990; and what was the purpose of each deployment.

Mr. Hanley: There have been no deployments of RAF forward air controllers to Goose Bay.

Coulport Armaments Depot

Mrs. Helen Jackson: To ask the Secretary of State for Defence if he will make a statement on the nuclear accident exercise which took place at the Royal Naval Armaments Depot Coulport on 22 March.

Mr. Hanley: The purpose of the exercise was to test the procedures that would be employed in the unlikely event of an accident involving the reactor of a nuclear-powered submarine while berthed at RNAD Coulport. It was part of a programme of routine exercises held each year to test the effectiveness of the MOD's nuclear accident response organisation.

Public Bodies

Mr. Kilfoyle: To ask the Secretary of State for Defence who are the members currently appointed to the United Kingdom Polar Medal Assessment Committee.

Mr. Hanley *[holding answer 28 January 1994]:* To ensure that the advice from members of honours committees is fair and impartial, and to avoid lobbying of members, it is Government practice not to publish details of the composition of committees responsible for the awards of honours. This particular committee is made up of a small group of scientists and academics associated with work in the Arctic and Antarctic.

Mr. Kilfoyle: To ask the Secretary of State for Defence who are the members currently appointed to the National Employer Liaison Committee.

Mr. Hanley *[holding answer 28 January 1994]:* Members of the National Employers Liaison Committee for the Reserve Forces are as follows:

Sir Alexander Graham, GBE *(Chairman)*
Sir Michael Angus
Professor J. S. Bridgeman
Sir Dermot de Trafford, Bt
Mr. A. J. Gooding, OBE
Mr. F. C. Graves, OBE
Mr. N. A. Johnson, OBE
Mr. D. A. C. Lambert
Mr. D. M. Middleton, CBE
Mr. J. Miller, CBE
Baroness O'Cathain, OBE
Mr. P. D. Orchard-Lisle, CBE
Mr. D. G. C. Webster

Mr. Kilfoyle: To ask the Secretary of State for Defence who are the members currently appointed to the Defence Scientific Advisory Council and committees.

Mr. Hanley *[holding answer 28 January]:* The members of the Defence Scientific Advisory Council are as follows:

Professor G. G. Roberts *(Chairman)*
Dr. D. S. Aldwinckle
Dr. A. D. Appleton
Professor A. Bailey
Mr. D. R. Barron
Professor A. C. Baynham
Dr. A. R. Begg
Dr. L. Bennett
Mr. K. P. Blair
Professor D. Bloor
Professor R. K. Burcher
Dr. D. Butler

Dr. I. L. Buxton
Professor J. A. Carruthers
Professor J. E. Castle
Professor P. C. Chatwin
Mr. G. M. Churchhouse
Professor P. J. Clarricoats
Professor R. Coats
Professor E. C. Cocking
Professor R. B. Cundall
Mr. D. J. Daniels
Professor K. E. Davies
Dr. A. A. Denton
Professor G. B. Donaldson
Dr. D. Driver
Professor H. A. Dudley
Professor P. E. Dyer
Professor C. S. Easmon
Professor R. Eatock Taylor
Professor B. G. Evans
Professor J. Ferguson
Dr. J. E. Field
Mr. P. D. Forrest
Professor J. H. Freer
Professor G. S. French
Professor D. Gardner
Mr. P. N. Goddard
Professor B. T. Golding
Professor F. A. Goldsworthy
Dr. J. E. Green
Professor R. L. Grimsdale
Professor K. B. Haley
Mr. F. R. Harris
Professor R. M. Harrison
Professor P. J. Heggs
Mr. J. R. Hennessy
Professor C. Hilsum
Mr. J. Hough
Professor C. I. Howarth
Dr. I. M. Hutchings
Professor K. R. Jennings
Professor D. J. Jeffries
Dr. D. M. Jones
Professor N. Jones
Dr. A. J. Keane
Dr. A. J. Kearsley
Professor L. J. King
Dr. R. H. King
Professor J. F. Scott
Professor M. H. Lader
Dr. I. Levack
Professor A. G. Lockett
Professor J. B. Long
Professor M. V. Lowson
Mr. M. Meek
Professor J. Melling
Dr. J. F. Miles
Mr. M. H. Mills
Professor D. V. Morgan
Dr. R. D. Mulligan
Dr. P. O'Brien
Dr. M. H. Ogle
Professor R. M. Ogorkiewicz
Professor T. F. Page
Dr. D. J. Price
Professor W. G. Price
Dr. S. Primrose
Professor B. Randell
Dr. B. M. Richards
Professor M. W. Roberts
Mr. P. C. Ruffles
Dr. S. J. Rushforth
Dr. J. W. Scadding
Professor N. Shadbolt
Professor K. S. Sing
Sir Joseph Smith
Dr. L. L. Smith
Mr. P. J. Stein
Mr. T. Truman
Mr. R. V. Turner
Professor M. J. Underhill
Professor R. Voles
Professor I. M. Ward
Professor K. Warwick
Professor R. G. White
Dr. D. P. Wilkinson
Mr. M. R. Williams
Dr. N. Williams
Professor S. Williamson
Professor J. Yarwood

There are 14 further members of the DSAC who have asked to remain anonymous as they are associated with sensitive areas of research. Those involved are all members of the scientific and academic community.

EMPLOYMENT

Workfare

Mr. Llew Smith: To ask the Secretary of State for Employment what evaluation he has made of the options for introducing a workfare system for unemployed people aged between 18 and 24 years.

Mr. Michael Forsyth: "Workfare" is usually taken to mean large-scale, all-embracing compulsory work schemes. The Government do not believe that there can be a single approach to meeting the needs of unemployed people and therefore they reject "workfare" schemes. The more effective approach is to target the individual needs of particular groups and help them back into work. That is why the Government introduced in April two new pilot schemes designed to help 18 to 24-year-olds who have been unemployed for over a year to get back to work. The pilots are: Workwise, a four week personal development and jobsearch course; and 1-2-1, a series of individual advisory interviews. Both pilots are mandatory for people who have declined all other offers of help.

Film Industry

Mr. Nichlas Winterton: To ask the Secretary of State for Employment how many people are currently employed in the United Kingdom film industry.

Miss Widdecombe: The latest reliable information is from the 1991 census of employment. In September 1991, there were 24,200 jobs in the United Kingdom in film production, distribution and exhibition—activity heading 9711 of the 1980 standard industrial classification.

Mr. Nicholas Winterton: To ask the Secretary of State for Employment (1) what steps he is taking to improve the training of technicians within the United Kingdom film industry;

(2) how many trainees are currently undergoing apprenticeship courses related to the skills of technicians in the film industry; and if he will make a statement;

(3) what is his policy on the maintenance of the technical skills base for the British film industry;

(4) what assistance is made available by Her Majesty's Government for training technicians for the film industry.

Miss Widdecombe: Oversight of training in the broadcast, film and video industry is the responsibility of Skillset, the recognised industry training organisation. In partnership with the Open university, Skillset has already developed nine national vocational qualifications at levels 2 to 4 covering camera, lighting and sound, and is working with the BBC, ITV and training and enterprise councils to implement them.

The results of a joint Employment Department and Skillset project on training needs in the industry will be announced at ITV Network in London on 19 May 1994. Officials will be working closely with Skillset on their implementation. We are already supporting an industry database of information on training courses.

There are currently 60 trainees on a film and television scheme. I am also hoping that the film industry will shortly be developing, with Government support, a modern apprenticeship model scheme to include technician training for introduction in September 1995.

Training and Enterprise Councils

Mr. Morgan: To ask the Secretary of State for Employment if he will place in the Library a copy of the undertakings sought from training and enterprise council secondees in *(a)* England and *(b)* Wales, in relation to the obligation to retire early, for those civil servants applying for his Department's voluntary early retirement scheme.

Miss Widdecombe *[holding answer 13 May 1994]:* There is no specific form of undertaking to place in the Library. Regional directors were instructed that training and enterprise council secondees would qualify for early retirement only if they intended to return to the Department at the end of their secondment. Secondees were required to confirm their intention in writing and our guidance required our regional offices to send a letter to the TEC telling it of the secondee's intention to return to the Department at the end of their secondment.

Unemployment Benefit

Ms Armstrong: To ask the Secretary of State for Employment how many people in each region were in receipt of unemployment benefit only *(a)* in total and *(b)* who had been unemployed for more than six months at the latest available date.

Miss Widdecombe *[pursuant to her reply, 12 April 1994, c. 57]:* I regret that my reply to the hon. Lady of 12 April was incorrect. The information requested is available for Great Britain, and is given in the following table. The figures relate to 11 November 1993.

Number of Unemployed Claimants

	Receiving Unemployment Benefit only	*Receiving Unemployment Benefit only for more than 6 months (thousands)*
South East	148	56
East Anglia	17	5
South West	37	13
West Midlands	47	19
East Midlands	33	12
Yorkshire and Humberside	44	13
North West	52	17
North	34	10
Wales	22	6
Scotland	49	14
GREAT BRITAIN	483	165

Sources: DSS Quarterly Analysis of Unemployment Claimants.
DSS Half Yearly Analysis of Unemployed Claimants.

ENVIRONMENT

Single Regeneration Budget

19. **Mr. Simpson:** To ask the Secretary of State for the Environment how much has been allocated to the east midlands in the first year of the new single regeneration budget; and how much was allocated to the same areas under the urban programme over each of the last five years.

Sir George Young: Planned expenditure in the east midlands through the single regeneration budget in 1994-95 is £68 million. Under the urban programme, the east midlands was allocated £11·4 million in 1989-90, £11·5 million in 1990-91, £11·7 million in 1991-92, £11·2 million in 1992-93 and £7·5 million in 1993-94.

Air Pollution

20. **Mr. Sheerman:** To ask the Secretary of State for the Environment what action he is taking to reduce harmful levels of air pollution.

Mr. Atkins: The quality of air in the United Kingdom is generally good and it is improving. Our recent discussion paper "Improving Air Quality" set out for consultation proposals for maintaining and extending this improvement.

Greenhouse Gases

21. **Mr. Harry Greenway:** To ask the Secretary of State for the Environment what is the currently envisaged time scale for the stabilisation of emissions of greenhouse gases.

Mr. Atkins: Under the United Nations framework convention on climate change, the United Kingdom and other developed countries are committed to taking measures aimed at returning emissions of greenhouse gases to 1990 levels by 2000. The adequacy of the convention's commitments is due to be reviewed by the conference of parties to the convention in 1995 and again by 1998.

Local Government Finance

22. **Mr. Olner:** To ask the Secretary of State for the Environment when he last met representatives of the local authority associations to discuss capping regulations.

Mr. Curry: The local government associations have made representations on capping on a number of occasions during the course of the annual cycle of consultations on the local government finance settlement.

Mr. Vaz: To ask the Secretary of State for the Environment what percentage of local authority revenue accounts is received from central Government grants; and what were the comparable figures for 1980-81 and 1986-87.

Mr. Curry: Comparable figures are not available at an England-only level for years prior to 1981-82.

The available information is as follows:

England	[1]Revenue Expenditure £ million	[2]Government Grants £ million	Government Grants as percentage of Revenue Expenditure
1981-82	20,106	11,234	56
1986-87	26,630	13,402	50
[3]1993-94	42,654	23,582	55

[1]In 1981-82 and 1986-87 local authority expenditure is taken to be "relevant expenditure" plus expenditure on certain non-relevant items such as net expenditure on mandatory student awards. It represents spending to be financed by rate support grant, relevant specific grant, rates and balances. This measure of expenditure is net of sales, fees and charges, interest receipts etc. For 1993-94 local authority expenditure is "revenue expenditure to compare to TSS" which is expenditure to be met from revenue support grant, specific and special grants inside Aggregate External Finance, Non-Domestic Rates, council tax and appropriations from reserves.

[2]In 1981-82 and 1986-87 Government Grants comprise Aggregate Exchequer Grant and Rate Rebate Grants. In 1993-94 Government Grants included Revenue Support Grant, Specific and Special Grants in Aggregate External Finance, Council Tax Benefit Grant and Council Tax Transitional Relief Scheme Grant.

[3]Budget data.

Local Government Contracts

23. **Mr. David Evans:** To ask the Secretary of State for the Environment how many councils he has instructed to re-tender for contracts in the last three years.

Mr. Baldry: Twelve councils have been required to re-tender 14 contracts since January 1991.

M25

24. **Mr. Shersby:** To ask the Secretary of State for the Environment what is his policy towards the development of motorway service areas on green-belt land adjoining the M25 motorway; and if he will make a statement.

Mr. Gummer: Approval should not be given for a motorway service area within a green belt except in very special circumstances.

Deregulation

25. **Dr. Wright:** To ask the Secretary of State for the Environment if he will make a statement on his Department's contribution to the deregulation programme.

Mr. Curry: My Department is taking substantial deregulation action to reduce unnecessary controls on business while maintaining environmental standards and public safety. We have identified several repeals and simplifications, two of which are included on the face of the Deregulation and Contracting Out Bill and others which are suitable for the general power if enacted. We have also indentified several changes in secondary legislation. We are also taking administrative action aimed at clarification and simplification of bureaucracy, particularly in integrated pollution control and waste management.

Mineral Planning Guidance

26. **Mr. Mike O'Brien:** To ask the Secretary of State for the Environment when the new opencast guidelines, MPG3, will be published.

Mr. Baldry: I refer the hon. Member to the answer I gave to the hon. Member for Morley and Leeds, South (Mr. Gunnell) earlier today.

Beaches

27. **Mr. David Shaw:** To ask the Secretary of State for the Environment if he will make a statement on the cleanness of beaches.

Mr. Atkins: Under the Environmental Protection Act 1990, local authorities are under a duty to keep amenity beaches, down to high water mark, clear of litter and refuse. The Tidy Britain Group has surveyed the amenities and cleanliness of all British resort beaches and will shortly publish a league table to highlight which are the best and which are the worst.

Tower Hamlets Council

28. **Mr. Barry Field:** To ask the Secretary of State for the Environment what studies he has instituted into the way in which Tower Hamlets council is run.

Mr. Curry: None. Its internal management arrangements are a matter for the local authority working within the statutory framework.

Homelessness

29. **Dr. Lynne Jones:** To ask the Secretary of State for the Environment when he intends to bring forward proposals to change the current homelessness legislation.

36. **Mr. Denham:** To ask the Secretary of State for the Environment when he intends to bring forward proposals to change the current legislation regarding local authority obligations in respect of housing the homeless.

Sir George Young: I hope to announce the Government's conclusions before the summer recess.

Radiation

30. **Mr. Flynn:** To ask the Secretary of State for the Environment what new proposals he has to reduce the public's exposure to radiation.

Mr. Atkins: It is already the Government's policy that exposure of the public to radiation from man-made sources should be as low as reasonably achievable, economic and social factors being taken into account.

Environment Agency

31. **Mr. Rathbone:** To ask the Secretary of State for the Environment what steps he has taken to establish the United Kingdom Environment Agency.

Mr. Atkins: The Government are committed to establishing an Environment Agency for England and Wales and a Scottish Environment Protection Agency as soon as possible. Paving provisions were announced in the Queen's Speech and we will introduce a Bill shortly.

Construction Industry

32. **Mrs. Ann Winterton:** To ask the Secretary of State for the Environment what specific steps he is taking to lift burdens of over-regulation from the United Kingdom construction industry.

Mr. Baldry: The Government are taking substantial deregulation action to reduce unnecessary controls on the construction industry in the United Kingdom. We have identified several repeals and simplifications, such as the proposed changes to building regulations and waste regulations, which are included in the Deregulation and Contracting Out Bill. We are also responding positively to the recommendations on construction set out in "Deregulation Task Forces—Proposals for Reform".

Subsidiarity

33. **Mrs. Anne Campbell:** To ask the Secretary of State for the Environment what plans he has to apply the principle of subsidiarity to local government.

Mr. Curry: The Government have consistently made clear their commitment to the principle of subsidiarity, both between central and local government and beyond; subsidiarity does not stop at the local authority but continues to whatever level is most consistent with competence, practicality and cost-effectiveness.

River Doe Lea

34. **Mr. Skinner:** To ask the Secretary of State for the Environment what action he is taking to ensure that the River Doe Lea is cleaned up.

Mr. Atkins: The National Rivers Authority is responsible for ensuring that river quality is protected and for dealing with water pollution problems.

Water Privatisation

35. **Mr. Canavan:** To ask the Secretary of State for the Environment what steps his Department is taking to monitor the effects of water privatisation.

Mr. Atkins: Since their privatisation in 1989, the monitoring of water and sewerage companies in England and Wales has been the responsibility of the Director General of Water Services, who has a duty to ensure that the companies can finance and carry out their statutory water supply and sewerage functions. He is also responsible for the protection of customers' interests, ensuring that services are provided economically and efficiently, and facilitating competition. The director general publishes an annual report which is presented to Parliament.

Local Authority Services

37. **Mrs. Angela Knight:** To ask the Secretary of State for the Environment what action is being taken to improve the quality of local authority services.

Mr. Curry: As part of the citizens charter initiative, local authorities are required, starting this year, to publish details of their performance against a wide range of performance indicators. For the first time, citizens will be able to make effective judgments about the quality of services provided by their local council compared to other local authorities of a similar background, and over successive years. Many local authority services are also subject to compulsory competitive tendering. This has led to better services at lower costs, and CCT is now being extended to a wide range of further services, including housing management, legal, finance, IT, personnel, architectural, engineering and property management services.

Local Authority Capital Receipts

Mr. Gerrard: To ask the Secretary of State for the Environment (1) what was the total accumulated local authority housing capital receipt from the sale of council housing in England at 31 March, by local authority and by Department of the Environment region;

(2) what is the projected total accumulated local authority housing capital receipts at 31 March 1995, by local authority and by Department of the Environment region.

Sir George Young: The total discounted values of all council dwellings sold between April 1980 and December 1993, as reported by each local authority in England, are in the table. The information shown includes reported data on receipts from large-scale voluntary transfers. No estimates have been made for those periods where data have not been supplied by a local authority or were incomplete. Actual cash receipts for the period will depend on the extent to which sales had been financed by loans from the authorities. Data are not yet available for the period January to March 1994.

No estimates are available by local authority or by Department of Environment regions of projected capital receipts during the calendar year 1994 or the financial year 1994-95.

Property Services Agency

Mr. Hoyle: To ask the Secretary of State for the Environment, pursuant to his answer of 3 May, *Official Report*, column *443*, what guidelines his Department issues in relation to quality and technical competence when contracts are being considered by Government Departments for work which was formerly undertaken by the Property Services Agency.

Sir George Young: The DOE issues a range of relevant guidance, dealing with the contracting process, standard forms of contract, managing building works, client requirements for Government office buildings, the special needs of historic buildings, and how fire standards and precautions should be approached. When selecting contractors and consultants for particular works projects, Departments have access to computerised DOE pre-qualification systems that assess the technical and financial standing of contractors and consultants seeking Government work. The Treasury's central unit on procurement has also issued guidance on particular aspects of works procurement, including quality assurance and the selection of works contractors.

Housing Subsidy

Mr. Battle: To ask the Secretary of State for the Environment which local authorities have a negative housing subsidy entitlement.

Sir George Young: We have not yet received all the first claims from local authorities for the current financial year. However, from the claims received up to now—excluding the 30 authorities which have conducted large-scale voluntary transfers of their stock, the following authorities have indicated that they will have an overall —negative entitlement to housing revenue account subsidy in 1994-95:

Crawley
Dacorum

Daventry
Forest Heath
Isles of Scilly
Mid Bedfordshire
North Dorset
Runnymede
South Northamptonshire
St. Edmundsbury
Stratford-on-Avon
Tandridge
Wansdyke
West Oxfordshire

All claims are subject to revision and to external audit validation.

Mr. Battle: To ask the Secretary of State for the Environment which local authorities have a negative housing entitlement for housing revenue account subsidy purposes in the latest financial year; and what is the cash value of this negative entitlement.

Sir George Young: We have not yet received all the first claims from local authorities for the current financial year. However, from the claims received up to now—excluding the 30 authorities which have conducted large-scale voluntary transfers of their stock—290 authorities have indicated that they will have a negative entitlement on the housing element of their housing revenue account subsidy. In total this amounts to £889,671,987. All the claims are subject to revision and to external audit validation.

As soon as I have complete list of the authorities and the sums involved I will write to the hon. Member with the details.

Local Government Staff

Mr. Spearing: To ask the Secretary of State for the Environment how many people served on *(a)* rural, *(b)* urban, *(c)* borough and *(d)* metropolitan county boroughs and county councils in 1964; and how many currently serve on (i) district, (ii) London borough, (iii) county and (iv) other councils.

Mr. Baldry: In 1964 the numbers of councillors in England and Wales were:

	[1]*Numbers*
Rural districts	14,633
Urban districts	9,368
County boroughs	5,056
Metropolitan boroughs	1,738
Municipal boroughs	8,445
Counties	5,346
Parish councils (England only)	57,000

[1] Separate figures for England and Wales are not available.

In 1994 the numbers of councillors in England are:

	Numbers
District councils	13,459
London boroughs	1,914
County councils	2,998
Metropolitan districts	2,481
Parish councils	71,600

In 1994 the numbers of councillors in Wales are:

	Numbers
County councils	502
District councils	1,475

Figures are not available for councillors serving on community and town councils in Wales.

Housing Benefit

Mr. Battle: To ask the Secretary of State for the Environment what proportion of *(a)* housing association tenants on assured lettings and *(b)* secure housing association tenants were in receipt of (i) full housing benefit and (ii) partial housing benefit on 31 March 1993, and at any subsequent date for which figures are available.

Sir George Young: An estimated 60 per cent. of housing association tenants on assured lettings and also 60 per cent. of secure housing association tenants were receiving housing benefit in 1993. A breakdown between full and partial benefit is not currently available.

The proportions are provisional estimates from the "Survey of English Housing" for the period April to December 1993.

Rent Assessment Panels

Mr. Spellar: To ask the Secretary of State for the Environment what was the total cost of administering rent assessment panels in the last year for which figures are available.

Sir George Young: The provisional figure for cost of the rent assessment panels in England for 1993-94 was £5,446,000.

Council House Sales

Mr. Robert Banks: To ask the Secretary of State for the Environment what is the total number of council houses sold to tenants of Harrogate borough council.

Sir George Young: Harrogate borough council has reported the sale of 2,300 dwellings to sitting tenants between April 1980 and December 1993. Information is not available on the number of these sales before 1980-81.

Living-over-the-shop Initiative

Mr. Battle: To ask the Secretary of State for the Environment if he will list for each local authority *(a)* the address, *(b)* the date of approval by his Department's officials, *(c)* the overall scheme cost, *(d)* the date of withdrawal, *(e)* the level of subsidy, *(f)* the date of completion and *(g)* the letting date of each completed property for which a supplementary credit approval has been agreed under the LOTS—living-over-the-shop—initiative since its inception.

Sir George Young: I refer the hon. Member to the answer I gave him on 17 December 1993, *Official Report*, column *1097*. Details of the allocation of 1993-94 flats-over-the-shops supplementary credit approvals will not be available until the final claims have been received from local authorities. They have six months after the end of the financial year in which to submit claims.

Eco-labelling

Mr. Bennett: To ask the Secretary of State for the Environment how much money has been spent in the United Kingdom on setting up and running the

Eco-Labelling Board; how many products have received an eco-label; and how many items of each labelled product have so far been sold.

Mr. Atkins: Total expenditure, to date, in setting up and running the United Kingdom Eco-labelling Board amounts to £1·7 million. This expenditure covers the costs of setting up the board, promoting the scheme nationally, assisting the European Commission in developing ecological criteria and processing applications from United Kingdom manufacturers.

To date, the eco-label has been awarded to seven models of washing machine in Hoover's "New Wave" range. We do not have any information on the number of eco-labelled products sold.

Waste Water Treatment Directive

Mr. Peter Atkinson: To ask the Secretary of State for the Environment when he expects to identify sensitive areas as required by the urban waste water treatment directive; and if he will make a statement.

Mr. Atkins: Following discussions with appropriate bodies, the Secretary of State for Wales and I have today placed in the Library of the House, a map of the 33 areas in England and Wales that we have identified, on advice from the National Rivers Authority, as sensitive areas on the basis of the eutrophic status—SAs(E). We have also placed in the Library a list of these areas along with the sewage treatment works at which the installation of phosphorus removal plants will be required in SAs(E) by the end of 1998 in accordance with the directive. These decisions will make a significant contribution to safeguarding our fresh waters.

We have accepted the NRA's advice that further monitoring is needed in the case of at least 20 other sites to establish whether they meet the criteria for identification as SAs(E). We have also concluded that current data do not support the case for the identification of nine other candidate SAs(E) proposed by the NRA, and that, before reaching a decision in these cases, further monitoring should be carried out. These cases, along with the 20 areas recommended by the NRA, will be reviewed within the four-year period prescribed by the directive. A list of these areas has also been placed in the Library of the House.

The map and lists will also be available for inspection at NRA headquarters and their main regional offices.

Mr. Richard Tracey: To ask the Secretary of State for the Environment when he expects to identify high natural dispersion areas, less sensitive areas, as required by the urban waste water treatment directive; and if he will make a statement.

Mr. Atkins: Following discussions with appropriate bodies, the Secretary of State for Wales and I have today placed in the Library of the House a map showing those areas in England and Wales which we have identified as high natural dispersion areas. The map shows all 58 areas around the English and Welsh coastline which the National Rivers Authority has advised meet the criteria in the directive. On the basis of available information, the NRA believes that the provision of primary treatment for the named discharges into these areas will be sufficient and that no further environment benefit will accrue from the provision of additional levels of treatment. We have accepted this advice.

Comprehensive studies will now be carried out at each location. The NRA must be satisified, before they issue a discharge consent, that the study demonstrates that the proposed discharge of primary treatment effluent will not adversely affect the environment.

The NRA is also preparing maps defining the outer boundaries of estuaries as required by the directive. In all cases except for the Humber, the Severn and Swansea bay the boundaries are the same as those used by the NRA for other purposes.

Our decisions will ensure that sewage discharges are properly treated; that the quality of our coastal waters and estuaries will continue to improve, and that costs to water charge payers are kept within acceptable limits.

The map will be available for inspection at NRA headquarters and their main regional offices.

Waste Deposits, London

Mr. Cox: To ask the Secretary of State for the Environment what records are kept, and by whom, concerning toxic or other chemical waste deposits on former industrial sites in the Greater London area.

Mr. Atkins: The information requested is not held centrally. It is for the owner of any site to decide what records to hold in order to meet its needs or legal obligations. It is for public authorities—including, in particular, the London waste regulation authority, London borough councils and the Common Council of the City of London—to decide what records to hold in connection with the exercise of their pollution control or planning powers, which could impinge on the type of site described.

Energy Conservation Bill

Mr. Beith: To ask the Secretary of State for the Environment how many amendments and new clauses tabled at report stage of the Energy Conservation Bill were drafted by parliamentary counsel.

Mr. Atkins: Seven new clauses and 216 amendments tabled at Report stage of the Energy Conservation Bill were drafted by Parliamentary Counsel.

Mr. Beith: To ask the Secretary of State for the Environment how many hours of civil servants' time, and at what cost, was spent in drafting amendments and new clauses to the Energy Conservation Bill.

Mr. Atkins: This information is not available. Civil servants carried out work on the Bill in the course of their normal business and no records are kept of the time spent on individual tasks.

Housing Management

Mr. David Shaw: To ask the Secretary of State for the Environment what assessment he has made of whether authorities which will be restructured following the local government review will have sufficient time to implement the compulsory competitive tendering of housing management.

Sir George Young: I am keen that local authorities in the shires should press ahead with their preparations for housing management CCT without delay. Where they can, authorities should let contracts before reorganisation. Where they cannot, their preparatory work will not be wasted but will stand restructured authorities and their tenants in good stead.

However, as I said in response to a question from my hon. Friend the Member for Chelmsford (Mr. Burns) on 15 December 1993, *Official Report*, columns *733-34*, I recognise that restructured authorities will need some extra time to complete the competition process. In my answer, I confirmed the arrangement whereby such authorities will benefit from an exemption of 18 months following reorganisation to complete the first round of competitive tendering. This should give most authorities sufficient time, having regard to the time that their predecessors will have had to prepare.

Some restructured authorities may, nevertheless, have difficulty in completing the process in the 18-month period. I have therefore decided to extend the exemption to 24 months in certain limited circumstances. The authorities which will benefit from this extension will be those which inherit more than 1,000 dwellings from an outgoing authority which is below the proposed de minimis threshold—and does not, therefore, have to prepare for housing management CCT—and those with a total housing stock of more than 15,000 dwellings. This extension will be granted automatically to restructured authorities meeting one or both of those criteria.

Nitrates

Mr. Jenkin: To ask the Secretary of State for the Environment if he will make a statement on the designation of nitrate-vulnerable zones under the EC nitrate directive.

Mr. Atkins: My right hon. Friends the Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales and I issued today a consultation document giving details of the areas in England and Wales which it is proposed to designate as vulnerable zones under the terms of the EC nitrate directive. Following proposals from the National Rivers Authority, 72 zones, with a total area of about 650,000 hectares, have been identified in accordance with criteria laid down in the directive.

The designation that we are proposing represent the latest stage in a broad package of measures that the Government are taking to control nitrate pollution from agriculture. Four years ago, we established 10 nitrate sensitive areas and we expect to open a further 22 such areas to applicants very shortly. At the national level we have already anticipated the requirement in the nitrate directive to publish and promote a code of good agricultural practice to help farmers reduce nitrate pollution in water. The Government also maintain a substantial programme of nitrate research and development which helps to provide the basis for a comprehensive range of advice to farmers on sensible nitrate practice through such publications as the Ministry of Agriculture's fertiliser recommendations. A fully revised and updated edition of this publication will be available next week.

The designations that we are proposing today reflect the fact that the problem of nitrate pollution in England and Wales is largely confined to a number of discrete areas. In due course the directive requires us to introduce measures in these areas to control certain agricultural activities with the aim of reducing nitrate pollution. Considerable care has been taken to ensure that the zones are as precise as possible, thereby ensuring the measures will be effectively targeted and produce the desired environmental benefit. The consultation document provides a preliminary indication of the type of measures that might be introduced in the zones.

The measures must be established by December 1995 and come into effect at a date to be decided between then and the end of 1999. The resulting reductions in nitrate leaching in vulnerable zones will add to reductions already taking place because of recent changes in agriculture and voluntary application of the code of good agricultural practice for the protection of water issued by MAFF and Welsh Office Agriculture Department.

I am placing copies of the consultation document in the Library.

Council Tax

Mr. Rendel: To ask the Secretary of State for the Environment on what criteria it is determined whether a property occupied by a disabled person should receive a one-band reduction for the purposes of assessing council tax payments.

Mr. Curry *[holding answer 16 May 1994]:* Disabled persons may be entitled to a one-band reduction in council tax if they need extra rooms or more space as a result of their special needs. Reductions apply to dwellings where any one of the following special features is present; an additional kitchen or bathroom, or special room required because of a resident's disability, or extra floorspace where a wheelchair is required to be used indoors. Reductions are determined in accordance with The Council Tax (Reductions for Disabilities) Regulations 1992, SI 1992/554.

Benzene

Mr. Miller: To ask the Secretary of State for the Environment what representations he has received regarding levels of benzene in vehicle exhaust emissions.

Mr. Atkins: I have received several representations, from hon. Members and others, about the benzene content of petrol and levels in vehicle emissions.

Community Charge

Mr. Spellar: To ask the Secretary of State for the Environment what was the number of changes to the community charge register in England and Wales in the latest available year; and what was the estimate of the level of under-registration for the community charge.

Mr. Curry: This information is not available centrally. However, the Chartered Institute of Public Finance and Accountancy has published an estimated percentage turnover on the community charge register in England and Wales for 1992-93 in the results of its "Revenue Collection Statistics 1992/93 Actuals" survey published in January 1994. From a response of 305 out of 403 local authorities in England and Wales, CIPFA gives an estimated percentage turnover on the community charge register for England and Wales of 34 per cent. This represents the total number of additions to, plus deletions from, the register in the period 1 April 1992 to 31 March 1993, expressed as a percentage of the number on the register at 1 April 1992.

HEALTH

NHS Trusts

Mr. Milburn: To ask the Secretary of State for Health, pursuant to her answer of 20 April, *Official Report*, column *541*, regarding trusts failing to meet their capital return targets, by what percentage and sum each such trust failed to meet its three financial targets.

Mr. Sackville: The information requested for the years 1991-92 and 1992-93 will be placed in the Library. Information for 1993-94 will not be available until the annual accounts of trusts for that year have been audited.

Cosmetic Surgery

Mr. French: To ask the Secretary of State for Health how many surgeons have been struck off the British Association of Cosmetic Surgeons register in each of the last five years.

Mr. Sackville: This is a matter for the British Association of Cosmetic Surgeons.

Mr. French: To ask the Secretary of State for Health what qualifications are required for a person to carry out a liposuction operation.

Mr. Sackville: It is not illegal for an unqualified person to perform cosmetic surgery procedures as such, as long as that person does not falsely claim to be a doctor or carry out any procedures without the patient's permission.

Mr. French: To ask the Secretary of State for Health how many complaints her Department has received related to liposuction surgery in each of the past five years.

Mr. Sackville: In the year ending 30 April 1994 there have been three complaints; in the four preceding years there were none.

Mr. French: To ask the Secretary of State for Health what representations she has received alleging negligence during liposuction surgery.

Mr. Sackville: None. Complaints of medical negligence are a matter for the General Medical Council.

Mr. French: To ask the Secretary of State for Health what plans she has to regulate the advertising of cosmetic treatment by private cosmetic surgeons.

Mr. Sackville: Restrictions on advertisements are already in force and regulated by the Advertising Standards Authority and the Office of Fair Trading.

HIV/AIDS

Ms Mowlam: To ask the Secretary of State for Health (1) what assessment she has made of the effect of changes in NHS funding in respect of the voluntary sector, with particular reference to groups assisting those with HIV/AIDS;

(2) what asssessment she has made of the effect of changes in local authority funding on voluntary groups assisting those with HIV/AIDS.

Mr. Sackville: National health service funding for HIV and AIDS increased from £214 million in 1993-94 to £225 million in 1994-95, and local authority funding from £14·9 million to £15·4 million. Changes in allocating these funds came into effect only from 1 April. It is too soon to assess any effect that this may have on the voluntary sector.

Health Education Authority Publications

Mr. Gill: To ask the Secretary of State for Health which Health Education Authority titles have been withdrawn from circulation.

Mr. Sackville: The Health Education Authority has withdrawn "Your Pocket Guide to Sex" in the light of ministerial advice.

Obsessive Compulsive Disorder

Mr. Blunkett: To ask the Secretary of State for Health what assessment has been made by her Department of the provision of services for people suffering obsessive compulsive disorder; and if she will make a statement.

Mr. Bowis: It is for each district health authority to decide what range and type of services to provide based on their assessment of local needs. This will include services for people suffering from obsessive compulsive disorders.

Immigration Control

Mr. Allen: To ask the Secretary of State for Health what plans she has for increased medical checks or medical screening on people subject to immigration control and travellers entering United Kingdom airports and ports for the detection of tuberculosis, cholera and typhoid; who will be subject to these measures; on what basis people will be chosen; what diseases or conditions will be checked; under what authority these checks will be made; what will be the outcome for persons found to be suffering from any of the prescribed conditions or diseases; what changes there will be in statutory instruments and immigration rules; and what co-operation there has been with the Home Office on the immigration implications of increased screening and checks.

Mr. Sackville: Current policy is that new immigrants from countries with a high prevalence of tuberculosis entering the United Kingdom for six months or more are screened for tuberculosis. The aim of this policy is not only to identify those with active disease so that they can be referred for further investigation and treatment, but to be able to offer the protection of BCG immunisation where appropriate. The Department, in consultation with the Home Department and within the remit of the inter-departmental working group on tuberculosis, is reviewing the procedures in order that the policy may be more effectively implemented.

The Department has no plans to screen travellers or new immigrants to the United Kingdom for cholera or typhoid.

Breast-feeding

Miss Lestor: To ask the Secretary of State for Health what plans she has to increase the amount spent on promoting breast feeding; and if she will make a statement.

Mr. Sackville: The Department of Health continues to support breast-feeding as the best way of feeding a baby. Spending on the promotion of breast-feeding, including grant aid to voluntary organisations, publicity, surveillance and research, reached £118,000 in 1993-94 and is expected to increase to £125,000 in 1994-95.

Hospitals, London

Mr. Fabricant: To ask the Secretary of State for Health what proportion of, and how many, patients treated in London teaching hospitals had their main place of residence outside Greater London in the last year for which figures are available.

Dr. Mawhinney: Information is not available in the precise form requested.

Caesarean Births

Miss Lestor: To ask the Secretary of State for Health if she will list for each year for the last 10 years the number of Caesarean births.

Mr. Sackville: The estimated figures for England for the years 1982 to 1985 and 1988-89 to 1991-92 are shown in the table. These figures relate to deliveries in hospitals and not to the number of babies born.

Data are unavailable for the years 1986 to 1987-88 because of changes to the data collection system.

Year	*Estimated Number of Deliveries*	*Estimated Number of Caesarian Section*	*Percentage by Caesarian Section*
1982	574,620	58,110	[1]10·1
1983	578,300	58,370	[1]10·1
1984	586,110	59,140	[1]10·1
1985	605,120	63,270	[1]10·5
1988-89	642,000	64,000	[2]10·0
1989-90	643,000	77,000	[2]12·0
1990-91	659,000	86,000	[2]13·0
1991-92	649,000	84,000	[2]13·0

Source:
[1] Hospital in-Patient Enquiry.
[2] Hospital Episode Statistics (These estimates are based upon incomplete data, and are rounded to the nearest 1,000).

Newly Qualified General Nurses

Mr. Bates: To ask the Secretary of State for Health how many nurses completed their registered general nurse qualification in 1993; and how many of them are now employed by the national health service.

Mr. Sackville: The number of admissions from England to the United Kingdom Central Council for Nursing, Midwifery and Health Visiting register for the period 1 April 1992 to 31 March 1993 is shown in the table. The total figure represents an increase of 3 per cent. on the previous year.

	Number
Part 1—First level nurses trained in general nursing	15,042
Part 12—First level nurses trained in adult nursing (Project 2000)	635
TOTAL	15,677

Information relating to nurses qualifying in particular years and employed by the national health service is not available centrally.

Wandsworth Health Authority Chairman

Mr. Cox: To ask the Secretary of State for Health what is the yearly salary of the chairman of Wandsworth health authority.

Dr. Mawhinney: It is £19,285.

Junior Doctors

Ms Primarolo: To ask the Secretary of State for Health what was the cost of measures taken to reduce hours worked by junior hospital doctors in each year since 1991-92.

Dr. Mawhinney: Annual figures, since 1991-92, for the central funds spent on measures to reduce junior doctors' hours of work are shown in the table. Action taken includes creating 750 extra senior doctor posts and other local projects to reduce hours and improve living conditions.

Year	*£*
1991-92	6,202,000
1992-93	24,466,000
1993-94	37,048,000
1994-95	50,015,000
TOTAL	117,731,000

Note: Figures at cash for each year.

In addition, authorities and trusts will have devoted their own funds to local measures to reduce hours. Information on the level of such local funding is not available centrally.

In Vitro Fertilisation

Mr. Burden: To ask the Secretary of State for Health (1) how many health authorities purchase IVF treatment;

(2) what plans she has to ensure that those health authorities which are currently not purchasing IVF treatment are able to offer the same service to patients as those health authorities which have decided to purchase IVF treatment.

Mr. Sackville: Information on the number of health authorities that provide IVF treatment is not available centrally.

The national health service provides a wide range of treatments for sub-fertility. Decisions about the resources to be made available for these services must be left to individual health authorities as they are in the best position to determine priorities in the light of local needs and circumstances. Advice is available to health authorities and clinicians in two publications drawn to the attention of the national health service in 1992:

(a) The Effective Health Care Bulletin on management of subfertility, published for the NHS Management Executive by a consortium of Leeds and York Universities and the Research Unit of the Royal College of Physicians.

(b) The Royal College of Obstetricians and Gynaecologists publication "Infertility—Guidelines for Practice".

Copies of these publications are available in the Library.

Stomach Ulcers

Mr. Blunkett: To ask the Secretary of State for Health how many patients were treated for stomach ulcers in each of the last three years; and what percentage of these patients were treated with maintenance therapy.

Mr. Sackville: The information shown in the table relates to finished consultant episodes where the primary diagnosis was for gastric ulcer. Details of medication given to individuals are not available centrally.

Year	Number
1989-90	24,717
1990-91	23,469
[1]1991-92	24,075

[1] Preliminary estimate.

Mr. Blunkett: To ask the Secretary of State for Health (1) what research her Department has undertaken into the cause of stomach ulcers and the link with the bacteria helicobacter pylori;

(2) what research her Department has undertaken into the use of triple therapy through the use of antibiotics as a means of treating stomach ulcers.

Mr. Sackville: The Department of Health has not undertaken any research on either topic.

The main agency through which the Government support biomedical and clinical research is the Medical Research Council, which receives its grant in aid from the office of my right hon. Friend the Chancellor of the Duchy of Lancaster. The MRC is an independent body deciding what research to do on its own expert judgment. The council is always willing to consider for support soundly based new scientific proposals in competition with other applications.

In 1992-93 the MRC spent £1·44 million on research into the gastro-intestinal tract, and a further £9 million on research which may have some relevance to the gastro-intestinal tract.

Mr. Blunkett: To ask the Secretary of State for Health what percentage of the NHS drugs bill is accounted for by the prescribing of Tagamet and Zantac; and how much the NHS spends on these drugs per year.

Dr. Mawhinney: The information cannot be published in the form requested because of commercial confidentiality.

Market Testing

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer to the hon. Member for City of Chester (Mr. Brandreth) of 18 April, *Official Report*, column *396*, what areas have been selected for internal charging; what system of charging is proposed; and how the transaction costs of internal charging will be allocated.

Mr. Sackville: The Department's internal management consultancy unit's services were fully internally charged from 1 April 1993 and the unit competes with commercial management consultancy firms. In addition, for a number of services now contracted out, such as printing and travel, expenditure is charged out within the Department to the point of consumption. For services being market-tested, and any provided to other Government Departments or executive agencies under service level agreements, a system of overhead allocation has been developed. The Department is considering further developments in internal charging in areas where this makes management sense, and where the benefits of introduction clearly outweigh the costs of implementing and maintaining the internal charging systems.

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer to the hon. Member for City of Chester (Mr. Brandreth) of 18 April, *Official Report*, column *396*, what was the outcome of the market-testing programme for 1993-94.

Mr. Sackville: The Department's 1993-1994 market-testing programme runs from October 1993 to September 1994 and was published in the citizens charter second report 1994, copies of which are available in the Library. To date the following market tests have been completed:

Reprographic service on the London estate—contract awarded to Libra Business Services.

Building management in certain Department of Health buildings—contract awarded to Procord Facilities Management.

Survey of infant feeding practices—contract awarded to Office of Population, Censuses and Surveys.

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer to the hon. Member for City of Chester (Mr. Brandreth) of 18 April, *Official Report*, column *396*, what areas the market-testing programme for 1994-95 will cover; and what are the personnel consequences.

Mr. Sackville: The Department will shortly be agreeing its 1994-1995 programme with the efficiency unit of the Cabinet Office.

SOCIAL SECURITY

Unemployment Benefit

Mr. Dewar: To ask the Secretary of State for Social Security if he will publish figures similar to those in his answer to the hon. Member for Lewisham, Deptford (Ms Ruddock) of 25 January, *Official Report*, column *186*, on unemployment benefit, showing the value of income support for a couple with two children under the age of 11 years giving figures for April and using estimates for April prices.

Mr. Burt: The available information is in the table. It shows that, since 1988, the level of income support as a proportion of full-time adult earnings has fallen but that its value in real terms has risen. In the period covered by the table, average earnings have risen faster than prices. Similar information on supplementary benefit is not readily available.

	Total is	Average real value of benefit at April 1993 prices over the period	Equivalent value of benefit at April 1993 prices at date of uprating	As a percentage of all adults average earnings
	£	£	£	%
April 1988	79·10	102·19	104·26	36·2
April 1989	84·80	103·86	106·12	35·4
April 1990	89·65	102·39	105·51	34·1
April 1991	96·90	103·86	105·10	34·0

	Total is	Average real value of benefit at April 1993 prices over the period	Equivalent value of benefit at April 1993 prices at date of uprating	As a percentage of all adults average earnings
	£	£	£	%
October 1991	98·15	102·98	103·62	33·4
April 1992	105·00	107·47	108·13	34·5
April 1993	108·75	107·99	108·75	34·3

Notes:

1. *Source:* Abstract of Statistics for Social Security Benefits and Contributions and the Indices of Retail Prices and Average Earnings; Social Security Statistics.
2. Earnings are derived from the Employment Departments New Earnings Survey estimates of all adult, full time, earnings.
3. Real value comparisons have been made using the Retail Prices Index of all items excluding certain housing costs (ROSSI).
4. Income Support was introduced in April 1988. Estimates for entitlement to Supplementary Benefit (which was replaced by Income Support) are difficult as assessment varied with personal circumstance. For example, in addition to the ages of any children, household status, accommodation type, health and other factors were all relevant.

Benefit Statistics

Mr. Dewar: To ask the Secretary of State for Social Security if he will publish estimates of the average numbers receiving benefits at any one time on the same basis as table 6 of the Social Security departmental report giving figures for *(a)* 1993-94, *(b)* 1994-95, *(c)* 1995-96 and *(d)* 1996-97.

Mr. Hague: The information is in the table.

Figures are shown in thousands (000s)

	1993-94	1994-95	1995-96	1996-97
Retirement pension	10,094	10,056	10,073	10,122
Widows benefit	335	331	328	324
Unemployment benefit	620	625	623	558
Sickness benefit	142	142	142	142
Invalidity benefit	1,536	1,702	1,691	1,578
Maternity allowance	11	11	11	11
Non contributory retirement pension	28	28	28	28
War pension	304	281	281	281
Attendance allowance	1,244	1,371	1,493	1,618
Invalid care allowance	227	262	294	324
Severe disability allowance	311	318	326	333
Disability living allowance	1,401	1,606	1,772	1,954
Disability working allowance	5	9	12	14
Industrial injuries disability benefit	204	204	204	204
Reduced earnings allowance	157	157	157	157
Other industrial injuries scheme	2	2	2	1
Industrial death benefit	23	22	21	20
Income support	5,426	5,605	5,777	5,982
Child benefit—Number of children	12,718	12,930	13,139	13,336
Child benefit—Number of families	6,948	7,048	7,146	7,237
One parent benefit	903	950	999	1,047
Family credit	410	448	491	521
Housing benefit—rent allowance	1,439	1,432	1,483	1,536
Housing benefit—rent rebate	3,117	3,186	3,230	3,279
Council tax benefit/Community charge benefit	5,252	5,365	5,455	5,519

Note:
The forecasts are based on economic and unemployment assumptions published in the Financial Statement and Budget Report 1994-95.

Housing Benefit

Mr. Gerrard: To ask the Secretary of State for Social Security what would be the estimated costs in 1994-95 and 1995-96 of increasing disregarded earnings for housing benefit purposes for single people to £10 per week and for couples to £25 per week; and how many claimants would benefit from such a change.

Mr. Hague: The cost in 1994-95 is estimated to be £120 million and would benefit some 370,000 claimants. There is insufficient information to calculate figures for 1995-96.

Source:
The reply is based on the Family Expenditure Survey data from 1989, 1990 and 1991, uprated to 1994-95 prices and caseloads. Figures are rounded down to the nearest £10 million and 10,000 cases.

Mr. Gerrard: To ask the Secretary of State for Social Security what would be the estimated costs in 1994-95 and 1995-96 of reducing the housing benefit taper to 50 per cent.; and how many claimants would benefit from such a change.

Mr. Hague: The estimated cost in 1994-95 is £730 million and it is estimated that 1,955,000 housing benefit recipients would benefit from such a change. Figures for 1995-96 are not available.

Source:
Estimate uses data drawn from the 1989-90-91 Family Expenditure Surveys and modelled at 1994-95 prices and benefit levels. Costs are rounded to the nearest £5 million and numbers of claimants rounded to the nearest 5,000.

Civil Rights (Disabled Persons) Bill

Ms Lynne: To ask the Secretary of State for Social Security what discussions he or Ministers in his Department or their parliamentary private secretaries had with the hon. Members who tabled amendments for consideration at the Report stage of the Civil Rights (Disabled Persons) Bill prior to and following the tabling of those amendments.

Mr. Lilley: My ministerial colleagues and I meet hon. Members from time to time on matters relating to our departmental responsibilities.

Mr. Alfred Morris: To ask the Secretary of State for Social Security, pursuant to the answer of 12 May, *Official Report*, columns *212-13*, on what date the Minister for Disabled People authorised his Department to instruct Parliamentary Counsel on the drafting of the amendments tabled to the Civil Rights (Disabled Persons) Bill by five hon. Members on 3 May.

Mr. Scott: On 20 April 1994, I authorised my officials to instruct Parliamentary Counsel to draft amendments.

Child Support Agency

Mr. Ingram: To ask the Secretary of State for Social Security how many absent parents whose cases were taken on by the Child Support Agency during 1993-94 were on income support; of these how many were *(a)* exempt from the £2·20 deductions made from income support in lieu of child maintenance, *(b)* subject to the £2·20 deductions; and how many of the maintenance assessments calculated using the child support formula issued by the end of March were (i) nil assessments, other than those for absent parents on income support and (ii) minimum assessment of £2·20 a week, as opposed to deductions from income support.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Adam Ingram, dated 17 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about benefit deductions.

Not all of the information you have requested is available. To the end of March 1994, 40,446 assessments involved cases where the absent parent was in receipt of income support.

I understand that for the quarter ending 28 February 1994, the Benefits Agency had made deductions from income support in 16,413 cases.

In addition to those cases involving an absent parent on income support, a further 6,981 assessments resulted in the absent parent being assessed as unable to pay more than the minimum contribution which is now £2·30.

I am sorry that this reply is not more helpful.

Mr. Ingram: To ask the Secretary of State for Social Security in how many cases dealt with by the Child Support Agency in 1993-94 the alleged absent parent disputed paternity; how many of these cases have been resolved without reference to court and in how many of these paternity was established; how many disputed paternity cases have been referred to court by the agency; how many cases have been heard to date and in how many paternity has been established by the court; and how many disputed paternity cases are unresolved to date.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Adan Ingram, dated 17 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about disputed paternity cases. I am grateful to you for raising the matter of disputed paternity again as I was about to write to you on the subject, following further information which has now come to light.

When I wrote to you on 31 March in response to Question 1482, *Official Report* column *1026*, I inadvertently provided incorrect figures. I am sorry that the information quoted, which was based on computerised information, was not accurate. We are undertaking immediate action to rectify the error.

The current position based on clerical checks is that from April 1993 to the end of March 1994, the absent parent disputed paternity in 3,006 cases. Of these, 657 cases were resolved without reference to court and 80 were withdrawn as paternity investigations were progressing. Information is not available on the establishment of paternity in those cases which were resolved without reference to the courts.

At the end of March 1994, 2,269 cases remained to be resolved and some 23 cases have been referred to the courts but none has yet completed a full hearing.

I hope this reply is helpful and I apologise again for providing incorrect information earlier.

Mr. Ingram: To ask the Secretary of State for Social Security how many section 18 and section 17 reviews of child support officers were requested during 1993-94; how many of each were outstanding at the end of the financial year; in how many of those resolved in each case the decision had been revised; and what is the average number of weeks that the outstanding reviews have been awaiting decison in each Child Support Agency centre.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Adam Ingram, dated 17 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about child support reviews.

Not all of the information you have requested is available. I can however tell you that during 1993-94 the Agency processed 20,211 Section 17 reviews. The assessment was revised in 19,952 of those. I am also able to provide you with some of the information about Section 18 reviews. During 1993-94 there were requests for 25,013 such reviews of which 13,281 were cleared leaving 11,732 reviews outstanding.

Mr. Ingram: To ask the Secretary of State for Social Security how many of the maintenance application forms issued by the Child Support Agency during 1993-94 have been issued to *(a)* non-benefit claimants, *(b)* family credit claimants, *(c)* new income support claimants and *(d)* existing income support claimants; and how many have been issued to absent parents.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Adam Ingram, dated 17 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the issue of maintenance application forms.

During the period from April 1993 to the end of March 1994, a total of 858,000 maintenance application forms were issued. Of these, 29,600 were issued to clients who do not receive any of the prescribed benefits; 223,800 were issued to parents with care in receipt of either Family Credit or Disability Working Allowance; 320,400 were issued to new and repeat applicants for Income Support and 284,200 were issued to parents with care in receipt of Income Support before 5th April 1993.

Information is not recorded on the number of application forms issued to Absent Parents.

Mr. Ingram: To ask the Secretary of State for Social Security, pursuant to his answer of 31 March, *Official Report*, column *1026*, if he will make a statement on the relationship between deductions from earnings orders issued by the Child Support Agency by the end of February and the number of accounts in arrears.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Adam Ingram, dated 17 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the deductions from earnings orders which have been issued by the Child Support Agency, and the number of client accounts in arrears.

I regret that validated data on accounts in arrears is not currently available. The Child Support Computer System is being upgraded to provide additional information. The Agency had however issued an estimated 1,400 deductions from earnings orders by the end of February 1994.

Mr. Ingram: To ask the Secretary of State for Social Security how many of the maintenance assessments issued by the Child Support Agency during 1993-94 were interim assessments; how many of these interim maintenance assessments have been subsequently replaced by final maintenance assessments, and how many interim assessments remained in force at 31 March; whether the final maintenance assessment for cases where an interim assessment is originally made appears in the monthly Child Support Agency statistics as another assessment made, and whether the monthly statistics could differentiate interim and final assessments; and when he will be able to give a breakdown of the number of category A interim assessments and category B interim assessments.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Adam Ingram, dated 17 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about interim maintenance assessments.

From April 1993 to the end of March 1994, 73,300 interim maintenance assessments were issued, of which 25,000 were converted to final maintenance assessments. 48,300 interim maintenance assessments remained in place at the end of the period. A breakdown of these figures by category is not available.

When an interim assessment is included in statistical reports it is excluded on conversion to a full maintenance assessment. Total assessments reported for statistical purposes therefore refer to the number of cases where initial assessments have been made.

Information on the number of interim maintenance assessments issued will be included in future monthly reports placed in the Library of the House.

Mr. Ingram: To ask the Secretary of State for Social Security, pursuant to his answer of 31 March, *Official Report*, column *1025*, regarding the Child Support Agency, in how many section 6 cases the issue of the requirement to co-operate has been considered by the Child Support Agency during 1993-94; in how many of these cases he agreed that the parent with care need not be required to co-operate; in how many of these cases the agency accepted that there was a risk of harm or undue distress, and what was the range of other reasons accepted for not requiring co-operation; how many parents with care subsequently gave the authorisation or information; how many reduced benefit directions were issued in 1993-94; and when the agency will begin to monitor the number of applicants who have given authorisation but subsequently seek to withdraw it.

Mr. Burt: The administration of the Child Support Agency is a matter for Ros Hepplewhite, the chief executive. She will write to the hon. Member.

Letter from Ros Hepplewhite to Mr. Adam Ingram, dated 17 May 1994:

I am replying to your recent Parliamentary Question to the Secretary of State for Social Security about the requirement to co-operate.

During the period April 1993 to March 1994, the requirement to co-operate was considered in 64,800 cases. After investigation, good cause not to co-operate was accepted in 31,700 cases. Of these, 8,400 were cases where the parent with care was unable to name the parent of the child; 15,800 were cases where there was a risk of violence and 7,500 were cases where other reasons such as emotional distress, mental illness or concern for the welfare of the child were accepted. After interview, 14,200 parents with care subsequently provided their authorisation or the necessary information.

In the same period, 627 Reduced Benefit Directions were referred to the Benefits Agency for implementation.

The Agency keeps its management information systems in this area under review. At this stage there are no firm plans to record routinely the number of applicants who provide authorisation and subsequently withdraw it.

Written Answers to Questions

Thursday 19 May 1994

LORD CHANCELLOR'S DEPARTMENT

Judicial Appointments

Mr. Richards: To ask the Parliamentary Secretary, Lord Chancellor's Department, what steps he has taken to implement the proposals for developing judicial appointments procedures which were announced by the Lord Chancellor in his speech to Her Majesty's judges on 7 July 1993.

Mr. John M. Taylor: The Lord Chancellor has today published a consultation paper, "Developments in Judicial Appointments Procedures". The paper outlines the proposed arrangements for openly advertised competitions which he intends to hold later this year to fill vacancies arising in 1995-96 for circuit and district judges. Copies of the consultation paper have been placed in the Libraries of both Houses. The Lord Chancellor invites comments on the proposals which he has put forward in the consultation paper, further copies of which may be obtained from his Department.

The closing date for responses is 30 June 1994.

TREASURY

Multilateral Debt

Mr. Worthington: To ask the Chancellor of the Exchequer if he will make a statement on his policy towards the creation of special drawing rights at the international financial institutions as a means of lessening the multilateral debt problems of the world's poorest countries.

Sir John Cope: The articles of the IMF prescribe that allocations of special drawing rights should be made to address global liquidity shortages. No such shortages exist at present and, in the Government's view, the case for a general allocation has not therefore been made.

The world's poorest countries are eligible for and receive financial assistance on concessional terms from the international financial institutions, particularly through the IMF's enhanced structural adjustment facility and the World Bank's International Development Agency's credits. The agency's fifth dimension facility also assists the poorest countries with loan repayments. Net financial flows from the institutions to the poorest countries remain substantially positive.

International Monetary Fund

Mr. Llew Smith: To ask the Chancellor of the Exchequer what proposals in regard to the cost of environmental protection he put to the interim committee of the International Monetary Fund during its discussions on the new World Trade Organisation at its meeting in Washington DC on 25 April; and if he will place in the Library a copy of the United Kingdom submission to the interim committee.

Mr. Kenneth Clarke: A number of different issues, including the World Trade Organisation, were covered by those who spoke at the interim committee on 25 April. In my speech to the committee I warned against protectionist trading practices establishing themselves under the guise of legitimate environmental concerns.

Full texts of my speeches to the interim committee and development committee have been deposited in the Library of the House.

Private Medical Insurance

Mr. Blunkett: To ask the Chancellor of the Exchequer how many individuals received tax relief on private medical insurance premiums paid by employers on behalf of employees whose earned income including benefit is less than £8,500 a year for each of the past five years in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland; and what was the value of tax relief on private medical insurance premiums paid by employers on behalf of employees whose earned income, including the value of benefits is less than £8,500 a year for each of the past five years in (i) England, (ii) Scotland, (iii) Wales and (iv) Northern Ireland.

Mr. Dorrell: As I said in reply to the hon. Member for Bristol, South (Ms Primarolo) on 8 March 1994, *Official Report*, column *99*, this information is not available.

Mr. Blunkett: To ask the Chancellor of the Exchequer, pursuant to his answer to the hon. Member for Edinburgh, Central (Mr. Darling) of 15 March, *Official Report*, columns *571-72*, what was the expected revenue yield from premium tax in 1994-95 and 1995-96 on private medical insurance.

Sir John Cope: The expected revenue yield from insurance premium tax on private medical insurance is estimated to be approximately £10 million in 1994-95 and £50 million in 1995-96. This includes both insurance paid for by households, included in "Medical and other" in the answer to the hon. Member for Edinburgh, Central (Mr. Darling), and insurance paid for by companies, included in "Other business" in that answer.

Consultants

Ms Primarolo: To ask the Chancellor of the Exchequer what was the expenditure on management and financial consultants by his Department in 1992-93.

Sir John Cope: The Treasury's computer systems do not distinguish between management and financial consultants.

The Treasury's expenditure on consultants for 1992-93 was £2,430,405 exclusive of VAT.

VAT (Education) Order

Mr. Andrew Smith: To ask the Chancellor of the Exchequer if he will list the individuals and bodies consulted *(a)* before the drafting and *(b)* during the drafting of the VAT (Education) Order 1994; and what response was received.

Sir John Cope: The VAT (Education) Order was initiated by an internal review of the current VAT

exemption by Customs and Excise. At that stage consultation was limited mainly to officials within that Department and the Department for Education. The first draft of the order was published as part of the public consultation document issued by Customs last December and publicised by a press release. About 500 copies of the consultation document were issued to a variety of bodies with interests in the educational sector including local authorities, trade and professional associations, accountancy firms, charities and individual education and training providers.

Most of the responses supported the need for change, but many expressed concerns and made proposals for extending the new exemption better to preserve the status quo. The final draft of the order was modified to reflect a great many of these useful comments.

Council Tax

Mr. Burden: To ask the Chancellor of the Exchequer what steps he is taking to monitor the time being taken to *(a)* inspect properties where householders have submitted council tax appeals and *(b)* schedule appeals for hearings.

Mr. Nelson *[holding answer 9 May 1994]:* Together with my right hon. Friend the Secretary of State for the Environment, I am keeping under close review the progress being made by the Valuation Office Agency and the valuation tribunals in the settlement of council tax appeals and we expect 80 per cent. of cases to be cleared by the end of 1994.

Monthly returns of clearance are received in order to monitor progress, but there are no plans to monitor the time taken to inspect properties and to schedule appeals for hearings during the clearance process.

ENVIRONMENT

Housing Benefit

Mr. Battle: To ask the Secretary of State for the Environment what is the total rent income received by registered housing associations and the proportion of total rental income of registered housing associations which is met by payments of full and partial housing benefit, for the year to 31 March 1993 and for any subsequent period for which figures are available.

Sir George Young: The total rental income, including service charges, for housing associations registered with the Housing Corporation for 1 April 1992 to 31 March 1993 was £1·621 billion.

Information on the proportion of total rental income met by housing benefit is not available.

Council Tax

Mr. Deva: To ask the Secretary of State for the Environment (1) what is the cost to local authorities of collecting the council tax in each London borough;

(2) what is the cost of collection of council tax in each local authority;

(3) what was the amount collected in 1993 by each London borough and local authority through the council tax.

Mr. Curry: I have arranged for this information to be placed in the Library of the House.

Sewerage

Mr. Spellar: To ask the Secretary of State for the Environment what is his Department's policy regarding the use of twin-wall plastic piping products for sewerage use.

Mr. Atkins: This is a matter for the sewerage undertakers.

Fire Safety, Harrogate

Mr. Robert Banks: To ask the Secretary of State for the Environment (1) how many premises were inspected for compliance with fire safety regulations by staff of the Harrogate borough council in each of the last three years.

(2) how many inspectors are employed by Harrogate borough council to check on fire standards.

Mr. Baldry: The responsibility for compliance with the provisions of the fire safety regulations made under the Fire Precautions Act 1971 rests with fire authorities, in this case North Yorkshire county fire authority. Building control and environmental health officers employed by Harrogate borough council will, however, be involved in inspections with regard to fire safety matters under other legislation. the number of such officers is a matter for the council, and figures are not collected centrally. Likewise the number of premises inspected by these officers is not collected centrally.

Local Government Finance

Mr. Keen: To ask the Secretary of State for the Environment what was the revenue from capital receipts, by London borough, for each financial year from 1988-89 to 1993-94.

Mr. Curry: Total capital receipts were as follows:

£ million

	1988-89	*1989-90*	*1990-91*	*1991-92*	*1992-93*	*1993-94*
Barking and Dagenham	60·194	36·828	15·376	12·592	14·672	11·886
Barnet	41·812	38·854	11·535	20·390	17·384	24·249
Bexley	16·847	22·223	10·490	7·362	8·663	15·130
Brent	34·148	36·392	25·553	11·045	8·084	17·250
Bromley	103·656	34·676	12·288	15·147	137·915	9·652
Camden	35·690	75·147	32·586	14·425	33·384	45·417
City of London	21·167	19·776	8·729	10·232	5·159	9·612
Croydon	72·064	57·690	36·207	26·470	15·469	11·877
Ealing	n/a	38·978	19·860	24·652	13·873	19·887
Enfield	40·122	49·042	20·970	22·521	18·774	11·300
Greenwich	27·178	34·805	19·549	13·656	13·446	19·096
Hackney	18·544	36·292	25·421	16·532	9·119	20·511
Hammersmith and Fulham	n/a	10·719	15·899	9·605	7·046	6·579

£ million

	1988-89	1989-90	1990-91	1991-92	1992-93	1993-94
Haringey	n/a	19·664	20·947	17·643	15·896	16·300
Harrow	19·558	30·452	21·986	9·459	5·403	10·597
Havering	26·293	22·610	14·207	12·452	8·863	41·003
Hillingdon	42·414	33·447	21·355	23·785	47·303	35·733
Hounslow	46·689	31·103	20·906	13·876	12·230	26·667
Islington	28·214	40·803	30·725	19·945	12·651	16·044
Kensington and Chelsea	11·702	13·272	10·251	6·233	7·056	5·317
Kingston-upon-Thames	11·667	29·313	4·726	4·741	3·420	9·940
Lambeth	n/a	n/a	36·882	23·091	12·280	9·912
Lewisham	14·395	64·482	33·596	21·956	15·409	29·100
Merton	24·099	20·294	23·384	10·038	17·806	23·396
Newham	26·943	39·117	21·726	13·221	9·105	12·863
Redbridge	30·281	25·313	13·048	10·052	13·862	13·650
Richmond-upon-Thames	22·499	14·432	10·541	9·663	6·462	12·500
Southwark	n/a	n/a	38·573	16·526	17·524	30·976
Sutton	15·407	18·459	12·871	6·618	8·599	25·920
Tower Hamlets	45·560	94·112	45·111	20·039	14·879	23·834
Waltham Forest	28·211	28·352	15·668	7·076	6·841	20·100
Wandsworth	77·210	81·101	46·763	35·052	27·824	32·308
Westminster	54·225	77·459	28·682	17·183	18·395	29·000

Source:
Local authority capital outturn returns. 1993-94 figures from local authority third quarter forecasts.

Mr. Frank Field: To ask the Secretary of State for the Environment if he will list the total amount of gross capital expenditure by all local authorities in each year since 1980-81 at *(a)* cash prices and *(b)* constant prices.

Mr. Baldry: The available information is shown in the table:

Local authority gross capital expenditure: England

£ million

	At current prices	At 1992-93 prices
1981-82	5,417	8,286
1982-83	5,692	9,747
1983-84	6,014	9,842
1984-85	6,188	9,643
1985-86	5,740	8,474
1986-87	5,991	8,593
1987-88	6,472	8,814
1988-89	7,518	9,594
1989-90	10,083	12,031
1990-91	6,922	7,643
1991-92	6,593	6,846
1992-93	6,460	[1]6,460
1993-94	7,300	[2]7,070

[1] Provisional
[2] Estimate
Notes: Figures before 1985-86 are not strictly comparable due to changes in the definition of gross capital expenditure; figures shown are an indication of trend only. Comparable figures for 1980-81 are not readily available.
Gross capital expenditure includes mortgage lending to former tenants in respect of dwelling sales which reached a peak of £750 million in 1982-83.
1992-93 prices calculated using GDP deflator.

Local Government, Cleveland

Ms Mowlam: To ask the Secretary of State for the Environment, pursuant to his answer of 11 May, *Official Report*, column *170*, what are the particular circumstances in Cleveland which permit a change in the structure of local government to precede local elections.

Mr. Curry: In announcing his decisions on the future structure of local government in Cleveland on 18 January my right hon. Friend the Secretary of State for the Environment made clear his intention to consult the majority and minority groups on each of the four district councils and the county council about whether or not elections should be held in May 1994 with the intention of establishing the four new unitary authorities in April 1995. However, because of the judicial review case brought by Cleveland county council, it proved impossible for us to lay an order providing, inter alia, for elections to be held in May this year.

Therefore we again sought the views of the majority and minority groups on the relevant local authorities and, in the light of their comments, we decided that the most practicable arrangement would be for the new unitary authorities to be established in April 1995 followed by elections in May 1995.

Cardiff Bay Barrage

Mr. Morgan: To ask the Secretary of State for the Environment what consultations he has had with the Environment Commissioner concerning the effect of the exclusion of the Lappel Bank mud flats from the Medway estuary special protection area on the negotiations with him in relation to the Cardiff bay barrage proposal and its legal status; and if he will make a statement.

Mr. Atkins: None.

Ivory

Dr. Liam Fox: To ask the Secretary of State for the Environment what representations he has received concerning any resumption of trade in ivory.

Mr. Atkins: My right hon. Friend has received a large number of letters on this issue. The present ban on trade in ivory was introduced following the seventh conference of the parties of the convention on international trade in endangered species in Lausanne in 1989. We have made it clear that the United Kingdom would not be prepared to consider supporting any relaxation of the ban without first being satisfied that this could be done without undermining the conservation status of the African elephant.

We are aware of a South African Government proposal to seek agreement to the resumption of a limited trade in meat and hides only, in relation to the elephant population

in their country, with the possibility of extending this to ivory at some point in the future. Before any such a proposal can be considered by the CITES conference of the parties it will have to be examined by a CITES panel of experts whose conclusions we would also take into account, together with the views of African elephant range states and other parties. We understand that the relevant CITES procedures are being put in hand. We shall certainly wish to examine the proposal and its implications with great care.

Water Bills

Mr. Streeter: To ask the Secretary of State for the Environment what he expects prospects for water bills to be after the announcement by the Director General of Water Services on water pricing policy.

Mr. Gummer: At present average annual charges for water are around £200 per household—about 55p a day to provide high quality drinking water in unlimited amounts and to treat our sewage. The Director General of Water Services is currently reaching a view on new limits on the extent to which the companies may increase their prices over the next 10 years. He is to announce these on 28 July. He has said that he hopes that nationally it may be possible to limit overall price increases on average to between 0 and 2 per cent. above the rate of inflation. This will supersede the current average ceiling of 4 per cent. above the rate of inflation. In setting price limits he intend to assume that improvements in service are generally financed from efficiency gains, that companies will be able to deliver existing services at lower prices and that companies can both increase the efficiency of their capital programmes and finance them at a lower return on capital. This will have a significant impact on the increases in bills required to finance new obligations. In this way my right hon. Friend the Secretary of State for Wales and I have sought to secure best protection of the environment in a cost-effective way.

Radioactive Waste

Mrs. Angela Knight: To ask the Secretary of State for the Environment if radioactive waste management policy will be considered as part of the nuclear review.

Mr. Gummer: In parallel with the nuclear review, details of which were announced today by my hon. Friend the Minister for Energy, my Department will be heading a separate but complementary review of radioactive waste management policy.

The radioactive waste management review will examine current policy in the light of changes which have taken place since the Department published its national strategy in 1984. It will range wider than the nuclear industry—covering radioactive waste management as a whole. It will not address the suitability of specific sites, this being a matter for the planning and regulatory process, or the merits of the operation of existing nuclear power stations or those in the pipeline.

The Department proposes to publish its preliminary conclusions later in the summer, as a basis for consultation.

Her Majesty's inspectorate of pollution will also be issuing for consultation a revision of the Department's 1994 publication "Disposal facilities on land for low and intermediate level Radioactive Wastes: principles for the protection of the human environment".

In parallell with this latter exercise, the Radioactive Waste Management Advisory Committee, together with the Advisory Committee on Safety at Nuclear Installations, will be asked to consider the approach to site selection for disposal facilities and the criteria for ensuring the protection of human health. Further details will be announced later.

Security Facilities Executive Agency

Mr. Robathan: To ask the Secretary of State for the Environment what targets he has set the Security Facilities executive agency for 1994-95.

Sir George Young: For 1994-95, the following targets have been set for the agency. All of them require the agency to make further improvements in its performance.

Category	*Measure*	*Target*
Financial	Outturn on the Vote	A surplus of £1·86 million
	Outturn on Net Running Costs	Break even
	Cost Recovery in Accruals Terms	100 per cent. cost recovery including 6 per cent. return on capital
Sales	Sales Turnover	A sales turnover of £42 million
Efficiency	Unit Costs	0·5 per cent. reduction in real terms
Quality of Service	Regular Customer Surveys	80 per cent. rating of customer responses in good or higher categories
Environment	Vehicle Fuel Efficiency	Annual average of 24·5 mpg for the GCS and IDS fleets

Traffic Growth

Ms Walley: To ask the Secretary of State for the Environment what assessment he has made of the implications for traffic growth of location of *(a)* companies and *(b)* retail outlets on sites adjacent to the M25; and if he will make a statement.

Mr. Baldry: My Department has made no detailed assessment in the form suggested.

Planning policy guidance notes 4—Industrial and Commercial Development—6—Town Centres and Retail Developments—and 13—Transport—are all relevant. They seek to encourage new development in locations which minimuse the length and number of trips by vehicles, and protect and enhance the viability and vitality of existing centres—in both urban and rural areas—by offering a range of everyday community, shopping and employment opportunities.

PPG13 also asks local planning authorities to ensure that trunk roads and other through routes, including bypasses, serve their purpose as corridors of movement and do not have their national and strategic role undermined by development which encourages their use for short local trips. The Secretary of State for Transport has the power to direct local planning authorities to refuse applications for planning permission, or to apply specified conditions, and takes the policy in PPG13 into account in deciding whether to do so.

WALES

Water Pricing

Mr. Llwyd: To ask the Secretary of State for Wales what agreements his office made during 1989 on the pricing structure of *(a)* Welsh Water plc and *(b)* Severn Trent Water plc in relation to an accrual of money for infrastructure purposes; what accrual is estimated to have occurred since then; and if he will make a statement.

Mr. Gwilym Jones: The agreements reached at privatisation between the Government and all water companies are published in the pathfinder prospectus—a copy of which is held in the Library of the House.

This matter has since become the responsibility of the Director General of Water Services.

Tuberculosis

Ms Primarolo: To ask the Secretary of State for Wales if he will give the total number of notifications of tuberculosis in each year between 1987 and 1993.

Mr. Gwilym Jones: The information requested is given in the following table:

Notification of Tuberculosis in Wales

Year	*Number*
1987	232
1988	201
1989	209
1990	194
1991	166
1992	201
[1]1993	202

[1] Provisional.

Source:
Communicable disease statistics (Series MB2) Registrar General's Weekly Return (Series WR) Office of Population Censuses and Surveys.

Ms Primarolo: To ask the Secretary of State for Wales if he will give the number of deaths from tuberculosis in each year between 1988 and 1993.

Mr. Gwilym Jones: The number of deaths of Welsh residents from tuberculosis in each year are shown in the table:

	Tuberculosis (all forms) excluding late effects (ICD 010-018)	*Late effects of tuberculosis (ICD 137)*
1988	35	19
1989	26	16
1990	30	14
1991	29	12
1992	36	13
1993	n/a	n/a

n/a=Not available.

Source: International Classification of Diseases.
Office of Population Censuses and Surveys.

Junior Hospital Doctors

Ms Primarolo: To ask the Secretary of State for Wales what has been the cost of measures taken to reduce the hours worked by junior hospital doctors in each year since 1991-92.

Mr. Gwilym Jones: Central funds provided for the reduction in junior doctors' hours in Wales have amounted to the following:

	£ million
1991-92	0·250
1992-93	0·600
1993-94	1·000

Details of the costs which health authorities and trusts have incurred in addition to the above are not available.

National Curriculum

Mr. Dafis: To ask the Secretary of State for Wales what consideration he gave to using the recommendations of the Curriculum Council for Wales as the basis for the new National Curriculum for English Order; for what reason the recommendations of the National Curriculum Council for England were selected; what representations he has received regarding the order; and if he will make a statement.

Sir Wyn Roberts: On 31 March the Curriculum Council for Wales submitted revised proposals for English and suggested two amendments to reflect, firstly, the distinctive literary heritage of Wales and, secondly, the diverse linguistic backgrounds of pupils in Wales. My right hon. Friend considered the recommendations carefully and responded on 14 April, asking the new Curriculum and Assessment Authority—ACAC, which replaced the Curriculum Council for Wales on 1 April—to proceed to consultations. A copy of the correspondence is contained in the proposals for English issued for consultation by the authority: this is available in the Library of the House. My right hon. Friend has asked the authority to report to him on the outcome of the consultation in Wales and to make final recommendations in the light of that consultation by 30 September. My right hon. Friend will consider carefully the authority's further report and recommendations in the autumn with a view to making a new order for English jointly with my right hon. Friend the Secretary of State for Education.

Health Service Administration

Mr. Ainger: To ask the Secretary of State for Wales what percentage of total health expenditure in Wales was spent on *(a)* managerial, *(b)* administrative and *(c)* clerical costs in each year since 1991-92.

Mr. Gwilym Jones: The percentages of total health expenditure in Wales spent on managerial, administrative and clerical costs in 1991-92 and 1992-93 were as follows:

		Per cent.
	1991-92	*1992-93*
Managerial	1·0	1·0
Administrative and Clerical	4·8	4·6

Source: Health Authorities Annual Accounts/Financial Returns.
Pembrokeshire NHS Trust Financial Returns.

SOCIAL SECURITY

Disability Living Allowance

Mr. Worthington: To ask the Secretary of State for Social Security (1) what proposals he has to make disability living allowance more accessible for those with learning difficulties;

(2) what proposals he has to make access to disability living allowance more equitable for those with a mental illness.

Mr. Scott: None. Entitlement to disability living allowance depends on the care and mobility needs arising from a particular condition, rather than on the condition itself. Access to DLA is available to all disabled people through the claiming process. The Benefits Agency provides support services to assist people in making a claim.

Mr. Worthington: To ask the Secretary of State for Social Security what is the length of time that those seeking review of refusal of disability living allowance have to wait before a hearing at a tribunal.

Mr. Scott: Information is not available in the form requested. Reviews of entitlement to disability living allowance are not dealt with at a tribunal hearing.

People who are dissatisfied with the decision given on their claim for benefit may ask for it to be reviewed by an independent adjudication officer. Following this review, if they remain dissatisfied, they can then appeal to an independent appeal tribunal.

NATIONAL HERITAGE

Television Licences

Mr. Barry Jones: To ask the Secretary of State for National Heritage if he will meet members of the Retired Members Association of the Transport and General Workers Union to discuss the cost of television licences; and if he will make a statement.

Mr. Brooke: I do not think a meeting would serve any useful purpose. My hon. Friend the Parliamentary Under-Secretary of State has written to the hon. Gentleman to explain why the Government are not prepared to introduce free or concessionary television licences for retirement pensioners, as called for by the association at its recent conference.

Parliamentary Questions

Mr. Meacher: To ask the Secretary of State for National Heritage how many parliamentary questions, in the period November 1992 to March 1993, were answered with the response that the information requested is not held centrally and could be obtained only at disproportionate cost; how many were referred on to an agency chief executive; and, in each case, what percentage of the total number of questions asked this constituted.

Mr. Brooke: In the period November 1992 to March 1993 411 questions were tabled to my Department. Of these, two questions were answered that the information was not held centrally and four were referred to agency chief executives.

Each of these figures represent less than 1 per cent. of replies given in the same period.

Royal Parks

Ms Mowlam: To ask the Secretary of State for National Heritage if he will give a breakdown of his Department's estimated £23·8 million expenditure for 1994-95 on the Royal Parks Agency.

Mr. Sproat: Responsibility for the subject of the question has been delegated to the Royal Parks Agency under its chief executive, Mr. David Welch. I have asked him to arrange for a reply to be given.

Letter from David Welch to Ms Marjorie Mowlam, dated 13 May 1994:

The Secretary of State for National Heritage has asked me to reply to your Question about estimated expenditure of the Agency in 1994-95. Details of the Department's Voted provision are published in the Supply Estimates 1994-95, Class XI, and may be obtained from the Library of the House. The breakdown of the provision for the Royal Parks Agency is shown on Vote 6, Section C of Class XI (pages 34 and 35).

Identification Cards

Mr. Spellar: To ask the Secretary of State for National Heritage what representations he has received regarding the use of identification cards at sporting events.

Mr. Brooke: None.

Tourism

Mr. Pendry: To ask the Secretary of State for National Heritage (1) what was the outcome of the informal EU Council of Ministers tourism meeting on 13 April:

(2) who represented the United Kingdom at the informal EU Council of Ministers tourism meeting on 13 April:

Mr. Sproat: The United Kingdom was represented by the head of my Department's tourism division and the United Kingdom tourism representative from Brussels. Meetings of this kind offer an opportunity for a purely informal exchange of views on matters of common interest. They have no powers to make decisions and the Council guidelines stipulate that such meetings should not reach formal conclusions. There were wide-ranging and useful discussions on subjects which included the future direction of European Union tourism policy, the tourism action plan and tourism statistics.

Library Services

Mr. Tipping: To ask the Secretary of State for National Heritage if he will list the names and terms of reference of the consultancies he has commissioned to inquire into the operation of library services.

Mr. Sproat: Set out is a list of consultancies currently in progress, together with their respective terms of reference:

1. *The Aslib Consultancy.*
Review of public library service in England and Wales.
To assess the scope and value of public library services currently provided by local authorities in England and Wales; to draw up guidelines and a framework for local choice for what should constitute a "comprehensive and efficient service" provided by a modern public library service; to consider the desirability of any

changes in the requirements of the Public Libraries and Museums Act 1964; and to identify key developments requiring national attention.

2. *Broadvision Communications Limited.*
Evaluation of Library and Information Plans (LIPs).
To provide an independent evaluation of the concept and process of Library and Information Plans, their planning, funding, development, implementation and impact on the library and information sector.

3. *Coopers and Lybrand.*
Review of schools library services.
To carry out a review of the schools library service in the light of the growing trend towards the delegation of the funding for the service to schools. The review will examine three sets of issues: resource allocation and delegation; the marketing of the services; and structural and internal management.

4. *Brenda White Associates Limited.*
Provision of secretariat and support services for the Libraries and Information Services Council (England) working party on library services for children and young people.
The Council has established the working party to:

(i) examine the library needs of children and young people and the extent to which they are being met by existing services and levels of staffing;
(ii) examine the way in which library services for children and young people are provided through the public library service, school and further education libraries, and the school library service;
(iii) review recent research and development work into library services for children and young people, and assess its effectiveness and impact on services;
(iv) examine the effect of external change on the library needs of children and young people and on library services for them;
(v) recommend improvements, and how to bring them about, in library services for children and young people.

5. *KPMG Peat Marwick in association with Capital Planning Information Limited.*
Investigation into the scope for contracting out in public libraries.
The Department of National Heritage, in conjunction with five pilot projects established by library authorities in England, is examining the scope for contracting out the direct delivery of all or some elements of the public library service. The consultants are assisting by developing the overall framework of the investigation and evaluating the lessons to be learnt from the pilot projects, which remain under the direction of the authorities concerned. After consulting widely on the lessons that emerge from the pilot projects and ensuring that all public library authorities are kept in touch with the exercise, the consultants will prepare a report showing whether all or parts of the public library service can be contracted out; and the advantages and disadvantages of so doing, including best options, costings and potential savings.

TRADE AND INDUSTRY

Royal Mail, Barnsley

Mr. Clapham: To ask the President of the Board of Trade how many full-time and part-time employees Royal Mail intends to employ at the Barnsley depot in *(a)* 1994-95, *(b)* 1995-96 and *(c)* 1996-97.

Mr. McLoughlin: The intended number of employees at Royal Mail depots is an operational matter for the Post Office.

Mr. Clapham: To ask the President of the Board of Trade what was the number of full-time and part-time employees at the Barnsley Royal Mail depot in *(a)* 1991-92, *(b)* 1992-93 and *(c)* 1993-94.

Mr. McLoughlin: I understand from the Post Office that the numbers of full-time and part-time employees at the Barnsley Royal Mail depot were:

Year	*Full-time*	*Part-time*	*Total*
1991-92	137	62	199
1992-93	126	71	197
1993-94	119	80	199

Mr. Clapham: To ask the President of the Board of Trade if Royal Mail intends to continue with two foot deliveries of mail per day in the Barnsley area for the foreseeable future.

Mr. McLoughlin: I understand from the Post Office that it has no plans to change the mail service specification in the Barnsley area for the foreseeable future.

Appropriation Accounts

Mr. Mudie: To ask the President of the Board of Trade if he will list the 14 companies which went into receivership or liquidation in 1992-93 and caused £5,096,000 to be written off in the appropriation accounts 1992-93, class IV, vote 1.

Mr. Sainsbury: In the 1992-93 appropriation accounts class IV, vote 1, the losses of £5,096,000 under regional development grants and regional selective assistance schemes involved 14 cases and 12 companies. A list of the 12 companies follows:

Winchmore Knitting Factory Ltd.
Blue Ridge Care Ltd.
Northern Power Electronics Ltd.
Thermostar (UK) Ltd.
Great Northern Knitwear
Tolag Products and Company Ltd.
Swilynn Magnetic Industries Ltd.
City Vehicle Engineering
CBS Batteries Ltd.
Danum Windows Ltd.
Briquette Technology Ltd.
Unibit (Holdings) plc

Mr. Mudie: To ask the President of the Board of Trade if he will break down the miscellaneous expenditure listed under section I, international trade in class IV, vote 2, of the appropriation accounts 1992-93.

Mr. Needham: A breakdown of the miscellaneous international trade expenditure listed under class IV, vote 2, section I of the 1992-93 appropriation accounts follows:

	£000
Overseas project fund expenditure to assist companies with the costs of pursuing major projects overseas	4,990
Assistance to overseas marketing research	1,181
The single European market campaign	2,918
International exhibitions: British participation at the Universal Exposition held in 1992 in Seville and the exposition in 1993 in Taejon, South Korea	7,131
Publicity and promotions for the British Overseas Trade Board's (BOTB) range of overseas trade services and other export promotion activities	3,598
Assistance to BOTB area-advisory groups and other non-official trade associations.	2,563
Other expenditure	2,773
Class IV, vote 2, section I total	25,154

Mr. Mudie: To ask the President of the Board of Trade if he will name the company included in the losses

statement in class IV, vote 2, of the 1992-93 appropriation accounts where his Department paid off the debit incurred by the Expo '92 concessionaire.

Mr. Needham: The company is Lionheart Catering Ltd., which was struck off the register by the Registrar of Companies on 5 January 1993 and dissolved by notice in the *London Gazette* dated 12 January 1993.

Spirit Measures

Mr. Riddick: To ask the President of the Board of Trade when he intends to introduce regulations permitting the use of a 35 ml spirit measure; if he will explain the reason for the delay in the introduction of the regulation; and to what extent such a delay is reconcilable with the Government's deregulation drive.

Mr. McLoughlin: I refer my hon. Friend to the answer given to my hon. Friend the Member for Teignbridge (Mr. Nicholls) on 10 May 1994, *Official Report*, columns *76-77*.

Underwater Pipelines

Mr. David Evans: To ask the President of the Board of Trade what progress has been made by the interconnector working party; when it is likely to report; what are the expected volumes; and to what extent the Government remain committed to open access and published tariffs as the basis of the interconnector project.

Mr. Eggar: The United Kingdom-continent gas interconnector is a private sector project being developed by a group of seven oil and gas companies to build a pipeline linking the United Kingdom and Belgian gas grids. The Government welcome the widespread interest from potential users in participating in this strategic link and the progress being made towards a commitment this year to go ahead. The development of the commercial arrangements for the interconnector is a matter for the companies involved.

Mr. David Evans: To ask the President of the Board of Trade if he will make it his policy to seek a resolution of the issue of jurisdiction before agreeing any new treaty relating to a cross-median sub-sea pipeline; what effect he expects the pending ratification of the law of the sea convention to have on these matters; and if he will make a statement.

Mr. Eggar: The Government believe it is important to resolve the application of jurisdiction to submarine pipelines crossing the continental shelf boundary between the United Kingdom and Norway if such projects are to be considered. The Government have taken no decision about accession to the United Nations law of the sea convention.

Mr. Barry Field: To ask the President of the Board of Trade if he is considering seeking arbitration at the International Court of Justice to clarify the position with regard to jurisdiction over sub-sea pipelines crossing the United Kingdom-Norwegian line.

Mr. Eggar: I can confirm that we are considering the option of seeking arbitration to clarify the application of jurisdiction to submarine pipelines crossing the continental shelf boundary between the United Kingdom and Norway.

Frigg Treaty

Mr. Barry Field: To ask the President of the Board of Trade what progress is being made towards re-negotiation of the Frigg treaty; and if he will make a statement.

Mr. Eggar: Progress has been made in a number of the areas under discussion with the Norwegian Government. The negotiations to revise the Frigg treaty are complex, however, and raise difficult issues for both Governments which it will not be easy to resolve.

I do not as a result envisage that it will be possible to complete negotiations with the Norwegian Government within the foreseeable future.

Small Firms

Mr. Burns: To ask the President of the Board of Trade what was the number of responses and entries to the 1994 SMART—small firms merit award for research and technology—competition.

Mr. McLoughlin: The 1994 small firms merit award for research and technology competition generated 6,360 responses and a record 1,494 entries.

General Agreement on Tariffs and Trade

Mr. Waterson: To ask the President of the Board of Trade when he will publish a White Paper on the conclusions of the GATT Uruguay round; and if he will make a statement.

Mr. Heseltine: The Government have today published a White Paper "The Uruguay Round of Multilateral Trade Negotiations 1986-94". Copies have been placed in the Library of the House and will be available in the Vote Office.

The Government warmly welcome the successful conclusion of the Uruguay round. It is something for which we have worked tirelessly over many years.

Liberalisation of international trade has always been one of the most effective means of boosting world growth. An OECD/World bank study has cautiously estimated that world annual output will be boosted by over US$270 billion after 10 years as a result of the agreement.

The results should offer great benefits to British business and consumers. As the fifth largest exporter in the world of goods and commercial services, the United Kingdom stands to be one of the biggest gainers from cuts in trade barriers world wide.

Major reductions in tariffs will provide substantial benefits to exporters through improved access to overseas markets. For example, in the sectors where tariff barriers are to be eliminated by the EC, Japan, the United States and Canada, the United Kingdom is well placed to make gains in those markets.

Cuts in the EC's own tariffs should lead to lower prices and wider choice for consumers. Consumers and taxpayers will also benefit from the reductions in farm subsidies and agricultural trade barriers which the round will bring. These represent an important basis for further liberalisation in future.

Inclusion of services and trade related intellectual property rights for the first time within the multilateral trade rules is particularly important. The Government pressed for these subjects to be included in the preparations for the round in the mid 1980s. Services already account

for 23 per cent. of United Kingdom trade, and trade in services is growing faster than trade in goods. The general agreement on trade in services will provide a more secure basis for the future growth of this trade to the benefit of United Kingdom service providers and the economy more widely.

The agreement on trade-related aspects of intellectual property rights—TRIPS—is also a major achievement which will provide better international protection for innovative products from the United Kingdom and help to reduce tensions over trade in counterfeit goods. Stronger trade rules in areas such as subsidies, safeguards and anti-dumping will increase the stability and effectiveness of the multilateral trade system.

Creation of the World Trade Organisation itself puts the system on a permanent institutional basis. The new dispute settlement system should help ease trade tensions and reduce the scope for unilateral trade sanctions.

Trade liberalisation is a continuous process and no trade agreement can settle every trade dispute. But the completion of the Uruguay round represents an enormous achievement in which the world has chosen trade liberalisation rather than protectionism. The conclusions of the round provide a secure basis for future expansion of world trade and the growth and prosperity which go with it.

Nuclear Review

Mr. Yeo: To ask the President of the Board of Trade if he will make a statement on the terms of reference for the nuclear review.

Mr. Eggar: I am now in a position to announce the terms of reference, timing and format of the nuclear review. This answer has been agreed with my right hon. Friend the Secretary of State for Scotland, who has responsibility for the nuclear power generating industry in Scotland.

The Government believe that the future role of nuclear power in the United Kingdom's electricity supply will depend on it proving itself competitive while maintaining rigorous standards of safety and environmental protection.

The coal review established that there is a sound economic basis for continuing to operate existing nuclear stations. The nuclear review will not consider whether Sizewell B should be brought on stream. Sizewell B is on course to start operating this year, subject to the receipt by Nuclear Electric of such consents as are required by law. Decisions on these consents are matters for the appropriate Ministers and authorities and are not matters for the review. The review will, however, take into account the decisions made on Sizewell B, whether the consents are granted or refused.

The nuclear review will focus on the future prospects for nuclear power. It will examine the economic and commercial viability of new nuclear stations in the United Kingdom, against the background of the Government's energy policy as set out in the White Paper "The Prospects for Coal", Cm. 2235.

The Government have asked the nuclear generating industry to make the commercial case for new nuclear generating capacity and to make that case publicly available. Whether any new nuclear station could be built with private sector finance will be a key test of that case. The Government would welcome comments on the industry's case, which will be published shortly.

The Government also invite submissions from interested parties on whether new nuclear power stations offer particular diversity, security of supply and environmental benefits or disadvantages.

The review will examine possible options for introducing private sector finance into the nuclear industry. As part of this, the Government are prepared to consider without commitment representations on whether privatisation would in principle be feasible, and what a practical timescale might be. The review will address the question of how best to manage the substantial nuclear waste and decommissioning liabilities which are currently the responsibility of the public sector, so as to secure value for money for the taxpayer while ensuring necessary safety and environmental standards are met.

The review will also assess the existing arrangements to enable the full costs of nuclear power in the United Kingdom to be met, taking account of the Trade and Industry Committee's recommendations on the fossil fuel levy in its report, "British Energy Policy and the Market for Coal," HC 236.

Submissions on these issues should be made in writing both to my Department and the Scottish Office, to be received by 30 September. All substantive submissions received by the Government will be made publicly available. Copies will be placed in the Libraries of this House and of the House of Lords. Commercially confidential information in submissions received by the Government, internal papers and advice and reports internal to Government, and advice from external advisers will not be made publicly available in this way.

The review will be undertaken by the Department of Trade and Industry and the Scottish Office Industry Department, in consultation with other Government Departments as appropriate. The Government may appoint consultants to advise it on matters relevant to the review as the need arises.

My right hon. Friend the Secretary of State for the Environment is announcing today a separate review of radioactive waste management policy, to be conducted in parallel with the nuclear review.

Wind Turbine, Orkney

Mr. Wallace: To ask the President of the Board of Trade what proposals have been put forward for the decommissioning of the 3MW wind turbine at Burgar hill, Orkney; and if he will make a statement.

Mr. Eggar *[holding answer 18 May 1994]:* No arrangements have been made for decommissioning as the future of the turbine is still being considered.

EDUCATION

Disabled People

Mr. Steinberg: To ask the Secretary of State for Education what provisions have been included in the national curriculum to enable pupils with disabilities to participate in team games on an equal basis with their able-bodied counterparts; what representations he has received on this issue; and if he will make a statement.

Mr. Forth: The current national curriculum for physical education, which includes games, was drafted so that specific interpretation or modification is required for

as few pupils with special educational needs as possible. The aim was to ensure that all children should have the opportunity to take part in national curriculum physical education.

When reviewing the national curriculum, the School Curriculum and Assessment Authority appointed a special needs advisory group specifically to ensure that the requirements of pupils with special educational needs were taken fully into account. The revised proposals for physical education, published for consultation earlier this month, include elements of the programmes of study which can be taught to all pupils in ways appropriate to their abilities. Where necessary, pupils with special educational needs will be able to gain experience of team games through activities such as wheelchair basketball, rounders and table tennis.

Educational Psychology Services

Mr. Steinberg: To ask the Secretary of State for Education (1) what considerations underlay his decision to revise guidelines for staffing levels in special schools and not for educational psychology services;

(2) what plans he has to introduce guidelines for the staffing levels for educational psychology services following the increase in their statutory role and functions; and if he will make a statement.

Mr. Forth: My right hon. Friend has not revised the guidance on staffing levels for pupils with special educational needs. This remains as set out in circular 11/90, "Staffing for Pupils with Special Educational Needs". There are no plans to revise it or to introduce guidelines for the staffing levels of educational psychology services. It is for each local education authority to determine such staffing levels based on local needs and priorities.

Students' Meals

Mr. Pickthall: To ask the Secretary of State for Education what element of funding for the Further Education Funding Council is designed to cover the cost of students' meals.

Mr. Boswell: Further education funding is not separately earmarked for students' meals. Colleges have discretion if they wish to use part of their FEFC recurrent funding to support catering services for students.

Teachers

Mr. Hawkins: To ask the Secretary of State for Education what are the figures for January 1994 for teacher numbers and vacancies; and if he will make a statement.

Mr. Robin Squire: The Department's annual survey of teacher numbers and vacancies in maintained schools including grant-maintained schools shows that full-time equivalent teacher numbers in England rose by nearly 1,900 between January 1993 and January 1994. The vacancy rate of 0·4 per cent. equals last year's lowest-ever recorded rate. The numbers involved equate to one vacancy for every 16 schools, a four-fold improvement on the position in 1990.

Provisional teacher numbers in LEA-maintained nursery, primary and secondary schools and self-governing state schools rose by 0·5 per cent. from 389,100 full-time equivalent teachers in January 1993 to nearly 391,000. The estimated overall pupil to teacher ratio was 18·04:1.

OVERSEAS DEVELOPMENT

African Development Bank

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what shareholding he has in the African development bank; how Britain's influence is exercised in the policymaking of the bank; and what are the size of other countries' financial contributions to the bank.

Mr. Lennox-Boyd: As at 31 December 1993 Britain had a 1·478 per cent. shareholding in the African development bank. Our pledge to the sixth replenishment of the African development fund, which covered commitments for the period 1991-93, was 4 per cent. of the total.

We exercise influence over bank policies through our director in the bank, shared with Germany, Holland and Portugal; through bilateral contacts; and in negotiations to replenish the resources of the bank group.

Details of shareholdings of other members of the bank and of contributions to the fund are contained in the bank's annual report, copies of which are available in the Libraries of both Houses.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what attitude he has taken to the replenishment of the African development bank's funding.

Mr. Lennox-Boyd: We have taken an active part in negotiations for the seventh replenishment of the African development fund, which lends on concessional terms to the poorest countries in the region. Progress was made in Nairobi, in the margins of the annual meeting of the African development bank, but a number of issues remain to be agreed relating to the way the bank's resources as a whole should be allocated. We hope the negotiations can be concluded soon.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the Knox report on the operations of the African development bank.

Mr. Lennox-Boyd: We consider the report of the task force on project Quality headed by Mr. David Knox, a former vice-president of the World bank, to be a sound analysis of the operational and organisational weaknesses of the African development bank.

We have urged management to prepare an action plan and to implement the recommendations in the report as a matter of urgency.

TRANSPORT

A64

Mr. Sykes: To ask the Secretary of State for Transport what advice he has received in relation to the viability of the A64 upgrading.

Mr. Key: The recent review of the national roads programme assessed all schemes against economic,

strategy and environmental criteria. Because of their lower priority compared with other schemes nationally, the A64 York to Malton and Malton to Seamer schemes have been categorised "longer term". They will be placed temporarily in abeyance until schemes with a higher priority have been delivered.

Air Traffic Control

Mr. Redmond: To ask the Secretary of State for Transport if the air traffic control separation monitoring function at *(a)* Leeds-Bradford and *(b)* Humberside air traffic control centres can respond to aircraft final approach separation applied by controllers at the Leeds-Bradford and Humberside approach radar facility; what plans there are to re-programme the separation monitoring function; and if he will make a statement.

Mr. Norris: The air traffic control separation monitoring function is a facility developed and operated by the national air traffic services for use at locations where they provide the air traffic services. It is used to detect and investigate any occurrence which involves loss of aircraft separation. As Leeds-Bradford and Humberside air traffic services are provided by the airports, the NATS SMF is not available at those locations. The hon. Member may therefore wish to contact Leeds-Bradford and Humberside airports direct about their arrangements for monitoring aircraft separations.

Night Flying, Coventry

Sir Dudley Smith: To ask the Secretary of State for Transport (1) if he will place restrictions on night flying at Coventry airport;

(2) if he will investigate night flying operations at Coventry airport.

Mr. Norris: No. Coventry airport is not designated under section 80 of the Civil Aviation Act 1982 in respect of noise control, nor have we received any requests for the airport to be so designated. Currently, only Heathrow, Gatwick and Stansted airports are so designated.

Private Detection Agencies

Mr. Martyn Jones: To ask the Secretary of State for Transport what are the names of the private detective agencies employed by his Department since April 1991.

Mr. Norris: The information requested is not held centrally and could be obtained only at disproportionate cost.

A40/M50 Road Scheme

Mr. Chris Smith: To ask the Secretary of State for Transport what has been the cost to date of preparation of plans for the A40/M50 road scheme from Longford to Gorsley, now abandoned, since the proposals were first introduced in 1989.

Mr. Key: The question is an operational matter for the Highways Agency. The chief executive, Mr. Lawrie Haynes, has written to the hon. Member.

Letter from Lawrie Haynes to Mr. Chris Smith, dated 16 May 1994:

You have asked the Secretary of State for Transport, for the cost to date of preparation of plans for the A40/M50 road scheme from Longford to Gorsley, now withdrawn, since the proposals were first introduced in 1989. I have been asked to reply.

The total cost has been approximately £5½ million which includes consultants fees, detailed surveying and hydraulic modelling and VAT.

Cenargo

Mr. Harris: To ask the Secretary of State for Transport what progress has been made with the European Commission with regard to the case of the ferry company Cenargo following the most recent meeting of the Maritime Council working group.

Mr. Norris: I understand that the Commission has decided to open infraction proceedings against Spain under article 169 of the treaty of Rome in this case.

Mr. Martyn Jones: To ask the Secretary of State for Transport, pursuant to his answer of 25 April, *Official Report*, column 42, if he will make it his policy to employ only those private detective agencies which are members of the Association of British Investigators.

Mr. Key: It is the Secretary of State's policy to financially approve and technically assess all suppliers and contractors employed by the Department. The membership of professional associations would be a factor for consideration in such evaluation, but non-membership would not rule them out.

Transport Research Laboratory

Ms Walley: To ask the Secretary of State for Transport what proposals he received from the trade unions regarding the future structure of the Transport Research Laboratory; when he met them prior to his announcement on 30 March regarding privatisation of the Transport Research Laboratory; and what consideration he has given to the proposals received.

Mr. Key: My right hon. Friend and I met the trade unions on 22 March having previously received representations from them about the plans for privatisation of the Transport Research Laboratory. The representations included a proposal that the Laboratory should remain in the public sector, but with its non-Government work separately accounted for in a commercial subsidiary. We gave careful consideration to the proposal before concluding that it was not practicable or in the best interests of the laboratory's future.

Ms Walley: To ask the Secretary of State for Transport if he will list the representations his Department has received on the subject of privatising the Transport Research Laboratory *(a)* in the three years before the announcement in May 1992 of his wish to privatise the Transport Research Laboratory and *(b)* since that date; and if he will give the number in categories *(a)* and *(b)* which (i) oppose privatisation of the Transport Research Laboratory, (ii) express worries about privatisation and (iii) support privatisation.

Mr. Key: My right hon. Friend and I have, since the announcement in May 1993 that the Transport Research Laboratory could, in principle, be privatised, received 28 representations on this subject from organisations and individuals representing the motor transport industry,

academic institutions, staff and other groups. We have also received correspondence from 50 right hon. and hon. Members. No representations were received on this subject prior to the announcement in May 1993.

The representations received do not lend themselves to the categorisation requested by the hon. Member. A variety of views were expressed for and against privatisation. The majority of representations came from those who have concerns about aspects of the proposed sale of the laboratory.

Ms Walley: To ask the Secretary of State for Transport what written communication from his Department was sent to the departmental trade union side during the three months prior to the setting up of the Transport Research Laboratory Agency regarding the drafting of the framework document; what reference was made to decisions by Ministers regarding the privatisation of the laboratory; and if he will make a statement.

Mr. Key: My Department wrote to the trade unions about various aspects of the Transport Research Laboratory framework document, including consultation arrangements with the trade unions, equal opportunites, health and safety and procurement. The Department also reported on my right hon. Friend's consideration of the option of privatisation and the conclusion then reached that the laboratory should be retained as an agency subject to the future re-examination of all options.

Consultants

Ms Primarolo: To ask the Secretary of State for Transport what was the expenditure on management and financial consultants by his Department in 1992-93.

Mr. Norris: The amount spent by the Department of Transport and its agencies in 1992-93 on management and financial consultants was £19·65 million.

North Wales Coast Line

Mr. Wigley: To ask the Secretary of State for Transport what steps he has taken to ensure that undertakings made by him and his fellow Ministers, at the time of the passage of legislation to privatise British Rail, will be fulfilled with regard to maintaining the quality of services along the north Wales coast.

Mr. Freeman: My right hon. Friend the Secretary of State issued objectives, instructions and guidance to the Director of Passenger Rail Franchising on 22 March. Delivery of those objectives should secure an overall improvement in the quality of railway passenger services on the north Wales coast, and elsewhere in the United Kingdom.

Channel Tunnel

Miss Lestor: To ask the Secretary of State for Transport what steps he is taking to ensure the security of the channel tunnel and its users; and if he will make a statement.

Mr. Freeman: The Secretary of State for Transport has, under the terms of the Channel Tunnel (Security) Order 1994, directed the concessionaires—Eurotunnel—and other channel tunnel users to take appropriate security measures to protect the tunnel system, the trains and associated facilities, people and property against acts of violence.

The Secretary of State has also authorised officials from the Department of Transport's transport security division to inspect the security arrangements in place to ensure that the required security standards are, and continue to be, met.

Mr. Dunn: To ask the Secretary of State for Transport what authorisations for commercial operations have been given to Eurotunnel.

Mr. Freeman: The United Kingdom/French Channel Tunnel Intergovernmental Commission has, on the advice of the United Kingdom/French Channel Tunnel Safety Authority and the maitre d'oeuvre for the project, authorised Eurotunnel to bring the channel tunnel into operation for through freight trains and heavy goods vehicle shuttles. I am placing copies of Eurotunnel's application and the authorisation in the Library.

Traffic Signs

Mrs. Browning: To ask the Secretary of State for Transport whether he will consider relaxing his Department's policy that traffic signs should not normally be provided to direct vehicles to named commercial premises.

Mr. Key: I am seeking views from the local authority associations and other interested organisations on proposals that highway authorities should have greater flexibility to provide signs appropriate to local needs. Any relaxation of the existing policy would be accompanied by Department of Transport guidance on the management of signing to ensure safety, clarity and continuity of signing and to prevent sign clutter.

AGRICULTURE, FISHERIES AND FOOD

Inheritance Tax

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what was the average age of purchaser-operators of working farms in the year preceding and each year since the passing of the Finance Act 1992 giving qualification to inheritance tax relief at 100 per cent. on agricultural land.

Mrs. Gillian Shephard: I regret that this information is not available.

Forestry

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food on what day the Government will publish their preferred options on the future of forestry in England; what form the subsequent consultations will take and over what time scale; and which organisations will be invited to take part in the consultation process.

Mrs. Gillian Shephard: My right hon. Friend the Secretary of State for Scotland plans to make an announcement during the summer about our conclusions from the forestry review, and to publish a document which will form the basis of consultation on our preferred options. The form and timing of the consultation will depend on the conclusions that Ministers reach.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the number of day visits made to the Thetford forest park last year.

Mrs. Gillian Shephard: In the year to 31 March 1994, an estimated 1·5 million people made day visits to Thetford forest park.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food what account the Government will take, in selecting their preferred options for the future of forestry in England, of the submissions received by the forestry review group from commentators opposing privatisation.

Mrs. Gillian Shephard: The representations made to the forestry review group are being taken into account as we consider options following the review.

Cereal Production

Mr. John D. Taylor: To ask the Minister of Agriculture, Fisheries and Food what is her most recent estimate of the yield factor per hectare for cereal production.

Mr. Jack: My Department's most recent estimate of the average yields per hectare for the 1993 United Kingdom cereals harvest is as follows:

Tonnes per hectare (standardised to 14·5 per cent. moisture content

	Tonnes
Wheat	7·25
Barley	5·16
Oats	5·19
Other cereals	4·70

Overgrazing

Mr. Clifton-Brown: To ask the Minister of Agriculture, Fisheries and Food what response she has received to paragraph 3.57 of the Government's paper Cm. 2428, "Biodiversity: The UK Action Plan" concerning overgrazing; and if she will now consider introducing new measures to reduce the effect on moorland and upland habitats of over grazing of sheep.

Mr. Jack: We have not received any response to paragraph 3.57 as such. However, we have already introduced upland environmentally sensitive areas and environmental restrictions under the hill livestock compensatory allowances scheme, both of which contribute in different ways to discouraging the overgrazing of moorland and upland habitats. We have also carried out consultations on proposals to introduce a moorland scheme and to attach environmental protection conditions to payments unde the sheep annual premium scheme.

FOREIGN AND COMMONWEALTH AFFAIRS

Human Rights

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs what rights of citizens are specified in the treaties of the European Communities and the European Union; and what measures have been adopted to give effect to these rights.

Mr. Heathcoat-Amory: The treaty of Rome, as amended by the treaty on European Union, confers a number of rights on citizens of the European Union. These, and the measures adopted to give them effect, include:

—the right to move and reside freely within the territory of the member states, subject to the limitations and conditions laid down in the Treaty (essentially governed by Articles 48, 52 and 59 of the Treaty of Rome and a number of Regulations and Directives, including Council Regulation 1612-68 and Council Directives 90/364 EEC, 90/365 EEC and 93/96 EEC);

—the right to vote and to stand as a candidate in elections to the European Parliament in the Member State in which the citizen resides (measures were adopted in Council Directive 93/109 EC. These were implemented in the United Kingdom by the European Parliamentary Elections (changes to the Franchise and Qualifications and Representatives) Regulations 1994);

—the right to vote and to stand as a candidate in municipal elections in the Member State in which the citizen resides (implementation of these rights is still under discussion);

—the right to protection by the diplomatic and consular authorities and another Member State in foreign countries where the Member State of which the citizen is a national is not represented (subject to the Guidelines for the Protection of Unrepresented EC Nationals by EC Missions in Third Countries, which took effect on 1 July 1993);

—the right to petition the European Parliament (as set out in Article 138d of the Treaty. This right has long been accepted by the Parliament and was reflected in the Parliament's rules of procedure long before the entry into force of the Treaty on European Union);

—the right to apply to the European Ombudsman to investigate allegations of maladministration by the Community institutions (as set out in Article 138e of the Treaty and the Decision adopted by the European Parliament in September 1993 on the regulations and general conditions governing the performance of the Ombudsman's duties, subsequently approved by the Council in its decision on February 1994).

Azerbaijan and Armenia

Mr. Elletson: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to use the United Kingdom's membership of the conference on security and co-operation in Europe to encourage the Minsk group to assume the leading role in seeking a resolution of the conflict which respects the territorial integrity of Azerbaijan and Armenia.

Mr. Douglas Hogg: We continue to support the CSCE's plans to convene a conference in Minsk to achieve a political settlement of the dispute. We keep in close contact with the Swedish chairman of the Minsk group and have offered a Russian-speaking British diplomat to assist his team.

Council of Ministers (Documents)

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy in regard to the decision of the European Parliament on 26 April in respect of the release by the Council of Ministers of documents discussed at meetings of the Council.

Mr. Heathcoat-Amory: We have noted the recommendation by the Legal Affairs Committee of the European Parliament that the Parliament should support the Dutch Government's legal challenge of the treaty base under which the code of conduct on access to information was adopted. We consider that the code was adopted under the correct treaty base, and fully support its objective of greater openness and transparency.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to raise the issue of Rwanda in the United Nations Commission on Human Rights.

Mr. Douglas Hogg: We supported the proposal for a special session of the United Nations Commission on Human Rights to discuss Rwanda. The session will take place on 24 and 25 May.

United Nations (Military Equipment)

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent proposals he has considered relating to improving the cost-effectiveness of the United Nations military procurement system; and if he will make a statement.

Mr. Douglas Hogg: Current measures being pursued by the United Nations to improve the cost-effectiveness of United Nations procurement procedures include the development of appropriate standards and specifications for incorporation into contracts, and establishing standby contracts for the supply of common user items, material and services. An improved system for handling air transport contracts is also being introduced. These measures are based on the need to achieve a timely response while ensuring cost-effectiveness and compliance with United Nations financial regulations.

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the quantity and quality of military equipment that has been stockpiled by the United Nations at its depot in Pisa, Italy; and if he will make a statement.

Mr. Douglas Hogg: The United Nations maintains a depot at Pisa, which comprises serviceable items from completed missions. As part of its efforts to improve its ability to mount new peacekeeping missions the United Nations is planning to use the depot as a logistics base where "start-up kits" will be held and maintained at readiness for deployment. The current plans call for up to five such kits which might be deployed either singly or in combination.

United Nations

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent consideration his Department has given to policy relating to the financing of United Nations peacekeeping operations; what discussions he has had with his United Nations counterparts on this issue; and if he will make a statement.

Mr. Douglas Hogg: The costs of United Nations peackeeping operations are shared among member states according to the United Nations peacekeeping scale of assessments. The United Kingdom pays 6·373 per cent. of costs on the scale. The United Nations peacekeeping scale of assessment is in need of reform, as the 1992 report by the high level expert group—Volcker/Ogata—made clear. Some limited changes were agreed at last year's general assembly. We are now working with other like-minded states to try and identify a more general solution to the problems of the scale.

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration he has given to the United Nations study on a proposed International Satellite Monitoring Agency contained in United Nations document A/AC. 206.14.

Mr. Douglas Hogg: The United Nations study on a proposed international satellite monitoring agency was considered by the 38th general assembly in 1983. The proposal was not adopted.

Dr. David Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent consideration he has given to article 24 of the United Nations charter; and if he will make a statement.

Mr. Douglas Hogg: The changed situation of the world following the ending of the cold war has enabled the Security Council to carry out its duties more effectively than before. The council has already made arrangements to make its annual report to the general assembly more timely and readable.

Privatisation (Consultants)

Mr. Millburn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will estimate the cost of employing consultants in connection with privatisation programmes in which his Department has been engaged since 1980.

Mr. Goodlad *[holding answer 4 May 1994]:* Estimated expenditure on studies carried out since 1987 for the Overseas Development Administration on the future status of the Crown agents for overseas Governments and administrations, and future ownership options for the Natural Resources Institute, is £208,000, net of VAT. Figures for any expenditure in earlier years are not available. The British aid programme has also paid for consultancy studies related to the privatisation programmes being pursued by overseas governments. An estimate of expenditure on these could be provided only at disproportionate cost.

Octav Botnar

Mr. Spellar: To ask the Secretary of State for Foreign and Commonwealth Affairs what further efforts his Department will make to secure the return to the United Kingdom of Octav Botnar.

Mr. Maclean: I have been asked to reply.

The offences for which Mr. Botnar is wanted in the United Kingdom are offences against tax legislation. Because of that, they are not extraditable from Switzerland, where Mr. Botnar now is. Switzerland is one of several countries which will not extradite for such "fiscal" offences. Mr. Botnar has on several occasions indicated that he will return to this country voluntarily and I hope that he will do so.

HEALTH

Mental Health

Dr. Lynne Jones: To ask the Secretary of State for Health what are her plans for major awards for health districts which are remodelling their mental health services; and if she will make a statement.

Mr. Bowis: The Department, in conjunction with the mental health task force, is contributing £319,000 over three years to an initiative organised and administered by the Sainsbury centre for mental health. The centre will award grants of between £100,000 and £250,000 to between five and eight district health authorities to help them develop their mental health services. Initial awards will be announced this autumn. The selected projects will be evaluated and the results widely disseminated.

Drugs

Mr. Quentin Davies: To ask the Secretary of State for Health what estimate she has made of the savings to the NHS budget if NHS doctors were under an obligation to prescribe, and pharmacists to dispense, the cheaper available forms of the compound they considered most clinically appropriate for their patients.

Dr. Mawhinney: No such estimate has been made by the Department. General practitioners are encouraged to prescribe cost-effectively and to be discriminating about the use of more expensive preparations where there is no significant clinical benefit.

Drug Abuse

Mr. Robert Banks: To ask the Secretary of State for Health how many youngsters aged under 18 years have attended hospitals in the north Yorkshire area for treatment for drug abuse over the last five years.

Mr. Bowis: Monitoring substance misuse by young people in the North Yorkshire area is a matter for the North Yorkshire district health authority, to which I refer my hon. Friend.

General Practitioners

Mr. Streeter: To ask the Secretary of State for Health if she will make a statement about the progress of the negotiations with the medical profession on general practitioners' out-of-hours services.

Dr. Mawhinney: I am announcing today—after nine months of negotiation—agreement between the British Medical Association and the Government on changes to general practitioners' terms of service.

The patients charter confirmed the 24-hour nature of the GP service and both the BMA and I confirmed that again today. Patients will continue to receive emergency treatment when and where they need it—including a home visit if necessary—at any hour of the day or night.

What we have agreed is a sensible clarification and modernisation of the GPs' terms of service which:

- make clear that all patients will continue to be able to speak directly to a doctor out of hours and that they will still receive promptly the emergency care they need;
- make it possible for GPs and practices to work on a more co-operative basis, spending less time on call, but working more intensively when they are on call;
- clarify the GP's responsibility for deciding whether an individual needs to be seen immediately at home and, if not, when and where treatment can most appropriately be given;
- support the development of an additional new way for family doctors to provide out of hours emergency care—the primary care centre.

A press release, including comments from Dr. Ian Bogle, chairman of the General Medical Services Committee of the BMA, will be issued and copies placed in the Library and the Vote Office.

Harlow Wood Hospital

Mr. Tipping: To ask the Secretary of State for Health how many letters she has received concerning the proposed closure of Harlow Wood hospital, Nottinghamshire; what proportion of these letters were for and against closure; if she will place copies of the correspondence in the Library; and if she will make a statement.

Mr. Sackville: Changes in the provision of orthopaedic services and the proposed closure of Harlow Wood orthopaedic hospital were the subject of public consultation between 1 December 1993 and 2 March 1994. Letters about this consultation were for the district health authority to take into account when considering the way ahead. The hon. Member may wish to contact Mr. Alan Tolhurst, chairman of North Nottinghamshire health authority, for details.

NHS Trusts

Mr. Hardy: To ask the Secretary of State for Health what was the total cost of the employment of chairmen and directors of NHS trusts in 1993-94.

Dr. Mawhinney: Audited accounts containing this information for 1993-94 will not be available until the end of 1994. The codes of conduct and accountability which my right hon. Friend the Secretary of State issued on 28 April require national health service boards to establish remuneration and terms of service committees and to publish details of board members' remuneration in an annual report.

Foetuses (Research)

Mr. Dalyell: To ask the Secretary of State for Health what representations she has had from the Research Defence Society about research involving the human foetus.

Mr. Sackville: None. Research involving the use of foetuses and foetal material is covered by the code of practice drawn up by the Polkinghorne committee and published in 1989 in its report entitled "Review of the Guidance on the Research Use of Fetuses and Fetal Material". Copies are available in the Library.

Social Workers

Mr. Soley: To ask the Secretary of State for Health how many social workers in the employment of the health service have been *(a)* assaulted and *(b)* murdered in the course, or in consequence, of their work in each year since 1990.

Mr. Bowis: I refer the hon. Member to the reply my hon. Friend the Parliamentary Under-Secretary of State gave the hon. Member for Houghton and Washington (Mr. Boyes) on 27 January at column *373*.

Mr. Soley: To ask the Secretary of State for Health how many work-related *(a)* assaults and *(b)* murders of social workers occurred in each year since 1990.

Mr. Bowis: This information is not available centrally.

Children's Hospital Services

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer of 11 May, *Official Report*, column *160*, how much time has been set aside for the validation, aggregation and analysis of the survey results; and if she will estimate a date for the publication of those results.

Dr. Mawhinney: Analysis of the returns is under way. An announcement will be made when it is complete.

Heart Bypass Surgery

Ms Primarolo: To ask the Secretary of State for Health (1) what evidence her Department has concerning the number of people dying while waiting for heart bypass surgery;

(2) how many people died while waiting for heart bypass surgery in each region in each of the last five years.

Dr. Mawhinney: Information is collected on removals from waiting lists but does not differentiate between the various reasons, which include death. Patients may die from a wide range of causes, in common with the rest of the population, while waiting for treatment. Emergencies are always treated immediately and patients who need urgent treatment are given priority.

Ms Primarolo: To ask the Secretary of State for Health (1) what is the average length of time a person waits for a heart bypass operation in each region;

(2) how many patients, according to latest figures, have waited for heart bypass surgery for more than 12 months, in each region.

Dr. Mawhinney: Such information as is available is given in "Hospital Episode Statistics, Volume 2". The latest year for which information has so far been published is 1990-91. Copies are available in the Library.

NHS (Private Capital)

Mr. Blunkett: To ask the Secretary of State for Health how many schemes using private sector capital in the NHS were refused approval by her Department and the Treasury *(a)* before April 1993 and *(b)* since April 1993.

Mr. Sackville: Since April 1993 two schemes using private sector capital in the national health service have been formally refused approval. These were:

a proposal from North Tyne Health Alliance (Newcastle and North Tyneside Health Authorities and Newcastle and North Tyneside Family Health Services Authorities) to lease office accommodation.

a proposal from South Western Regional Health Authority to provide residential accommodation at Glenside for students attending Avon and Gloucestershire College of Health.

The Department issued guidance on "Use of private sector capital in the NHS" (EL(89)MB142) in 1989. Between then and April 1993 no schemes that were formally submitted were refused approval. Information is not available on schemes abandoned at a draft stage as a result of advice received from the Department in response to informal inquiries. Copies of the guidance will be placed in the Library.

HIV/AIDS

Mr. Blunkett: To ask the Secretary of State for Health what steps are being taken by her Department to ensure that a strategic approach is secured across Government Departments on issues related to HIV and AIDS; and what plans she has to introduce a formal national strategy in respect of HIV and AIDS.

Mr. Sackville: "The Health of the Nation" White Paper sets out the strategic direction for HIV/AIDS and sexual health to be followed by all relevant Departments. This is supported by a Government strategy paper issued in 1993 which reiterated the continuing commitment to HIV/AIDS in the light of recent research into prevalance of HIV infection in this country.

Mr. Blunkett: To ask the Secretary of State for Health what assessment has been undertaken by her Department of the efficacy of needle exchange schemes in reducing levels of transmission of the HIV virus among intravenous drug users; and what plans she has to introduce such a scheme on a nationwide basis.

Mr. Bowis: Monitoring and evaluation of needle and syringe exchange schemes since 1987 has shown that they contribute towards the adoption of safer injecting behaviour among those who continue to inject drugs. It is too soon to judge their success in reducing the levels of transmission of HIV among intravenous drug users.

Specific funding has been given to health authorities towards the costs of expanding the range of drug misuse services available, including the development of needle exchange schemes. This funding totals £25·238 million in 1994-95 of which £2·778 million is available for the expansion of needle exchange schemes within pharmacies.

It is the responsibility of health and local authorities to assess the needs of drug misusers for services, including needle exchange schemes, and to contract for services to meet those needs.

Ambulance Service

Mr. Blunkett: To ask the Secretary of State for Health what was the number of ambulance staff in England employed by the NHS in 1990, 1991, 1992 and 1993, using whole-time equivalents.

Mr. Sackville: The information available is shown in the table.

Ambulance staff in national health service employing authorities and trusts

	Number
1990	18,130
1991	17,630
1992	17,840

Figures fell between 1990 and 1991 due largely to a number of ambulance officers taking up separate senior manager terms and a fall in the demand for Patient Transport Services in the London Ambulance Service.

Sources:

For 1990: Department of Health Non-Medical Workforce Census.
For 1991 and 1992: Department of Health form KM 49.

Notes:

1. All figures are at 30 September and are rounded to the nearest 10.
2. All figures include ambulance men and women, ambulance officers and control assistants.
3. The figure shown for 1992 is a corrected one from previously published figures.
4. Figures for 1993 are not yet available.

Mr. Blunkett: To ask the Secretary of State for Health what was the number of control assistants, using whole-time equivalents, for each ambulance service in each year since 1990.

Mr. Sackville: The information available is shown in the table. Separate figures for control assistants are not centrally available.

Control Assistants and Ambulance Officers at 30 September (Whole time equivalents by region)

	1990	1991	1992
England total	2,780	2,340	2,420
Northern Region	180	170	180
Yorkshire Region	240	220	220
Trent Region	290	280	270
East Anglian Region	130	130	120
North West Thames Region	80	40	80
North East Thames Region	70	70	70
South East Thames Region	80	120	120
South West Thames Region	100	100	100
Wessex Region	140	140	140
Oxford Region	130	130	130
South Western Region	220	220	220
West Midlands Region	340	260	320
Mersey Region	120	90	90
North Western Region	240	200	170
London Ambulance Service	410	170	210

Notes:
1. Figures for individual ambulance services are not available centrally.
2. Figures are rounded to the nearest 10.
3. The England total and North West Thames Region figures shown for 1992 are corrected ones from previously published figures.

Source:
For 1990: the Department of Health Non-Medical Workforce Census.
For 1991 and 1992: the Department of Health form KM49.

Mr. Blunkett: To ask the Secretary of State for Health what percentage of ambulances in each service in England responded within *(a)* eight minutes and *(b)* 14 to 20 minutes to emergency calls in 1993-94.

Mr. Sackville: Information on ambulance service response times in 1993-94 will be published shortly.

NHS Reform

Mr. Blunkett: To ask the Secretary of State for Health which organisations have submitted proposals on the reform of the NHS whether written or orally in presentations to her or her ministerial colleagues in the last year.

Dr. Mawhinney: Ministers routinely have meetings on various subjects with many organisations. Detailed records are not kept of all the subjects discussed.

GPs (Deprivation Payments)

Mr. Blunkett: To ask the Secretary of State for Health what was *(a)* the total number of general practitioners and the whole-time equivalent and *(b)* the total number of, and amounts paid to, general practitioners receiving deprivation payments in each of the low, medium and high categories for 1993-94; and what are the comparable figures in each case for fundholding general practitioners.

Dr. Mawhinney: In April 1993, the total number of general practitioners in England was 26,116 amounting to a whole-time equivalent of 25,231.

Of the 26,116 GPs, the following numbers received deprivation payments:

Low level	10,392
Medium level	6,430
High level	4,611

Note: A GP may receive deprivation payments at more than one level.

The amounts of deprivation payments made to general practitioners in England, in 1992-93, the last year for which figures are available, were:

Low level	£14,846,862
Medium level	£9,764,321
High level	£8,496,343

Financial data on deprivation payments specifically made to fundholding general practitioners are not available.

HOUSE OF COMMONS

Private Members' Bills

Mr. Sheerman: To ask the Lord President of the Council, pursuant to his answer to the hon. Member for Manchester, Wythenshawe (Mr. Morris) of 6 May, *Official Report*, column *651*, what was the cost to his Department of the drafting of the amendments to the Civil Rights (Disabled Persons) Bill.

Mr. Newton: I refer the hon. Member to the reply I gave to the right hon. Member for Manchester, Wythenshawe (Mr. Morris) on 12 May, *Official Report*, column *213*.

State Ceremonial Occasions

Ms Mowlam: To ask the Lord President of the Council which Government Departments or Offices other than the Department of National Heritage fund state ceremonial occasions.

Mr. Sproat: I have been asked to reply.

In addition to my own Department the following Government Departments meet some of the costs of state ceremonial occasions:

Foreign and Commonwealth Office
Ministry of Defence
Home Office
Department of Transport
Scottish Office
Welsh Office
HM Treasury

The Parliamentary Works Directorate meets the costs of certain ceremonial events in the Palace of Westminster.

SCOTLAND

Entertainment Venues

Mr. Foulkes: To ask the Secretary of State for Scotland what consideration he has given to strengthening the arrangements for the licensing and supervision of entertainment venues, with particular reference to the elimination of drug dealing; what consideration he has given to introducing legislation on the licensing of stewards at such venues; and if he will make a statement.

Lord James Douglas-Hamilton: District and islands councils have powers to license places of public entertainment under section 41 of the Civic Government (Scotland) Act 1982. The maximum penalty for holding an unlicensed public entertainment in circumstances where a licence under this provision is required was increased to £20,000 and/or six months' imprisonment by the Entertainments (Increased Penalties) Act 1990.

Authorities take account of the views of the police and local authority departments such as environmental services and building control on such applications and may attach a wide range of conditions designed to improve control at entertainment venues. Such conditions may include a requirement that stewards be employed.

Entertainment venues may also be licensed under the Licensing (Scotland) Act 1976 where a licensing board considers that premises are suitable for the sale of alcoholic liquor. Again the board may attach conditions to such a licence and may require the presence of door stewards.

Stewards may search persons who attend such functions with the person's consent. If consent is withheld, the person can be refused admission. In cases where suspect substances are found the person can be refused entry and police assistance summoned. There are no plans at present to introduce legislation on the licensing of stewards employed at entertainment venues. General guidelines on stewarding are contained in the "Guide to Health, Safety and Welfare at Pop Concerts and Similar Events" published by the Health and Safety Commission, the Home Office and the Scottish Office in October 1993.

Local Government Finance

Mr. Spellar: To ask the Secretary of State for Scotland what was the number of changes to the community charge register in Scotland in the latest available year; and what was the estimate of the level of under registration for the community charge.

Mr. Stewart: This information is not held centrally.

Junior Doctors

Ms Primarolo: To ask the Secretary of State for Scotland what was the cost of measures designed to reduce the hours worked by junior hospital doctors in each year since 1991-92.

Mr. Stewart: A total of £1·88 million was allocated to health boards for additional posts to help reduce juniors' hours in 1991-92, and £1·87 million was allocated to health boards and trusts in 1992-93 and £4·25 million in 1993-94, making a total of £8 million. In addition £1·2 million is available for allocation in 1994-95.

Training Schemes

Mr. Wallace: To ask the Secretary of State for Scotland what steps he has taken to ensure that funds made available to training providers in the course of the youth training and employment training schemes are used solely for training purposes.

Mr. Lang: The chief executives of Scottish Enterprise and Highlands and Islands Enterprise are answerable for the way in which the public funds provided to their respective bodies are spent. I have asked the chairman of Scottish Enterprise and of Highlands and Islands Enterprise to write to the hon. Member.

Mr. Wallace: To ask the Secretary of State for Scotland how many training providers have ceased commercial activities in each local enterprise company; and how much public money had been given to those companies in the two years prior to them ceasing commercial activities.

Mr. Lang: The information is not held centrally. This is primarily an operational matter best taken up direct with the local enterprise companies.

Education Department (Promotional Material)

Mr. Wallace: To ask the Secretary of State for Scotland how much expenditure has been incurred by the Scottish Office Education Department for the production and distribution of all promotional materials, including leaflets and video tapes, for each year since 1979 both in actual and real terms; and if he will set out in table form a list of each item of promotional material issued by the Scottish Education Office Department since June 1987 together with the total cost for each item.

Mr. Lang: This information is not held centrally and could be obtained only at a disproportionate cost to the Department.

Trunk Roads

Mr. Kynoch: To ask the Secretary of State for Scotland if he will make a statement about progress on construction of trunk road schemes during 1993-94, and those schemes the Government propose to start in Scotland in the next three financial years.

Mr. Lang: Excellent progress is being maintained in the development of a safe, high-quality trunk road network providing benefits to the whole of Scotland. The schemes I am announcing today continue our policy towards the upgrading of those key routes on our core network of major economic importance to Scotland's future. I am particularly pleased that we have been able to keep up the momentum of our plans to dual the A1. The emphasis of major projects is directed towards achieving progress on:

(1) the upgrading of the A74 to motorway;
(2) the completion of the Central Scotland motorway/near motorway network; and
(3) the upgrading of the A1.

Projects are currently being prepared to permit in the medium term:

(1) completion of the M77/A77 motorway and near motorway link between Glasgow and Ayrshire;
(2) completion of the M80 Glasgow—Stirling motorway;
(3) completion of the M8 Edinburgh—Glasgow motorway;
(4) completion of the M6 Carlisle—Glasgow motorway;
(5) completion of the A1 Edinburgh—Dunbar to near motorway standard and dualling schemes between Dunbar and the Border.

Feasibility and other studies are also being conducted on an M6-M8 fastlink and on complementary roads and transport provision around the firth of Forth.

This is an ambitious programme requiring substantial levels of investment. The Government see an increasing role for private sector finance and management skills and a number of projects are now at construction, being developed, or explored in line with the private finance initiative.

Significant progress has already been made. Seven major schemes, with a total value in excess of £100 million, were completed in 1993-94. The opening of the Brechin bypass in March this year completed the dualling of the strategically important A30 Edinburgh-Perth-Aberdeen route. The M8 St. James interchange, completed in August 1993, is the largest single "design and build" project to be built to date within the United Kingdom.

The schemes completed in 1993-94 were as follows:

	Cost £ million
A74(M) Nether Abington and Elvanfoot	41
M8 St. James Interchange	17
A9 Broomhill to Logie Easter	7

	Cost £ million
A90 Brechin Bypass	12
A90 Tarbrax to Forfar	13
A92 Bankhead Interchange	4
A96 Bucksburn Diversion	7

In the course of 1993-94, 17 schemes with a cost of more than £3 million were either under way or started. These schemes represent an investment in excess of £370 million. The projects include eight schemes valued at more than £240 million to upgrade the A74 to motorway. About two thirds of the A74 upgrading will be open to traffic by spring 1995. Construction of the M8 Newbridge-Edinburgh city bypass scheme has also started. This will provide important relief to the network west of Edinburgh once the scheme is completed in 1995. Progress continues on the construction of the privately financed Skye bridge, scheduled to open in 1995.

I am now able to announce those major schemes with an estimated cost of over £3 million each which are expected to start between April 1994 and March 1997, as follows:

Route	
1994-95	
A74(M)	Paddy's Rickle Bridge to Beattock (advance works)
A1	Tranent to Haddington
M77	Ayr road route
A74(M)	Ecclefechan to Eaglesfield phase II
1995-96 and 1996-97	
A74(M)	Paddy's Rickle Bridge to Beattock (main works)
A74(M)	Beattock to Cleuchbrae
M8	Baillieston to Newhouse phase I
M77	Fenwick to B764 (Floak)
A68	Dalkeith advance works
A1	Haddington to Dunbar
A96	Kintore Bypass
A9	Logie Easter to Garrick Bridge
A830	Loch Nan Uamh to Polnish Bridge
A828	Creagan Bridge

These schemes have a total value of more than £300 million.

Our plans are, of course, subject to schemes satisfying the usual value for money criteria together with satisfactory completion of statutory procedures and the necessary preparatory work.

In addition to the major starts, funding for route action plans, road safety and other schemes is being maintained throughout the trunk road network. This will enable work improvements to be taken forward on the A76 Kilmarnock-Dumfries route and the A9 Perth-Thurso route and further good progress on the route action plans for the A1 between Edinburgh and Newcastle; the A96 between Aberdeen and Inverness; the A90 between Perth and Dundee; and the A7 from Hawick southwards.

NORTHERN IRELAND

Government Expenditure

Mr. William Ross: To ask the Secretary of State for Northern Ireland, pursuant to his oral answer to the right hon. Member for Strangford (Mr. Taylor) of 28 April, *Official Report*, column 372, by what means citizens of the United Kingdom benefit from educational and other activities in the Irish Republic; what are those other activities; what sums were expended by his Department on United Kingdom citizens being educated in the Republic for the current and each of the last two years; what is his estimate of the sums of public money expended by the Republic on those students; and what were the sums expended on the other activities referred to by *(a)* his Department and *(b)* the Irish Republic authorities.

Sir John Wheeler: United Kingdom citizens are free to choose to study in the Republic of Ireland or any other country of the European Community. In the current year 1,124 students from Northern Ireland are benefiting from higher education provision in the Republic of Ireland; the latest statistics available indicate that some 378 students from other parts of the United Kingdom attended full-time higher education courses there in 1991-92.

A number of children with hearing impairments, from Northern Ireland, are receiving special education at a special school in the Republic of Ireland.

Other educational activities include a range of collaborative ventures between the universities in Northern Ireland and the Republic of Ireland which bring mutual benefits.

Some patients are referred to hospitals in the Republic of Ireland specifically for treatments which are not available in Northern Ireland.

The sums to be expended by the Northern Ireland Departments on Northern Ireland students and pupils educated in the Republic of Ireland are not yet available for the current financial year. However, the following figures are available for the last two years:

Year	£
1992-93	2,232,524
1993-94	3,486,347

Figures for the sums expended on students from other parts of the United Kingdom are not the responsibility of the Northern Ireland Departments.

Sums expended on the other educational activities are usually borne by the education institutions themselves but sometimes with the assistance of European funding. The Department of Health in Great Britain has responsibility for the financial aspects of referral of patients to hospitals in the Republic of Ireland.

The sums expended by the Government of the Republic of Ireland on educational and other activities is a matter for the Irish authorities.

University Students

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many students from *(a)* Germany and *(b)* the Republic of Ireland are currently enrolled at each university in Northern Ireland.

Mr. Ancram: Available information relates to full-time undergraduate students and is as follows:

	1993-94
Germany	
Queen's University, Belfast	23
University of Ulster	113
Republic of Ireland	
Queen's University, Belfast	519
University of Ulster	1,556

Mount Oriel Clinic, Belfast

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when planning permission was issued to the south and east Belfast unit of management of the Eastern area health board to develop a car park at Mount Oriel clinic, Saintfields road; if work commenced on site prior to planning permission being issued; if the planning application was supported by *(a)* Castlereagh borough council and *(b)* the roads service of the Department of the Environment; upon how many persons neighbour notices were served; how many objections were received; and if he will make a statement about traffic conditions on the roadway leading to this car park.

Mr. Tim Smith: Planning permission was granted on 29 March 1994 in relation to a retrospective application for development which had already commenced. Castlereagh borough council and the Department of the Environment's roads service raised no objections to the application. Eighteen neighbour notification notices were served. Subsequently 54 letters of objection were received from a total of 28 residences in the locality. As the road leading from the Saintfield road to the car park is not adopted into the public road network, it would not be appropriate for the Department to comment about the traffic conditions on it.

PRIME MINISTER

European Union Anti-Discrimination Law

Mr. Wigley: To ask the Prime Minister if he will make a statement on the competence of the European Union in regard to the adoption of European law against discrimination whether on the basis of sex, race, age or disablement following the entry into force of the Maastricht treaty.

The Prime Minister: The entry into force of the treaty on European Union has not altered the European Community's competence to legislate in respect of the principles under article 119 of the treaty of Rome against discrimination on the basis of sex, or its lack of specific competence to legislate against discrimination on the basis of race, age or disablement.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 19 May.

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 19 May.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Civil Servants (Disability)

Mr. Byers: To ask the Prime Minister how many civil servants are employed in his Department; and how many of them are registered disabled.

The Prime Minister: There are 107 civil servants employed in No. 10 Downing street, none of whom is registered disabled. For recruitment purposes, my office is part of the Cabinet Office. There are 16 registered disabled civil servants employed in the Cabinet Office, out of a total of 1,386. The Cabinet Office is an equal opportunities employer.

Civil Rights (Disabled Persons) Bill

Mr. Alfred Morris: To ask the Prime Minister what representations he received about the Civil Rights (Disabled Persons) Bill between 6 and 12 May; what replies he has sent or will be sending; and if he will make a statement.

The Prime Minister: I have received a number of representations, to which replies are being sent.

My right hon. Friend the Minister for Social Security and Disabled People announced the Government's plans for combating discrimination against disabled people during the debate on Report stage of the Bill on 6 May, *Official Report*, column 996, and gave further details in his answer to my hon. Friend the Member for Tiverton (Mrs. Browning) on 10 May, *Official Report*, column *136*.

My right hon. Friend is currently working on the detail of the consultation he announced on 6 May. The full proposals will be issued as soon as possible.

EMPLOYMENT

Green Amanita

Mr. Llew Smith: To ask the Secretary of State for Employment if he will make a statement on the reasons for, and the costs and outcome of, the civil emergency exercise Green Amanita conducted recently.

Mr. Michael Forsyth: Exercise Green Amanita was conducted to test the lead Department concept detailed in the Home Office guidance booklet "Dealing with Disaster".

The costs of setting up, organising and carrying out the exercise totalled £35,728. This figure does not include the participants' travelling costs or the cost of their time while at the exercise.

I understand that the exercise has resulted in a better understanding of how the lead Department concept works in practice and will make a significant contribution to the rewriting of the relevant section of the "Dealing with Disaster" booklet.

Offshore Oil and Gas Industry

Mr. Worthington: To ask the Secretary of State for Employment what proposals he has to ensure that British workers compete on a level playing field for jobs in the offshore oil and gas industry.

Mr. Michael Forsyth: Although both British and foreign workers have open access to jobs offshore, British workers succeed in securing over 90 per cent. of the jobs available.

Mr. Worthington: To ask the Secretary of State for Employment what United Kingdom employee costs are not paid by offshore oil and gas companies if they employ foreign nationals.

Mr. Hague: I have been asked to reply.

For national insurance contribution purposes, employment of United Kingdom or foreign nationals in an area of the continental shelf outside United Kingdom territorial waters, which the United Kingdom has the right to explore and exploit, is treated as employment in Great Britain. In common with other employers who have a place of business in Great Britain, offshore oil and gas companies have to pay the employer's share of national insurance contributions in respect of United Kingdom and foreign employees, except in certain limited circumstances where the employer is liable to pay contributions to the Norwegian state insurance scheme instead. If the employer has no place of business in Great Britian, it is not liable to pay the employer's share of the contribution in respect of any employees, whether United Kingdom or foreign.

Catering Industry

Mr. Robert Banks: To ask the Secretary of State for Employment what are the latest figures for the number of people employed in *(a)* the hotel industry and *(b)* the catering industry.

Miss Widdecombe: In December 1993, the latest date for which figures are available, there were 285,000 employees in employment in the hotel industry and other tourist or short-stay accommodation industry—standard industrial classification 665 and 667—and 882,000 in the catering industry—standard industrial classification 661-664—in Great Britain.

Privatisation (Consultants)

Mr. Milburn: To ask the Secretary of State for Employment if he will estimate the cost of employing consultants in connection with privatisation programmes in which his Department has been engaged since 1980.

Mr. Michael Forsyth *[holding answer 4 May 1994]:* Fees paid to date to legal and professional advisers necessary for the conduct of the privatisations total £2,450,261.

Hound Point Terminal

Mr. Dalyell: To ask the Secretary of State for Employment what discussions he has had with the Health and Safety Exexcutive over the investigation by the HSE into safety at the Hound Point terminal in the Linlithgow constituency.

Mr. Michael Forsyth *[holding answer 17 May 1994]:* The Health and Safety Executive has kept me informed of the inspection arrangements at the new Hound Point marine 2 terminal. Particular concerns about the safety of the design and construction of the hydraulically operated, swivelling loading arms which are used to load crude oil into tankers and the possibility of spillage have been carefully considered. I gave the hon. Member details of this and HSE's continuing inspection plans in my response to his recent letter.

HOME DEPARTMENT

Terrorism

13. **Miss Emma Nicholson:** To ask the Secretary of State for the Home Department what plans he has to improve the legislation dealing with terrorism.

Mr. Howard: As my hon. Friend will be aware, Parliament recently renewed the Prevention of Terrorism Act. The Criminal Justice and Public Order Bill contains new police stop and search powers, creates two new offences and improves the legislation relating to the investigation of terrorism.

Crime Prevention

18. **Mr. Bellingham:** To ask the Secretary of State for the Home Department what initiatives he has taken to maximise the use of new technology in crime prevention.

Mr. Charles Wardle: Recent initiatives by the Home Office in this area include a number of studies on CCTV as a crime control measure, and close co-operation with the vehicle manufacturers to promote the use of effective car immobiliser systems.

25. **Mr. Heppell:** To ask the Secretary of State for the Home Department if he will take steps to establish a coherent national crime prevention strategy.

Mr. Charles Wardle: The Government have developed a comprehensive crime prevention strategy. The Police and Magistrates Courts Bill and the Criminal Justice and Public Order Bill will strengthen the powers of the courts to deal with offenders and lay the foundations for a new partnership between the police, the Government and the public to fight crime. We have also set up the National Board for Crime Prevention to disseminate best practice and we are expanding our successful safer cities programme.

Corporal Punishment

20. **Mrs. Gorman:** To ask the Secretary of State for the Home Department if he will review the introduction of corporal punishment for crimes of violence.

Mr. Maclean: No. The reintroduction of corporal punishment would contravene the European convention on human rights.

Criminal Justice and Public Order Bill

21. **Mr. Patrick Thompson:** To ask the Secretary of State for the Home Department what representations he has received regarding the Criminal Justice and Public Order Bill.

Mr. Maclean: The Bill has been widely welcomed inside and outside Parliament. It responds to a range of concerns which I know are deeply felt.

Secure Training Centres

22. **Mr. Watts:** To ask the Secretary of State for the Home Department what progress he has made in drawing up plans for the new secure training centres for persistent juvenile offenders.

Mr. Maclean: I refer my hon. Friend to the answer which I gave earlier today to my hon. Friend the Member for Falmouth and Camborne (Mr. Coe).

Sentencing

23. **Mr. Burns:** To ask the Secretary of State for the Home Department when he last had a meeting with the Attorney-General to discuss the policy of appealing against lenient sentences; and if he will make a statement.

Mr. Maclean: I meet my right hon. and learned Friend frequently. We discuss a wide range of matters of common interest. We share the same view of the importance of the power contained in section 35 of the Criminal Justice Act 1988.

Prison Statistics

24. **Sir David Knox:** To ask the Secretary of State for the Home Department how many people were in prison at the most recent count.

Mr. Peter Lloyd: On Wednesday 18 May 1994, there were 48,447 prisoners in Prison Service accommodation and 146 prisoners in police cells, giving a total of 48,593 prisoners in custody.

Obscene Publications Branch

26. **Mrs. Ann Winterton:** To ask the Secretary of State for the Home Department what recent representations he has received from right hon. and hon. Members concerning the future of the obscene publications branch of the Metropolitan police.

Mr. Charles Wardle: I refer my hon. Friend to the reply I gave to the hon. Member for Newcastle under Lyme (Mrs. Golding) on 16 May at column *341*.

Drug Abuse

27. **Mr. Kirkwood:** To ask the Secretary of State for the Home Department what further steps he proposes to combat the spread of drug and alcohol abuse by teenagers; and if he will make a statement.

Mr. Maclean: My Department will continue to work closely with other Government Departments to ensure that the law and the wide range of policies for tackling the misuse of drugs and alcohol, particularly by young people, are effective.

HM Prison, Gartree

28. **Mr. Garnier:** To ask the Secretary of State for the Home Department when he next intends to pay an official visit to HM Prison, Gartree.

Mr. Peter Lloyd: At the present time my right hon. and learned Friend has no plans to make an official visit to Gartree prison.

Residence Arrangements

Sir Teddy Taylor: To ask the Secretary of State for the Home Department if he will take steps to clarify the arrangements whereby persons of independent means are admitted to reside in the United Kingdom.

Mr. Charles Wardle: We are planning to lay consolidated immigration rules before the House, which will create a new category of investor, designed to attract investment into the country without weakening immigration control. The category of persons of independent means will continue, but with a minimum age of 60.

Asylum

Mr. Allen: To ask the Secretary of State for the Home Department what requirements the British Government have stipulated as conditions for their support for application to asylum policy of article K9 of the treaty on European Union.

Mr. Charles Wardle: Nothing has occurred to cause the Government to change their view that asylum policy issues are appropriately dealt with under title VI of the treaty on European Union.

Identity Cards

Mr. Spellar: To ask the Secretary of State for the Home Department what representations he has received from the Association of Chief Police Officers of the desirability and practicality of introducing either compulsory or voluntary identity cards.

Mr. Charles Wardle: In June 1993 the Association of Chief Police Officers sent us a copy of its report "National Identity Card Scheme" which favoured the introduction of a voluntary identity card scheme. My right hon. and learned Friend met Sir John Smith, president of ACPO, on 17 November 1993 to discuss the report.

Custodial Sentences

Mr. Harry Greenway: To ask the Secretary of State for the Home Department what assessment he has made as to the effect on crime levels of reducing the use of custodial sentences.

Mr. Maclean: I refer my hon. Friend to the reply given a question from my right hon. Friend the Member for Selby (Mr. Alison) on 3 March, columns *823-24*.

Operation Elgar

Ms Harman: To ask the Secretary of State for the Home Department who authorised Operation Elgar on Wednesday 27 April.

Mr. Charles Wardle: Operation Elgar was authorised by the director of enforcement in the Immigration Service, with the knowledge of my right hon. and learned Friend and myself.

Immigration Detention Centres

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list for the lastest date for which figures are available by Her Majesty's detention centre and by Her Majesty's prison the number of persons held in respect of alleged immigration irregularities; and if he will show the port where each of the individuals was originally apprehended.

Mr. Charles Wardle *[holding answer 4 May 1994]:* The following is the information available as at 11 May 1994.

Place of detention	*Illegal entrants and those subject to deportation action*	*On entry port cases*	[1]*Port of arrival*	
Belfast Prison	1			
Belmarsh Prison	1			
Birmingham Prison	28	7	Heathrow	4
			Birmingham	2
			Portsmouth	1
Blakenhurst Prison	19			
Brinsford YOI	5			
Bristol Prison	4			
Brixton Prison	8			
Camp Hill Prison	1			

Place of detention	Illegal entrants and those subject to deportation action	On entry port cases	[1]Port of arrival	
Campsfield House Immigration Detention Centre	104	94	Heathrow	64
			Gatwick	17
			Manchester	3
			Harwich	3
			Newhaven	2
			Stansted	2
			Birmingham	1
			Dover	1
			Ramsgate	1
Canterbury Prison	7	13	Dover	9
			Ramsgate	3
			Folkestone	1
Cardiff Prison	3			
Chelmsford Prison		1	Stansted	1
Cookham Wood Prison	2			
Dorchester Prison	1			
Dover YOI	8	16	Dover	8
			Heathrow	4
			Ramsgate	2
			Gatwick	1
			Portsmouth	1
Dover Harbour Police		9	Ramsgate	5
			Dover	3
			Folkestone	1
Durham Prison	2			
Edinburgh Prison	1			
Elmley Prison		3	Ramsgate	2
			Dover	1
Exeter Prison	6			
Feltham YOI	4	1	Heathrow	1
Gatwick Airport	2	12	Gatwick	11
			Heathrow	1
Glenparva YOI	2			
Gloucester Prison	3			
Greenock Prison	12	1	Glasgow	1
Harmondsworth Immigration Detention Centre	43	55	Heathrow	35
			Gatwick	14
			Dover	3
			Ramsgate	2
			Stansted	1
Haslar Holding Centre	56	59	Heathrow	42
			Gatwick	5
			Stansted	5
			Harwich	3
			Portsmouth	2
			Manchester	1
			Ramsgate	1
Highdown Prison	15	3	Heathrow	3
Holloway Prison	5	3	Gatwick	3
Holme House Prison		2	Teesports	2
Hull Prison		3	Hull	3
Leeds Prison	4			
Leicester Prison	1			
Lewes Prison	3			
Lincoln Prison	1			
Liverpool Prison	3			
Manchester Airport	2			
Manchester Prison	7			
Newhaven		2	Heathrow	1
			Gatwick	1
Norwich Prison	3	2	Felixstowe	2
Pentonville Prison	23			
Queens Building Heathrow		19	Heathrow	19
Reading Remand Centre	3			
Risley Prison		1	Leeds/Bradford Airport	1
Shrewsbury Prison	1			
Stansted Airport		11	Stansted	4
			Heathrow	7
Stoke Heath Prison	1			
Swansea Prison	3	1	Swansea	1
Wandsworth Prison	6	1	Gatwick	1
Wellingborough Prison	1			
Winchester Prison	3			
Wolds Remand Prison		1	Hull	1
Wormwood Scrubs Prison	3	1	Heathrow	1
TOTAL	411	321		

[1] Illegal entrants and those subject to deportation action are not normally apprehended at ports.

DEFENCE

Public Bodies

Mr. Kilfoyle: To ask the Secretary of State for Defence, pursuant to his answer of 17 March, *Official Report*, column *850*, whether the United Kingdom Polar Medal Assessment Committee deals with sensitive issues; on what date he first sought to establish whether the members of the committee would be content for their names to be published; from how many members of the committee he has heard; how many have not replied; and if he will make a statement.

Mr. Hanley: I have nothing to add to the answer that I gave to the hon. Member on 18 May at columns *502-4*.

Dockyard Projects

Mr. Streeter: To ask the Secretary of State for Defence if he will make a statement on the current cost of dockyard projects; when the estimated cost last increased; and when he made the decision to award this work to Devonport royal dockyard.

Mr. Aitken: My Department spends around £420 million per annum on ship refitting and works projects, most of which is undertaken at the royal dockyards. Individual projects are rigorously controlled and monitored.

My right hon. and learned Friend the Secretary of State for Defence announced last year that we shall, subject to satisfactory contractual negotiations, proceed with the Devonport nuclear refitting facility proposals. The project is proceeding satisfactorily to time and cost.

Land Mines

Mr. Simpson: To ask the Secretary of State for Defence if he will arrange a meeting with the mines advisory group to discuss the recent reports by the group and by Oxfam on the effects of land mines.

Mr. Aitken: I have no plans to arrange such a meeting but my Department welcomes initiatives aimed at increasing public awareness of this problem.

Thermal Oxide Reprocessing Plant

Mr. Gerrard: To ask the Secretary of State for Defence what safeguards exist to ensure that civil plutonium separated in THORP will not be diverted into a military programme.

Mr. Aitken: The measures which the Government apply to civil reprocessed plutonium to prevent its theft,

sabotage or diversion are set out in the statement of Government policy on reprocessing and the operation of the thermal oxide reprocessing plant at Sellafield, which was made public on 4 August 1993. A copy of the statement is available in the Library of the House.

Recruitment

Ms Janet Anderson: To ask the Secretary of State for Defence if he will set out the type of vetting his Department uses in respect of higher executive officers on the graduate recruitment scheme; and what account is taken of their party political and other high-profile activities prior to their employment in his Department.

Mr. Aitken: Higher executive officers on the graduate recruitment scheme are vetted to positive vetting (secret) level and will be subject to higher levels of vetting appropriate to the nature of work upon which they are employed. They are expected to perform their duties as civil servants with complete political impartiality, regardless of any previous political associations or activities.

"Front Line First"

Mr. Churchill: To ask the Secretary of State for Defence what estimate he has made of the number of man-hours involved in the formulation and implementation of his "Front Line First" exercise in the case of *(a)* officials, *(b)* military personnel and *(c)* management consultations; and what is the respective cost to the Exchequer of the hours expended.

Mr. Aitken: No estimate has been made of the total number of man hours so far expended on the defence costs study or of its future implementations.

Defence Sales

Mr. Byers: To ask the Secretary of State for Defence when discussions began with the Government of South Africa about the possibility of agreeing a memorandum of understanding on defence sales; when he expects such a memorandum to be entered into; and if he will make a statement.

Mr. Aitken: No such discussions have taken place.

Arms Testing Centre, Pendine

Mr. Ainger: To ask the Secretary of State for Defence if he will make it his policy that the NATO small arms testing and proofing facility will remain in the United Kingdom.

Mr. Aitken: This is a matter for collective decision by the NATO authorities.

Mr. Ainger: To ask the Secretary of State for Defence if he will make it his policy that the NATO small arms testing and proofing facility will continue to be based at the Pendine regional test centre.

Mr. Aitken: The proof and experimental establishment at Pendine is, in common with all such test and evaluation facilities, subject to a review by the director general of test and evaluation. Options arising from this are still being considered, but I hope that an announcement can be made in the not too distant future. This will be followed by a period of consultation with interested parties.

United Nations Operations

Dr. David Clark: To ask the Secretary of State for Defence what standard operating procedures are made available by United Nations staff to British military forces prior to their deployment on United Nations operations; and if he will make a statement.

Mr. Hanley: The United Nations secretariat issues guidelines to troop contributing states for each United Nations operation. These cover the administrative and logistic procedures for the operation in question.

Dr. David Clark: To ask the Secretary of State for Defence what recent assessment he has made of the effectiveness of the United Nations military staff committee.

Mr. Hanley: The United Nations military staff committee played a useful role in the Gulf crisis as a forum for the exchange of information. We do not envisage its reactivation in current circumstances.

Dr David Clark: To ask the Secretary of State for Defence what arrangements currently exist to provide headquarters support for the deployment of British forces on United Nations operations.

Mr. Hanley: Depending on the scale and complexity of the British military contribution to a UN operation, appropriate support is provided either direct from the MOD headquarters or from a designated joint headquarters.

Dr. David Clark: To ask the Secretary of State for Defence what consideration he has given to the establishment of a section within his Department to deal specifically with United Nations operations.

Mr. Hanley: MOD responsibility for the conduct of UN operations already lies with that part of the defence staff under the charge of the deputy chief of the defence staff (commitments).

Dr. David Clark: To ask the Secretary of State for Defence what assistance his Department's press office gives to the British United Nations information centre; and if he will make a statement.

Mr. Hanley: My Department's press office provides no assistance to the British United Nations information centre.

Dr. David Clark: To ask the Secretary of State for Defence what assessment he has made of the ability of British forces on United Nations duties to adjust to changing circumstances and demands in the course of an operation.

Mr. Hanley: British forces are highly adaptable and have a thorough professional grounding in military skills. Nevertheless, the Government monitor closely the changing circumstances of all UN operations to which British forces are committed to ensure that the British contingents' capabilities match the demands placed upon them.

Dr. David Clark: To ask the Secretary of State for Defence what lessons he has learnt from the recent changes to the mission of United Nations forces in Sarajevo; and if he will make a statement.

Mr. Hanley: Following the Sarajevo ceasefire of February the role and responsibilities of UNPROFOR in

the Sarajevo area have expanded to include tasks such as monitoring and control of heavy weapons, the manning of observation posts and checkpoints and patrolling confrontation lines. UNPROFOR has also had to take on similar tasks in relation to the Bosnian-Croat ceasefire in central Bosnia. Experience in carrying out these tasks has confirmed lessons already learned during UNPROFOR's deployment in Bosnia, including the importance of having sufficient troops and suitable equipment for the job.

Armed Forces (Operational Capability)

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 10 May, *Official Report*, column 131, if he will make a statement on the senior levels of the chain of command that are involved in making central assessments of operational capability and to what extent those elements of the chain of command involved in making central assessments of operational capability include *(a)* civilians and *(b)* Ministers.

Mr. Hanley: Central assessments of operational capability in MOD are informed by reports rendered up the chain of command; including reports by senior officers who hold higher level and top level budgets—TLBs. Service TLB holders, including the front-line commanders in chief, sit on the predominantly military service executive committees whose own performance reports from the major contributions on operational capability, to the periodic central assessments reported to Ministers.

Service Musicians

Dr. David Clark: To ask the Secretary of State for Defence what recent considerations he has given to altering the role of service musicians as stretcher bearers during conflicts; and if he will make a statement.

Mr. Hanley: None. My Department has no plans to change the operational role of service musicians.

Dr. David Clark: To ask the Secretary of State for Defence what assessment he has made of the current impact of service music and musicians on *(a)* operational capability, *(b)* service morale and *(c)* service recruitment; and if he will make a statement.

Mr. Hanley: Service bands play an important part in service life and as such make an important contribution to morale and recruitment. Bands personnel also play an important operational role as medical orderlies and guards in times of conflict.

Sanctions

Dr. David Clark: To ask the Secretary of State for Defence what role British forces have played in the implementation of United Nations resolutions relating to economic sanctions against *(a)* Iraq and *(b)* Libya.

Mr. Hanley: The Armilla patrol has been operating to implement the United Nations arms and trade embargo against Iraq in the Gulf, and on occasions has also participated in the multinational interception force in the northern Red sea to relieve ships from other nations.

British forces have played no active role in enforcing economic sanctions against Libya.

Service Chaplains

Dr. David Clark: To ask the Secretary of State for Defence what assessment he has made of the current impact of service chaplains on *(a)* operational capability and *(b)* service morale; and if he will make a statement.

Mr. Hanley: My Department fully recognises the significant contribution made by service chaplains to the operational effectiveness and morale of the armed forces through the spiritual and pastoral care they provide for service personnel and their dependants.

Written Answers to Questions

Friday 20 May 1994

LORD CHANCELLOR'S DEPARTMENT

DNA Testing

Mr. Butcher: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the accuracy of DNA tests; and if he will now introduce legislation to make blood tests compulsory in cases of disputed paternity.

Mr. John M. Taylor: DNA profiling evidence may be conclusive in eliminating a putative father from being the natural father of a child. It is also a technique which can provide extremely strong evidence of positive association and in most instances of dispute is the most accurate way to determine paternity. Courts already have the power to order such tests in appropriate cases. I have no plans to amend the law to make blood tests compulsory in cases of disputed paternity.

Legal Aid

Mr. Heppell: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the representation he has received regarding the changes to the legal aid eligibility levels since they came into force.

Mr. John M. Taylor: From 1 April 1993 to 31 March 1994 the Lord Chancellor and I received 368 representations from hon. Members about the financial conditions for legal aid. In the same period we received over 300 letter from members of the public. Those figures include representations about individual cases. We continue to have exchanges with the Law Society, the Bar Council and other bodies about matter relating to legal aid.

PRIME MINISTER

Citizens Charter (Disabled People)

Mr. Cox: To ask the Prime Minister if he will make a statement on the application of the citizens charter to the rights of disabled people.

The Prime Minister: The principles underlying the citizens charter apply to everyone, including people with disabilities. Public services should consider the needs of all their customers, including those with special needs, when drawing up charters and planning service provision.

Downing Street Declaration

Mr. Barnes: To ask the Prime Minister if he will place in the Library questions concerning the Downing street declaration that he has received from Sinn Fein, together with the Government's answers.

The Prime Minister: My right hon. and learned Friend the Secretary of State for Northern Ireland issued a commentary yesterday alongside questions from Sinn Fein which the Irish Government handed over last week. This commentary, including the Sinn Fein questions, has been placed in the Library.

TREASURY

Child Maintenance

Mr. Bill Michie: To ask the Chancellor of the Exchequer if he will amend as a matter of urgency the present Inland Revenue new rules issued in April 1988-89 which debar an unwed parent from maintenance tax relief though paying maintenance to a child or children in accordance with the Child Support Act 1991 and which also affects those ex-married payers who lose their maintenance relief if their ex-spouse remarries, in order to allow those taxpayers to receive tax relief in accordance with the old rules.

Mr. Dorrell: No. The new rules on tax relief for maintenance payments, which were introduced in the Finance Act 1988, ensure that married couples are not treated less generously than divorced, separated and unmarried people.

Mobile Telephones

Mr. Vaz: To ask the Chancellor of the Exchequer, pursuant to his answer of 6 May, *Official Report*, column *657*, what was the cost of calls made on *(a)* car and *(b)* portable telephones in 1993-94; how much this equipment costs to buy or hire; and what were the maintenance costs.

Sir John Cope: The cost to the Treasury in 1993-94 of calls made on car telephones and mobile telephones excluding VAT was £2,332 and £1,585 respectively. The telephones themselves cost between £140 and £500 depending on type. Total annual maintenance for this equipment in 1993-94 was about £250.

Public Expenditure

Ms Harman: To ask the Chancellor of the Exchequer, pursuant to his answer of 12 May, *Official Report*, columns *232-34*, what were the principle causes of the difference between the figure for local authority self-financed expenditure of £9,700 million in 1993-94 and the equivalent figure of £10,400 million published in table 5B.3 of the "Financial Statement and Budget Report" 1994-95; and if he will make a statement.

Mr. Portillo: The principal cause is revised estimates by local authorities of their capital receipts in 1993-94, as reported to the Department of the Environment in their capital payments returns for the third quarter of 1993-94, which became available in the spring of 1994.

Ms Harman: To ask the Chancellor of the Exchequer, pursuant to his answer of 12 May, *Official Report*, columns *232-34*, what were the principal causes of the difference between the figure for expenditure on the European Communities of £1,620 million in 1993-94 and the equivalent figure of £2,450 million published in table 5B.3 of the "Financial Statement and Budget Report" 1994-95; and if he will make statement.

Mr. Portillo: The main cause is unexpected changes to the timing of contributions to the Community budget. The

precise moment at which contributions are made to the Community and their quantum depend on many factors outside the Government's control, making this programme difficult to forecast with accuracy.

EMPLOYMENT

North Yorkshire TEC

Mr. Robert Banks: To ask the Secretary of State for Employment how much of North Yorkshire training and enterprise council's budget for 1993-94 was devoted to the development of *(a)* self-employed businesses and *(b)* new businesses in the Harrogate/Knaresborough travel-to-work area.

Miss Widdecombe: North Yorkshire training and enterprise council's budget for 1993-94 was £21,193,516. Many elements of the budget include assistance for the development of self-employed and new businesses. In addition, £265,268 was devoted to services exclusively for existing businesses, many of them self-employed, and £1,710,800 exclusively for the development of new businesses.

It is not possible to give a complete indication of the proportion of spending on the development of businesses which was devoted to the Harrogate and Knaresborough area, as some of the services are demand led rather than allocated to areas. However, for two of the services for existing businesses, business skill seminars and the business development service, 433 out of a total of 2,191 people assisted during 1993-94 came from the Harrogate and Knaresborough area. For the development of new business, in 1993-94, North Yorkshire TEC allocated 20·1 per cent. of its business start-up budget to the Harrogate and Knaresborough area.

West Wales

Mr. Morgan: To ask the Secretary of State for Employment what advice was given on requests to the West Wales TEC, in response to inquiries about the legality, propriety and regularity of expenditure under the voluntary early retirement scheme for secondees from the department who were proposing to continue in full-time employment with that TEC.

Miss Widdecombe: The training and enterprise council was told that the early retirement schemes were not meant for secondees who intended to continue full-time employment with their TEC.

SOCIAL SECURITY

Civil Rights (Disabled Persons) Bill

Mr. Berry: To ask the Secretary of State for Social Security at what times he or his office, and the Minister for Disabled People or his office, were informed of the text of the reply from the Lord President of the Council to the question tabled by the right hon. Member for Manchester, Wythenshawe (Mr. Morris) for answer on 6 May in regard to the number of amendments to the Civil Rights (Disabled Persons) Bill drafted by the Office of Parliamentary Counsel.

Mr. Lilley: Details of such exchanges between Departments are not normally divulged.

Mr. Berry: To ask the Secretary of State for Social Security what calculations Her Majesty's Government made of the expenditure implications of the Civil Rights (Disabled Persons) Bill when the money resolution for the Bill was tabled; and if he will make a statement.

Mr. Scott: The money resolution was not dependent upon quantification of the impact of the Bill. It was necessary to enable consideration in Committee of those provisions, identified in italics in the Bill as first printed, which give rise to public expenditure.

Uniform Claimant System

Mr. Pike: To ask the Secretary of State for Social Security what costs have been incurred in splitting the previous DHSS uniform claimant system into the current separate agency system; and if he will make a statement.

Mr. Hague: The information requested is not available.

Public Expenditure

Ms Harman: To ask the Secretary of State for Social Security, pursuant to the answer of 12 May, *Official Report*, columns *232-34*, what were the principal causes of the difference between the figure for expenditure by the Department of Social Security of £67,800 million in 1993-94 and the equivalent figure of £67,300 million published in table 5B.3 of the "Financial Statement and Budget Report" 1994-95; and if he will make a statement.

Mr. Hague: The difference is caused by a spring supplementary estimate of £274 million plus a late year reapportionment of expenditure from cyclical to new control total.

Ms Harman: To ask the Secretary of State for Social Security, pursuant to the answer of 12 May, *Official Report*, columns *232-34*, if he will publish a table setting out the principal causes of the difference between the figure for cyclical social security expenditure of £14,400 million in 1993-94 compared with the equivalent figure of £14,000 million in table 5.2 of the "Financial Statement and Budget Report" 1994-95; and if he will make a statement.

Mr. Hague: The difference is caused by a spring supplementary estimate of £568 million minus a late year reapportionment of expenditure from cyclical to new control total.

Social Fund

Mr. Tipping: To ask the Secretary of State for Social Security what social fund budget the *(a)* East Nottinghamshire, *(b)* North Nottinghamshire and *(c)* West Nottinghamshire district offices held in 1993-94; and what budget they hold for 1994-95 on a comparable cost basis.

Mr. Scott: The administration of the social fund is a matter for Mr. Michael Bichard, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Michael Bichard to Mr. Paddy Tipping, dated 20 May 1994:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the Social Fund budget in the Benefits Agency's East, North and West Nottinghamshire Districts.

You asked for details of these Districts' budget for 1993-94 and 1994-95 on a comparable cost basis. Those details are shown at Appendix A.

I hope you find this reply helpful.

Appendix A

	1993-94 actual allocation (£)	*1993-94 allocation expressed in terms of 1994-95 prices[1] (£)*	*1994-95 actual allocation (£)*
Grants			
Nottinghamshire, East	497,433	517,330	507,531
Nottinghamshire, North	382,419	397,716	390,182
Nottinghamshire, West	563,412	585,948	574,849
Loans			
Nottinghamshire, East	1,484,763	1,544,154	1,514,904
Nottinghamshire, North	1,023,815	1,064,768	1,044,598
Nottinghamshire, West	1,545,010	1,606,810	1,576,374

[1] Real terms figures have been calculated using the current GDP deflator (4 per cent.) and may alter.

DUCHY OF LANCASTER

Science Minister

Mr. Flynn: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the benefits to the United Kingdom in the past two years from the presence of a Science Minister in the Cabinet.

Mr. Waldegrave: Since the last election, the Government have published a White Paper on Science, Engineering and Technology (Cm 2250), the first major policy review for over 20 years; restructured the research councils with mission statements focused on wealth creation, the quality of life and user needs; launched a technology foresight programme to help industrialists and scientists identify market and technological opportunities over the next 10 to 20 years; inaugurated a major campaign to promote the public understanding of science; published a forward look representing a first step towards developing a process of annual critical review of the balance and direction of SET, across the whole of the public sector; agreed with our European partners a fourth Community framework programme for science and technology, reflecting in many respects United Kingdom priorities and maintained the budget for the science base in real terms.

HOUSE OF COMMONS

Parliamentary Counsel

Mr. Morgan: To ask the Lord President of the Council what instructions he proposes to issue to the Office of Parliamentary Counsel in relation to the priority to be given to the drafting of amendments for Departments to *(a)* Government legislation in Standing Committee, pursuant to undertakings given by Ministers in Second Reading debates and *(b)* for use by Back Benchers in debate on Private Members' Bills; and if he will make a statement.

Mr. Newton: It is a matter for the First Parliamentary Counsel to arrange the work load of his office to meet priorities set out by Ministers in their instructions. I therefore have no plans to issue instructions.

NORTHERN IRELAND

Health and Social Services

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what was the total spent on *(a)* clerical staff and *(b)* administrative staff by area health and social services boards in each year since 1989; and if he will make a statement.

Mr. Ancram: I refer the hon. Member to the answer I gave to the hon. Member for Belfast, South (Rev. Martin Smyth) on 16 December 1993, *Official Report*, column *867-68*. Figures are available only for the combined administrative and clerical group of staff.

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland what was the total spent on management salaries by each health and social services boards in each year since 1989; and if he will make a statement.

Mr. Ancram: I refer the hon. Member to the answer I gave to the hon. Member for Belfast, South (Rev. Martin Smyth) on 16 December 1993, *Official Report*, column *867-68*.

Mr. William O'Brien: To ask the Secretary of State for Northern Ireland how much was spent in total on nursing and midwifery staff *(a)* including and *(b)* excluding agency staff, by area health and social services boards in each year since 1989; and if he will make a statement.

Mr. Ancram: I refer the hon. Member to the answer I gave to the hon. Member for Belfast, South (Rev.r j 1-10 Martin Smyth) on 16 December 1993, *Official Report*, column *867-68*. There are no agency nurses employed in the health and personal social services in Northern Ireland.

Cereals

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what are their most recent figures for yield factor per hectare for *(a)* wheat production in Northern Ireland and *(b)* barley production in Northern Ireland; how many hectares were used for the growing of (i) wheat and (ii) barley; and when representations were last made to the European Commission to have Northern Ireland included with England and Wales as the yield region for cereal aid purposes.

Mr. Ancram *[holding answer sent 19 May 1994]:* The average yield in Northern Ireland in 1993 of wheat was

5·85 tonnes per hectare and of barley was 3·75 tonnes per hectare. The June 1993 agricultural census in Northern Ireland recorded 6,701 hectares of wheat and 38,554 hectares of barley.

Representations have never been made to the European Commission to have Northern Ireland included with England and Wales as a yield region for cereal aid purposes —that is an internal matter for the United Kingdom. Nevertheless, all efforts have been made by Government to convince the European Commission of the needs of Northern Ireland's specialist growers.

EDUCATION

Higher Education

Mr. Don Foster: To ask the Secretary of State for Education whether students who are being trained in school-centred consortia, in the absence of a direct involvement by an institute of higher education, came within the scope of the provisions of the charter for higher education.

Mr. Boswell: The charter for higher education explains the standards of service that higher education users can expect of publicly funded universities and colleges. It does not relate directly to the standards of service provided by other institutions involved in the delivery of education or training of a similar level or kind.

Upper Limb Disorders

Dr. Marek: To ask the Secretary of State for Education what is the present number of civil servants taking legal action against his Department as a result of work-related upper limb disorders.

Mr. Boswell: None.

Colleges, Lancashire

Mr. Pike: To ask the Secretary of State for Education if he will publish the total funding given in 1994-95 to each college and sixth-form tertiary college in Lancashire.

Mr. Boswell: The Further Education Funding Council has not yet announced its allocations to individual colleges for the academic year 1994-95.

Surplus School Places

Mr. Redmond: To ask the Secretary of State for Education how many surplus school places there are currently in the local education authority of *(a)* Doncaster, *(b)* Barnsley, *(c)* Rotherham and *(d)* Sheffield; and what were the figures (i) five years and (ii) 10 years ago.

Mr. Forth: The latest figures available on a comprehensive basis were collected by the Department through a detailed survey of all local education authorities in 1991. For the figures derived from that survey, I refer the hon. Member to the reply to the hon. Member for Warwickshire, North (Mr. O'Brien) on 31 January 1994, *Official Report*, columns *517-21*. Detailed information by local education authority is not available for earlier years since no common basis for assessing school capacity existed until the introduction of the more open enrolment provisions of the Education Reform Act 1988.

Special Educational Needs

Mr. Win Griffiths: To ask the Secretary of State for Education if he will list the schools involved in his schools-based initial teacher training pilot programme indicating for each school the number of children receiving prescribed extra support to overcome learning difficulties which are not the subject of statements, the number of children who have been assessed for statements in the last year and the number of children who have statements of special educational need.

Mr. Robin Squire: I will write to the hon. Member, enclosing a list of those schools involved in the first round of the school-centred initial teacher training scheme and showing the number of pupils with a statement of special education needs as shown in the 1993 school performance tables. The other information requested is not collected centrally.

Portable Telephones

Mr. Vaz: To ask the Secretary of State for Education, pursuant to his answer of 6 May, *Official Report*, column *648*, what was the cost of calls made on portable telephones in 1993-94.

Mr. Forth: In 1993-94, the cost of calls from the Department's mobile telephones was £8,244.

ATTORNEY-GENERAL

Health Promotion Authority

Mr. Morgan: To ask the Attorney-General on what date the Wales area office of the Crown Prosecution Service received the papers from the South Wales police fraud squad and the district audit service in relation to the claiming of travel expenses by the previous chief executive of the Health Promotion Authority for Wales.

The Solicitor-General: On 10 May 1994, the Crown Prosecution Service Cardiff branch received the papers from the South Wales police following their investigation of the activities of the previous chief executive of the Health Promotion Authority for Wales. The police submitted the papers for advice as to whether criminal proceedings should be instituted.

There has been a meeting between the police and CPS lawyers and the CPS has asked for a number of additional inquiries to be made. Only when the results are available will it be possible for the CPS to advise.

HOME DEPARTMENT

Deportation Unit

Mrs. Roche: To ask the Secretary of State for the Home Department if he will make a statement about the future of the Metropolitan police's deportation unit.

Mr. Charles Wardle: Metropolitan Police headquarters functions and specialist units, including the deportation group, fall within the scope of the commissioner's current review. The object of the review is to make the best possible use of resources and to place functions where they are most appropriate.

Electronic Bulletin Boards

Mr. Maclennan: To ask the Secretary of State for the Home Department (1) what research his Department is currently engaged in concerning the use of public electronic bulletin board systems by criminals;

(2) which police forces currently deploy and train officers specifically in monitoring the electronic communication of information through bulletin boards and equivalent technology;

(3) what assessment he has made of the use being made by criminals of *(a)* the international and *(b)* other electronic bulletin board systems;

(4) how he proposes that the electronic telecommunication of illegal pornographic material through public electronic bulletin board systems will be monitored.

Mr. Maclean: The Home Office has not commissioned any research into the unlawful use of electronic bulletin boards, but the police have estimated that there are about 1,200 such boards in this country, the great majority of which are used entirely innocently. However, we are aware of certain cases where the police believe that bulletin boards are being used to disseminate obscene material or child pornography in breach of the Obscene Publications Act 1959 and the Protection of Children Act 1978 respectively.

What action the police take to monitor such bulletin boards, and whether any forces train and deploy officers specifically for this task, is an operational matter for chief officer to determine. The Criminal Justice and Public Order Bill will make it clear that the electronic transmission of data constitutes publication for the purposes of the Obscene Publications Act 1959 and will make obscenity and child pornography offences serious arrestable offences within the meaning of the Police and Criminal Evidence Act 1984, thereby giving the police a range of increased powers, including powers of search and seizure as well as powers of arrest. These will apply to those who disseminate obscene material via bulletin boards as they apply to pornographers in other media. We also propose to table an amendment to the Criminal Justice and Public Order Bill in another place to ensure that the police and other law enforcement officers cannot be excluded from publicly accessible bulletin board systems by notices purporting to bar their entry.

Computer transmissions to this country from abroad are not subject to our criminal law, but the Government will consider whether it is possible to make such transmissions subject to controls equivalent to those on the importation of obscene or indecent articles.

Mobile Telephones

Mr. Maclennan: To ask the Secretary of State for the Home Department when he intends to reply to the letters from Mr. Ian Mann of the Chiswick crime prevention panel, dated 18 October 1993 and 27 April 1994, concerning the Chiswick initiative for mobile phone security.

Mr. Charles Wardle: Following receipt of Mr. Mann's letter of 18 October, which asked for a response within 24 hours, officials telephoned him to discuss its content. Full consideration has now been given to this letter, and his further letter of 27 April, and I have written to Mr. Mann today. I am sending copies of the correspondence to the hon. Gentleman.

Darius Guppy

Mr. Cox: To ask the Secretary of State for the Home Department (1) in what open prison establishment Darius Guppy has been held since beginning his prison sentence;

(2) for how long Darius Guppy was held in a closed prison establishment after he had been sentenced; and if he will make a statement;

(3) what security is given to Darius Guppy when he is allowed out of prison;

(4) what is the earliest date of release that Darius Guppy has been given following his sentence; and if he will make a statement;

(5) on how many occasions Darius Guppy has been allowed out of prison, and for what reasons, since commencing his prison sentence.

Mr. Peter Lloyd: Responsibility for these matters has been delegated to the Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Derek Lewis to Mr. Tom Cox, dated 20 May 1994:

The Home Secretary has asked me to reply to your recent Questions about Darius Guppy.

Since the beginning of his prison sentence Mr. Guppy has been held in three different open prisons; Kirkham, Standford Hill, and Ford. He was initially held in closed conditions for just over four weeks whilst his security category was assessed and allocation decided.

Mr. Guppy is classified as a category D prisoner. This means that he has been assessed as a person who can reasonably be trusted to serve his sentence in open conditions without absconding, and also that he is not considered to pose any threat to members of the public. Prisoners in category D who are granted temporary release are subject to licence conditions but are not generally subject to a physical escort. Failure to comply with the licence conditions is an offence under Prison Rules and may lead to a return to closed conditions as well as a delayed release date.

Since beginning his sentence on 25 March 1993 Mr. Guppy has been allowed out of prison on a total of 19 occasions, most of which have been for meetings with solicitors, counsel, insolvency consultants and appearances in court.

Unless he is granted parole on or after 12 August 1995, the earliest date for Mr. Guppy's release is 12 June 1996.

Drug Offenders

Mr. Robert Banks: To ask the Secretary of State for the Home Department how many people have been arrested for drug offences in public houses in the North Yorkshire area over the last five years.

Mr. Maclean: The information requested is not available.

Policemen (Attacks)

Mr. Robert Banks: To ask the Secretary of State for the Home Department how many attacks on policemen have occurred in the North Yorkshire area over the last five years.

Mr. Maclean: The available information relates to assaults on police and is published annually in the report of the chief constable for North Yorkshire, copies of which are available in the Library.

Drug-related Crime

Mr. Robert Banks: To ask the Secretary of State for the Home Department what proportion of crimes is estimated to be drugs related; and if he will make a statement.

Mr. Maclean: I would refer my hon. Friend the to reply given to a question from the hon. Member for Southampton, Itchen (Mr. Denham) on 16 May 1994, *Official Report*, column *337*.

HEALTH

Nurses and Midwives

Mr. Redmond: To ask the Secretary of State for Health if she will give details of the number of national health service nursing and midwifery staff by pay grades within the groups of *(a)* senior nursing and midwifery staff, *(b)* education staff, *(c)* clinical nursing and midwifery staff, *(d)* learner, *(e)* other staff; and *(f)* Project 2000 nursing students, in each year since 1989; and if she will give the percentage change each year.

Mr. Sackville: The information available will be placed in the Library. The figures requested do not include practice nurses who contribute significantly to community nursing work. The number of practice nurses increased by 96·98 per cent. from 4,630 in 1989 to 9,120 in 1992.

Paracetamol

Ms Primarolo: To ask the Secretary of State for Health in how many instances paracetamol has been mentioned on death records as a cause of death in each EEC country in each of the last five years.

Mr. Sackville: The available information for England and Wales is shown in the table.

Number of instances where paracetamol has been mentioned on death records as a cause of death, England and Wales, 1988-1992

	Number
1988	491
1989	458
1990	512
1991	544
1992	585

Information is not available centrally for European Economic Community countries.

Patients Charter

Ms Primarolo: To ask the Secretary of State for Health what has been the cost of the patients charter in each of the last three years.

Dr. Mawhinney: Implementation of patients charter rights and standards by the NHS has been at negligible cost; the charter is about doing things differently and does not need extra resources to implement.

GP Trainees

Ms Primarolo: To ask the Secretary of State for Health how many doctors applied for general practitioner trainee posts in each of the last 10 years.

Dr. Mawhinney: This information is not available centrally.

Civil Servants, London

Ms Primarolo: To ask the Secretary of State for Health how many civil servants were employed in London in each year since 1991-92.

Mr. Sackville: The information is shown in the table.

Department of Health staff in London 1991-94
Wholetime equivalents as at 1 April

	Numbers
1991	3,016
1992	3,677
1993	3,719
1994	2,892

1. Numbers include inward loans and secondments, fixed term appointments and Agency staff in London.
2. Numbers exclude outward loans and secondments and casual staff.

Post-mortem Reports

Ms Primarolo: To ask the Secretary of State for Health what plans she has to ensure that general practitioners and hospital doctors receive post-mortem reports on their patients.

Mr. Sackville: Post mortems may be requested for clinical purposes, if relatives' permission is obtained, or by the coroner. Guidelines issued in August 1993 by the Royal College of Pathologists drew attention to the desirability of sending post mortem reports to general practitioners and hospital consultants, but noted the particular considerations where the post mortem has been requested by the coroner. The report is his property but the Coroners Rules 1984 provide for it to be supplied to those with a proper interest. Further consideration is being given to means of facilitating access to reports.

Contraceptive Services

Ms Primarolo: To ask the Secretary of State for Health if she will give the number of patients in each year since 1983 for whom payment was due to general medical practitioners for the provision of contraceptive services.

Dr. Mawhinney: This information is not available centrally.

Family Planning Clinics

Ms Primarolo: To ask the Secretary of State for Health how many family planning clinics there were, and how many women were seen by them, in each year since 1983.

Mr. Sackville: Information on the number of family planning clinics for the years 1983-87 is as follows:

Year	Number
1983	1,755
1984	1,768
1985	1,746
1986	1,756
1987-88	1,754

These statistics were not collected after 1987-88. I refer the hon. Member to the reply I gave her on 5 May, *Official Report*, column *627-28*, for information on the number of women seen in family planning clinics.

Child Vaccinations

Ms Primarolo: To ask the Secretary of State for Health what is the current take-up of child vaccinations; and what assessment she has made of the factors which lead some parents not to have children vaccinated.

Mr. Sackville: The Public Health Laboratory Service's latest "Cover of Vaccination Evaluated Rapidly" figures are:

93 per cent. of children have received diphtheria, tetanus and polio immunisations;
92 per cent. of children have received pertussis immunisation;
92 per cent. of children have received Hib immunisation(all at 12 months);
92 per cent. of children have received measles, mumps and rubella immunisation (at 24 months).

The figures show that there are not many children who remain unimmunised. The Health Education Authority has commissioned research with parents of very young children to find out why immunisations were not completed. The main reasons why parents decided not to complete immunisations are:

(i) loss of commitment after first born child;
(ii) perception that diseases are no longer serious;
(iii) perceived difficulty over access to services; and
(iv) vaccine safety.

Water Quality

Ms Primarolo: To ask the Secretary of State for Health what assessment she has made of the benefits to health of a continuous high quality water supply.

Mr. Sackville: None. It is recognised that the availability of a supply of good quality drinking water is important for health and well-being.

Staff Statistics

Ms Primarolo: To ask the Secretary of State for Health how many people were employed in her Department and the NHS management executive in each year since 1989.

Mr. Sackville: The information requested is shown in the table.

Department of Health and NHS Executive 1989-94 Whole-time Equivalents as at 1 April

Year	DH	NHS Executive[1]
1989	8,799	666
1990	5,388	797
1991	4,651	677
1992	4,803	776
1993	4,846	931
1994	4,690	838

[1] Figures are *included* in overall Department of Health numbers.
Notes:
1. Figures include inward loans and secondments, fixed term appointments and staff in Agencies.
2. Figures exclude casual staff and outward loans and secondments.

Poverty

Ms Primarolo: To ask the Secretary of State for Health what plans she has to investigate the relationship between poverty and ill health.

Mr. Sackville: "The Health of the Nation" White Paper noted that variations in health exist between different groups of the population and that these are associated with a wide range of factors—socio-economic, geographical, age, gender and others. The Chief Medical Officer has recently established a sub-group of his "Health of the Nation" working group to consider health variations in relation to the five key areas in the health strategy. I refer the hon. Member to the reply I gave the hon. Member for Sheffield, Brightside (Mr. Blunkett) on 12 May, *Official Report*, columns *217-18*, which gives the terms of reference of the sub-group.

GP Fundholders

Ms Primarolo: To ask the Secretary of State for Health (1) what plans she has to review the use of general practitioner fundholders' savings;

(2) what plans she has to introduce new regulations for general practitioner fundholders.

Dr. Mawhinney: Ministers will be reviewing options for expanding and developing the fundholding scheme during the summer.

Travel and Subsistence Costs

Mr. Blunkett: To ask the Secretary of State for Health if he will list for 1993-94 the expenditure on travelling and subsistence for each *(a)* health authority and *(b)* national health service trust in England.

Dr. Mawhinney: The information is not yet available.

Mobile Telephones

Mr. Vaz: To ask the Secretary of State for Health, pursuant to his answer of 6 May, *Official Report*, column *664*, what was the cost of calls made on mobile telephones in 1993-94; how much this equipment cost to buy or hire; and what were the maintenance costs.

Mr. Sackville: The standing charges for mobile telephones in 1993-94 was £150,000 and the cost of calls made in the year was £152,000. All mobile telephones have been purchased over a period of several years; the average price paid in 1993-94 was £232, including value added tax. In view of the warranties provided and long-term reliability of this equipment, the Department has not entered into any maintenance contracts.

Health Trusts

Mr. Cox: To ask the Secretary of State for Health to whom those wishing to be considered for appointment to a health trust should apply; and if she will make a statement on the procedures to be followed.

Dr. Mawhinney: Those wishing to nominate themselves, or be nominated by others, should contact their regional health authority, which may also advertise for candidates from time to time. Regional health authorities are responsible for appraising and selecting candidates for recommendation to Ministers.

Tuberculosis

Mr. Kevin Hughes: To ask the Secretary of State for Health how many tuberculosis tracing nurses are currently employed in the national health service, listed by district; and what has been the change in the number of such appointments in each year since 1982-83.

Mr. Sackville: It is not possible, from the data collected centrally, to identify those nurses specifically involved with tuberculosis tracing.

Mr. Kevin Hughes: To ask the Secretary of State for Health what is the unit cost of a single BCG vaccination to her Department.

Mr. Sackville: The cost is subject to commercial confidence.

Mr. Kevin Hughes: To ask the Secretary of State for Health, pursuant to her answer to the hon. Member for Bristol, South (Ms Primarolo) of 30 March, *Official Report*, column *890*, if she will list by region those district health authorities which routinely offer BCG vaccinations to all new-born babies.

Mr. Sackville: I refer the hon. Member to the reply, I gave the hon. Member for Bristol, South (Ms Primarolo) on 29 April, *Official Report*, column *370*.

Mr. Kevin Hughes: To ask the Secretary of State for Health (1) what advice the joint committee on vaccination and immunisation recommended in 1985 and 1990 on the continuation of the BCG schools immunisation programmes;

(2) what written instruction she has circulated to health authorities on restarting the school BCG vaccination programme.

Mr. Sackville: Following consideration by the Joint Committee on Vaccination and Immunisation, DA(85)27 was issued on 17 December 1985 recommending continuation of the schools' BCG programme. On 21 August 1990, EL(90)166 was issued following further consideration by the Joint Committee on Vaccination and immunisation recommending continuation of the programme at least until 1995-96 when a further review would take place. Copies of both letters are available in the Library.

In addition to the above, a reminder of the importance of the BCG immunisation programme has been brought to the attention of regional health authorities through the regional review process; regions have been asked to consider carefully whether their arrangements to protect against tuberculosis are adequate.

Mr. Kevin Hughes: To ask the Secretary of State for Health if she will list members of the departmental task force for tuberculosis; and when the task force will submit a final report to her.

Mr. Sackville: The inter-departmental working group on tuberculosis will include officials from the Departments of Health, of Social Security, of Transport, of the Environment, the Home Department, the Department of Health and Social Security Northern Ireland Office, the Welsh Office and the Scottish Office Home and Health Department. There will also be a representative from the Public Health Laboratory Service and experts representing health care professionals.

The working group will oversee a number of sub-groups who will address the following issues:

the need for guidance on local control procedures;
screening of immigrants and refugees;
the impact of tuberculosis on the homeless;
the need to review prevention and control measures in prisons;
the need to review monitoring and surveillance mechanisms.

These groups will consist of officials from the interested Departments and others with expertise in the prevention and control of tuberculosis in each of these areas. Each sub-group will provide a paper for ministerial consideration with a final report giving key outcomes and recommendations. At this stage it is not possible to give a date for the final report.

Mr. Kevin Hughes: To ask the Secretary of State for Health how many cases of respiratory and non-respiratory tuberculosis have been notified via the Home Office to her Department in each year since 1985.

Mr. Sackville: It is not part of the notification procedures for the Home Department to provide the Department of Health with data on cases of tuberculosis.

Statutory notifications of tuberculosis are made by registered medical practitioners to the proper officer of the local authority or port health district. Reports of these notifications are sent to the Registrar General at the Office of Population, Censuses and Surveys.

Immigration Service officials have the power to refer for medical examination persons covered by the Immigration Act 1971 seeking to enter the United Kingdom. If any of these were found to have tuberculosis, notification would then be made to the proper officer of the relevant local authority or port health district.

The number of notifications of tuberculosis reported to the Office of Population, Censuses and Surveys for England and Wales during the years 1985-92 are shown in the table.

Notification of tuberculosis 1985-92, England and Wales
Tuberculosis (excluding chemoprophylaxis)

	Respiratory	*Non-respiratory*	*Total*
1985	4,660	1,197	5,857
1986	4,759	1,234	5,993
1987	4,010	1,076	5,086
1988	4,022	1,142	5,164
1989	4,146	1,286	5,432
1990	3,942	1,282	5,204
1991	3,950	1,486	5,436
1992	4,205	1,593	5,798

Mr. Kevin Hughes: To ask the Secretary of State for Health what has been the specific level of research funding allocated by her Department via the Medical Research Council into the prevention and cure of tuberculosis in each year since 1979.

Mr. Sackville: The Medical Research Council is already funding a considerable amount of basic research into tuberculosis. The Department has not allocated any specific research funds via the MRC, which receives its grant in aid from the office of my right hon. Friend the Chancellor of the Duchy of Lancaster, into the prevention and cure of tuberculosis since 1979.

Public Expenditure

Ms Harman: To ask the Secretary of State for Health, pursuant to the answer of 12 May, *Official Report*, columns *232-34*, what were the principal causes of the difference between the figure for expenditure by the Department of Health of £29,950 million in 1993-94 and the equivalent figure of £30,090 million published in table 5B.3 of the "Financial Statement and Budget Report" 1994-95; and if she will make a statement.

Mr. Sackville: The main differences are an addition of £111 million, net, provided to meet a forecast increase in

demand on the family health services and for hospital and community health services expenditure an underspend of £257 million. Subject to parliamentary approval of the necessary supplementary estimates, the underspends of health authorities are eligible for carry forward into 1994-95.

Final outturn figures will be published in the appropriation accounts in the autumn.

Nursing Students

Mr. Blunkett: To ask the Secretary of State for Health how many nursing students took up places in each region in England in each year since 1990; and if she will make a statement on the likely level for 1994-95 assuming both volume and percentage changes.

Mr. Sackville: I shall let the hon. Member have such information as is available as soon as possible.

Research Projects

Mr. Blunkett: To ask the Secretary of State for Health what was the total cost of the research projects her Department has commissioned for the past five years; and what was the total cost of projects undertaken by staff employed by *(a)* universities and polytechnics, *(b)* independent research institutes, *(c)* health authorities, *(d)* management consultants and *(e)* other organisations, in each of those years.

Dr. Mawhinney: I shall let the hon. Member have such information as is available as soon as possible.

Hospital and Community Health Service Expenditure

Mr. Blunkett: To ask the Secretary of State for Health what was the level of current spending on the hospital and community health services for each national health service region and for the special health authorities, in each year since 1974-75 *(a)* in cash terms, *(b)* adjusted using the gross domestic product deflator and *(c)* adjusted using the national health service pay and prices index.

Mr. Sackville: This information is not held in this form and could be provided only at disproportionate cost.

Surgical Procedures (Cost)

Mr. Blunkett: To ask the Secretary of State for Health what is the average cost of national health service procedures for *(a)* total hip replacement, *(b)* total knee replacement, *(c)* coronary artery bypass grafting, *(d)* mitral/aortic valve replacement, *(e)* hernia repair, *(f)* stripping of varicose veins, *(g)* hysterectomy, *(h)* tonsillectomy, *(i)* cataract extraction and lens implant, *(j)* heart transplant, *(l)* heart/lung transplant and *(m)* surgery for an enlarged prostate.

Mr. Sackville: The information is not available. The costing systems used are currently under review to enable the methodologies used to be standardised in all hospitals.

Repairs and Maintenance

Mr. Blunkett: To ask the Secretary of State for Health what is the estimated expenditure required to clear the backlog of repairs and maintenance in each district health authority and national health service trust in England.

Mr. Sackville: I refer the hon. Member to the reply I gave him on 1 November 1993, *Official Report*, column *64*, for the latest available information.

Ambulance Service

Mr. Cousins: To ask the Secretary of State for Health what guidance has been issued to ambulance service providers on the length of regular work shifts by *(a)* paramedic emergency services and *(b)* patient transport services; when this guidance was issued; whether it is under current review; and if copies of such guidance can be placed in the Library.

Mr. Sackville: No such guidance has been issued.

NHS Trusts

Mr. Blunkett: To ask the Secretary of State for Health, pursuant to her answer of 16 May, *Official Report*, column *324*, if she will show for each NHS trust by district health authority, those chairmen and non-executive directors who live outside the boundaries of the district health authority within which that trust is situated.

Dr. Mawhinney: This information could be provided only at disproportionate cost.

TRANSPORT

Traffic Generation

Mr. Dunn: To ask the Secretary of State for Transport if the Standing Advisory Committee on Trunk Road Assessment has submitted its report on traffic generation; and what action he is planning to take.

Mr. Key: I received SACTRA's report on Wednesday 18 May. The issues covered are extremely complex, and a full response will be published in due course.

Seat Belts

Mr. Flynn: To ask the Secretary of State for Transport what assessment he has made of the benefits of the compulsory fitting of seat belts in *(a)* school coaches and *(b)* minibuses.

Mr. Key: I have now received the report of the review of the technical and cost implications of seat belt fitment in these vehicles. I hope to be able to announce the conclusions shortly.

Coach Safety

Mr. Flynn: To ask the Secretary of State for Transport what assessment he has made of the safety benefits of anti-crush zones in place of the rear seats of coaches.

Mr. Key: None.

Motorways

Mr. Flynn: To ask the Secretary of State for Transport what assessment he has made of the implications in terms of traffic volume of road pricing motorways for A and B roads.

Mr. Key: Research described in the Green Paper "Paying for Better Motorways" (Cm 2200) shows that

substantial revenue could be raised at toll levels which would cause relatively little diversion to other roads. For example, charges of 1·5p per mile for cars and light goods vehicles and 4·5p per mile for other vehicles would raise some £7[illegible] million and might cause diversion of some 10 per cent. in terms of vehicle miles at peak periods. Further traffic modelling conducted since the Green Paper was published has broadly confirmed these estimates.

Rising congestion on a motorway network which was not improved quickly enough would of itself cause increasing diversion to other roads. Motorway charging offers the key to accelerating expansion of inter-urban road capacity, thereby reducing the diversion which would otherwise occur.

Accidents (Fatalities)

Mr. Flynn: To ask the Secretary of State for Transport how many child passengers have died in accidents involving *(a)* school coaches or *(b)* minibuses in each of the last 10 years.

Mr. Key: It is not possible to identify school coaches or minibuses in the road injury accident data collection system. However, it is possible to identify school children in coaches and minibuses, during journeys to and from school, and also in other types of journey. Both these categories are included in the table along with children of school age, classified as school pupils, but not necessarily travelling in a school minibus on a school activity. The information requested is shown in the attached table.

School pupil[1] fatalities: by vehicle type: GB 1982-92

Casualties

	Minibus/ motor caravan	*Bus or coach*
1982	1	5
1983	0	2
1984	5	1
1985	1	1
1986	0	1
1987	3	0
1988	7	0
1989	3	2
1990	3	1
1991	1	0
1992	0	1

[1] Aged 0-15.

Mr. Flynn: To ask the Secretary of State for Transport what proposals he has to reduce the number of fatalities resulting from accidents involving coaches and minibuses.

Mr. Key: I have now received the report of the review of the technical and cost implications of seat belt fitment in these vehicles. I hope to be able to announce the conclusions shortly.

Mr. Flynn: To ask the Secretary of State for Transport how many accidents in which children died in each of the last 10 years have been caused by excessive speed.

Mr. Key: The national road accident database includes only objective accident details. It does not include information on the cause of accidents and the information requested is not available.

Daylight Saving

Mr. Flynn: To ask the Secretary of State for Transport what assessment he has made of the road safety benefits of the adoption of daylight saving.

Mr. Key: The Transport Research Laboratory has estimated that a move to central European time would give a United Kingdom-wide net total reduction in road traffic casualties of 140 deaths, 520 serious injuries and 2,000 other casualties each year.

Road Traffic Accidents

Mr. Flynn: To ask the Secretary of State for Transport what proportion of annual road traffic accidents occur on *(a)* A roads, *(b)* B roads and *(c)* motorways.

Mr. Key: In 1992, 47 per cent. of personal injury road traffic accidents occurred on A roads, 13 per cent. on B roads and 3 per cent. on motorways.

Crossrail Bill

Mr. Spearing: To ask the Secretary of State for Transport if he will state the nature of written or oral evidence given by, or on behalf of, his Department, to the Private Bill Committee considering the Crossrail Bill in respect of *(a)* cost restraint relative to protection of the environment or property, *(b)* difficulty or prohibition of through running to and from Heathrow airport and *(c)* obstacles to, or prohibition of links, in east London to the projected union railway.

Mr. Norris: My right hon. Friends the Secretaries of State for Transport, for the Environment and for National Heritage submitted a report to the Committee on 14 July 1993. The Secretary of State for Transport submitted a further report on 15 October 1993. I gave evidence to the Committee on 16 March 1994 and a senior departmental official gave evidence to the Committee on 14 April 1994. In addition, a substantial amount of material relating to Government studies of the scheme was made available to the Committee on 11 April. On the same day a letter was sent to the Committee at official level on the subject of links to Union Railways.

None of the evidence given dealt specifically with the subject of cost restraint relative to protection of the environment or property, although broad estimates of the cost of land and property purchase and special works needed to protect buildings and restore worksites were made available in the copies of the studies referred to above. The Bill makes provision for a junction in the vincinity of Hayes, which would enable Crossrail trains to run through to Heathrow.

A substantial amount of written and oral evidence was given in respect of links to the second channel tunnel rail link. Transcripts of the oral evidence are of course available. The burden of the evidence was that the proposed link at Forest Gate/Ripple lane had been ruled out, but it remained open to the private sector promoters of the two railways to decide whether they wanted a connection and, if they did, to seek the necessary powers and to pay for it.

Trunk Road Assessment

Mr. Simon Hughes: To ask the Secretary of State for Transport when he expects to publish the report by the Standing Advisory Committee on Trunk Road Assessment.

Mr. Key: Following past practice, SACTRA's report will be published when it has been fully considered, and the Government are ready also to publish their formal response.

Public Expenditure

Ms Harman: To ask the Secretary of State for Transport, pursuant to the answer of 12 May, *Official Report*, columns 232-34, what were the principal causes of the difference between the figure for expenditure by the Department of Transport of £6,010 million in 1993-94 and the equivalent figure of £6,150 million published in table 5B.3 of the "Financial Statement and Budget Report" in 1994-95; and if he will make a statement.

Mr. MacGregor: The difference between the Department's latest estimated 1993-94 outturn and the forecast outturn last autumn which appears in the "Financial Statement and Budget Report" is due principally to the following: deferred payment by BR of a substantial sum on railway rolling stock due to delayed entry into service, delays to the start of the Jubilee line extension and underspend on the Department's highways programme and reduced call on provision for BR pensions because of fewer than expected retirements.

Office of Passenger Rail Franchising

Mr. Dobson: To ask the Secretary of State for Transport if he will place in the Library a copy of the contract issued by the Office of Passenger Rail Franchising to Shandwick plc for work as marketing consultants to the Office of Passenger Rail Franchising and his Department.

Mr. Freeman: No. The information requested is in confidence for commercial reasons.

Mr. Dobson: To ask the Secretary of State for Transport (1) if he will list all meetings held between Ministers and officials in his Department and the Cabinet Office and all correspondence, in which was discussed the recruitment of marketing consultants by the Office of Passenger Rail Franchising, giving dates and persons involved, together with the nature of each meeting or item of correspondence;

(2) if he will list all meetings held or correspondence between any Ministers and officials in his Department and the Office of Passenger Rail Franchising at which recruitment of marketing consultants by the Office of Passenger Rail Franchising was discussed giving dates and persons involved;

(3) if he will publish a list of all Ministers or officials from his Department who attended presentations by prospective bidders, or who were sent for consultation bid documents by prospective bidders, for the post of marketing consultant to the Office of Passenger Rail Franchising and his Department, together with the dates of attendance or receipt of documents;

(4) if he will list all meetings held, or planned to be held, between Ministers and officials in his Department and Shandwick plc to discuss Shandwick's work as marketing consultants to the Office of Passenger Rail Franchising and his Department, giving dates and persons involved;

(5) if he will list all meetings and correspondence between Ministers or officials of his Department and the Office of Passenger Rail Franchising in which the recruitment of marketing consultants by the Office of Passenger Rail Franchising was discussed, giving dates and persons involved and the nature of each meeting or item of correspondence;

(6) if he will set out each stage of the process whereby Ministers or officials in his Department were consulted by the Office of Passenger Rail Franchising over the recruitment of marketing consultants by the Office of Passenger Rail Franchising; and at whose suggestion and on what date potential work for his Department was included within the brief sent to prospective bidders for this post.

Mr. Freeman: The Department appointed the marketing consultants Dewe Rogerson in March 1993 to advise on its marketing strategy for rail privatisation. The targets for the passenger franchising programme set by my right hon. Friend the Secretary of State on 22 March 1994 shifted the focus of marketing activity. It was therefore sensible for Opraf to appoint marketing advisers. Officials agreed that the successful consultants would also work direct to the Department on any residual general rail privatisation marketing issues because it would not be right for Government to place different commissions for overlapping work.

Opraf appointed Shandwick Consultants Ltd. following an open competition which was entirely consistent with Cabinet Office guidelines. Officials of Opraf, the Department, the Central Office of Information and Samuel Montagu—merchant banking advisers—formed the sift and selection panels. Ministers were not involved in the selection. They were informed by officials after the selection panel had made its decision. Ministers' only involvement was in responding to a letter dated 19 April 1994 from the hon. Member for Holborn and St. Pancras to Sir Robin Butler.

Dewe Rogerson has been given formal notice of the termination of its contract with the Department. Officials from both the Department and Opraf have since met with Shandwick to discuss the work programme. Ministers have not met Shandwick and have no current plans to do so.

Mr. Dobson: To ask the Secretary of State for Transport if he will list all meetings held, or planned to be held, between the Office of Passenger Rail Franchising and Shandwick plc to discuss Shandwick's work as marketing consultants to the Office of Rail Franchising and his Department, giving dates and persons involved.

Mr. Freeman: A number of meetings with Shandwick are likely to be held separately by the Franchising Director, officials from Opraf and officials from my Department to discuss their work in connection with rail privatisation.

Rail Services

Mr. Dobson: To ask the Secretary of State for Transport (1) if he will publish a list showing for all services provided under the timetables for each train operating unit and for each equivalent British Rail profit centre for the year 1994-95 relative to the year 1993-94 *(a)*

all services withdrawn completely, *(b)* all services with increased journey times and *(c)* all services with reduced stops at stations, naming the affected stations;

(2) if he will publish a table showing for services provided under the published timetables for each train operating unit and for each equivalent British Rail profit centre for the years 1993-94 and 1994-95 *(a)* the total number of train journeys run within each area, *(b)* the total number of trains operating within each area and *(c)* the total passenger capacity provided within each area, broken down by hour and day of the week.

Mr. Freeman: This information is not held centrally and could be obtained only at disproportionate cost.

Traffic Pollution

Ms Walley: To ask the Secretary of State for Transport what is his latest assessment of the effect of *(a)* lowest traffic forecasts and *(b)* highest traffic forecasts on the Government's commitment made at the United Nations conference on environment and development to reduce carbon dioxide levels to 1990 levels; and if he will make a statement.

Mr. MacGregor: The "low" and "high" traffic forecasts were taken into account when compiling the CO_2 projections for road transport and deciding on the measures which were announced in "Climate Change, the UK programme". Emissions from the transport sector, along with those from other sectors, are monitored so that any significant changes from expected trends that might persist for some time could be accomodated by revision of the measures in the programme. The four months since announcement of the strategy is too short a period in which to perceive significant deviations from trend projections.

NATIONAL HERITAGE

Consultants

Ms Primarolo: To ask the Secretary of State for National Heritage what was the expenditure on management and financial consultants by his Department in 1992-93.

Mr. Sproat: Total expenditure on consultancies in 1992-93 was £1·3 million.

Mobile Telephones and Pagers

Mr. Vaz: To ask the Secretary of State for National Heritage (1) how many *(a)* portable telephones, *(b)* pagers and electronic bleepers and *(c)* car telephones are currently used by his Department; what are the annual costs of operating this equipment; and to which personnel it is made available;

(2) what was the cost of calls made on *(a)* car and *(b)* portable telephones in 1993-94; how much this equipment cost to buy or hire; and what were the maintenance costs.

Mr. Sproat: The Department of National Heritage currently has 17 portable telephones, nine pagers and two car phones in use. The cost of operating the above equipment in 1993-94 was £9,200 which included £2,000 pager line rental, £4,900 mobile/car phone line rental and £2,300 call charges. The total equipment cost in 1993-94 amounted to £800; there were no maintenance costs. The equipment is made available to Ministers, and officials where there is a requirement for mobile communications outside the office.

Departmental Expenditure

Ms Mowlam: To ask the Secretary of State for National Heritage, pursuant to his answer of 9 May, *Official Report*, column *13*, in respect of his Department's estimated outturn expenditure, if he will account for the remainder of the administration costs excluding expenditure on premises, publicity and salaries.

Mr. Sproat: My reply of 9 May estimated expenditure of £12·7 million in respect of premises, publicity and salaries in my Department in 1994-95. Estimated expenditure on administration costs excluding these three elements is:

	£ million
Staff Related (eg travel and subsistence, recruitment)	1·5
Central Services (eg security, stationery)	1·4
Consultancies	1·2
Publications	0·5
Training/Conferences	0·7
IT/Telecommunications	1·7
Miscellaneous (eg Surveys, subscriptions, supplies/ printing)	0·6

In addition, administration costs of £700,000 for the Royal Fine Arts Commission and £1 million for the Millennium Commission are included in the Department's administration vote. A further £3 million is due to be transferred to the Central Satistical Office for costs on the international passenger survey.

FOREIGN AND COMMONWEALTH AFFAIRS

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy on whether the conduct of the Rwandan Government is compatible with membership of the Security Council of the United Nations.

Mr. Douglas Hogg: The UN charter contains no provision regarding the expulsion of a member of the Security Council.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy in respect of a proposal for an emergency session of the United Nations Commission on Human Rights on atrocities in Rwanda.

Mr. Douglas Hogg: We supported the proposal for a special session of the UN Commission on Human Rights to discuss Rwanda. The session will take place on 24 and 25 May.

Human Rights

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries of the world where the treatment of human rights gives Her Majesty's Government cause for concern.

Mr. Douglas Hogg: We monitor the human rights records of many countries world wide. Few have grounds for complacency over their respect for human rights.

Bosnia

Mr. Hinchliffe: To ask the Secretary of State for Foreign and Commonwealth Affairs what financial support is received by the United Kingdom in connection with the placement of military personnel within the peacekeeping forces in Bosnia, other than expenditure by the British Government and the United Nations.

Mr. Douglas Hogg: None.

Italy

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current policy of Her Majesty's Government towards the present Italian Government.

Mr. Heathcoat-Amory: We intend to work closely and effectively with the present Italian Government across the range of issues where our Governments have mutual interests.

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will reconsider his policy in respect of Her Majesty's Government's relations with Italy.

Mr. Heathcoat-Amory: We see no reason to reconsider our policy towards relations with Italy, which are very good.

DEFENCE

Submarines (Radiation Emergencies)

Mrs. Helen Jackson: To ask the Secretary of State for Defence (1) what instructions concerning radiation emergency procedures were issued or will be issued to local residents near submarine berths in *(a)* Glenmallen, *(b)* Portree, *(c)* Loch Goil, *(d)* Campbeltown, *(e)* Loch Ewe and *(f)* the Shetlands;

(2) when leaflets on what to do in a radiation emergency were issued or will be issued to local residents near submarine berths in Glenmallen, Portree, Lochgoil, Campbeltown, Loch Ewe and the Shetlands; if he will make a statement.

Mr. Hanley: A booklet entitled "What to do in a Radiation Emergency", containing advice in accordance with the Public Information for Radiation Emergencies Regulations 1992, has been prepared for issue to those residents living within 550 m of such submarine berths.

This booklet was issued to residents living within 550 m of the berths at Loch Goil in June 1993 and at Campbeltown in January 1994, in co-operation with the local authority. Arrangements are currently in hand to issue booklets to residents living within the same distance of the berth at Glenmallen and the Shetland berth at Lerwick. No residents live within 550 m of the other berths listed. All of the berths in question are visited only infrequently.

Mr. Cohen: To ask the Secretary of State for Defence what is the distance within which leaflets on what to do in a radiation emergency have been or will be issued to local residents near berths at the Clyde Submarine Base, Faslane and near submarine berths at Glenmallan, Portree, Loch Goil, Campbeltown, Loch Ewe and the Shetlands; and if he will make a statement.

Mr. Hanley: Booklets containing this advice have been, or will be, issued to residents living within 2,000 m at Faslane, where nuclear repairs take place, and 550 m at the other locations, which are only infrequently visited and where nuclear repairs are not undertaken.

Mr. Cohen: To ask the Secretary of State for Defence if he will list the X and Z berths which may be used by nuclear-powered submarines at which leaflets to local residents as to what to do in a radiation emergency *(a)* have been issued, *(b)* will be issued in the near future and *(c)* are not planned to be issued.

Mr. Hanley: Booklets have been issued to local residents as to what to do in the unlikely event of a radiation emergency at the X-berths at Barrow-in-Furness, Devonport, Faslane and Rosyth and at the Z-berths at Campbeltown and Loch Goil. Arrangements are in hand to issue booklets to residents living within 550 m of the berths at Glen Mallan, Holy Loch and Lerwick in the event of a planned nuclear powered warship visit. There are no plans to issue leaflets to local residents at other Z-berths since no one resides within 550 m of the berth and there is therefore no requirement for issue.

Faslane

Mrs. Helen Jackson: To ask the Secretary of State for Defence when the shiplift at Faslane will receive a full certification to lift a nuclear-powered submarine; and what alternative facilities are available for Vanguard class submarines.

Mr. Aitken: Following the successful completion of a nuclear audit earlier this month, work continues to prepare the shiplift for full authorisation for use. This involves finalisation of operating procedures, analysis and operator training. The shiplift is needed for docking maintenance purposes and no directly equivalent facilities are available elsewhere.

Recruitment

Mr. Spellar: To ask the Secretary of State for Defence what is the total annual cost of recruitment for the services including advertising and careers information offices; and how many personnel were recruited in the last year.

Mr. Hanley: The total cost of recruitment, including advertising and careers information offices was £96,710,000 in financial year 1993-94, when 12,109 personnel entered the armed forces from civilian life.

Spent Nuclear Fuel

Mr. Cohen: To ask the Secretary of State for Defence which type of commercial container is to be used in the short term for the transport of used fuel cores from naval reactors; how many containers have been or will be ordered; and what proportion of a naval used fuel core can be transported in one container.

Mr. Aitken: The two commercial containers will be supplied by Nuclear Transport Ltd. suitably licensed for the transportation of naval nuclear used fuel. It is not our practice to comment on the proportion of a naval fuel core transported in containers, though fewer fuel elements will be carried compared to the previous used core transportation packages.

Mr. Bill Michie: To ask the Secretary of State for Defence when a contract will be placed for the design and procurement of purpose-built containers for the transport of used fuel cores from the naval reactors; when these containers are likely to enter service; and if he will make a statement.

Mr. Aitken: I refer the hon. Member to the answer I gave to the hon. Member for Leyton (Mr. Cohen) on 25 March, 1994, *Official Report*, column *469*.

Mr. Bill Michie: To ask the Secretary of State for Defence what changes to procedure for loading containers at the royal dockyards and at HMS Vulcan following the introduction of the use of existing commercial containers to transport used fuel cores from naval reactors; and what increase in the radiation doses received by service and civilian personnel will result; and if he will make a statement.

Mr. Aitken: The use of the commercial containers will not result in a change in general procedures. However, given the different size and geometry compared to the previous used core transportation packages some detailed changes will be necessary. No increase in radiation doses received by service and civilian personnel is expected.

Mr. Bill Michie: To ask the Secretary of State for Defence when existing commercial containers will be introduced for the transport of used fuel cores from naval reactors; and from which site or sites they will be transporting used fuel cores.

Mr. Aitken: I refer the hon. Member to the answer I gave to the hon. Member for Leyton (Mr. Cohen) on 25 March 1994, *Official Report*, column *469*. The containers will be used to transport used fuel from Devonport, Rosyth and the Naval Reactor Test Establishment, Dounreay.

Homosexual Service Personnel

Mr. Flynn: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Hornsey and Wood Green (Mrs. Roche) on 5 May, *Official Report*, column *591*, regarding homosexual service personnel, whether a copy of the letter from the Under-Secretary of State will be placed in the Library; and if he will make it his practice to include in such answers in the future a statement of his intention to put a copy of such letters in the Library.

Mr. Hanley: In accordance with established practice, a copy of the reply to the hon. Member for Hornsey and Wood Green (Mrs. Roche) will be placed in the Library of the House.

Merchant Vessels (Chartering)

Dr. David Clark: To ask the Secretary of State for Defence (1) how many British merchant vessels were chartered in each year since 1984 for United Kingdom national maritime exercises; and if he will make a statement;

(2) how many British merchant vessels were chartered in each year since 1984 for multinational maritime exercises; and if he will make a statement.

Mr. Hanley: Some 68 British merchant vessels have been chartered in support of multinational—NATO—maritime exercises as follows:

Year	*Number of vessels*
1984	11
1985	8
1986	8
1987	8
1988	8
1989	15
1990	3
1991	4
1992	Nil
1993	3
1994[1]	Nil

[1] To date.

From available records, three British merchant vessels were chartered in support of United Kingdom national maritime exercises in the same period: two in 1985 and one in 1990.

Afloat support for United Kingdom national maritime exercises is usually provided by the ships of the Royal Fleet Auxiliary Service. Additional vessels, if required, are obtained from the world-wide market on the basis of cost, availability and suitability, with as many shipowners as possible being notified of the requirement. Vessels for multinational—NATO—exercises are obtained in the same way.

Dr. David Clark: To ask the Secretary of State for Defence what recent changes he has made to his procedures for chartering merchant vessels; and if he will make a statement.

Mr. Hanley: My Department's arrangements for chartering merchant vessels are kept under constant review. Last August we placed a one-year ship broking services contract with the Baltic Exchange to cover most of our requirements. That contract is currently being reassessed.

Anglo-Eastern Maritime Ltd.

Dr. David Clark: To ask the Secretary of State for Defence if he will name those ex-MOD personnel who have been employed by the firm Anglo-Eastern Maritime Ltd. after leaving his Department; and if he will make a statement.

Mr. Aitken: According to official departmental records, no ex-MOD personnel are employed by the firm Anglo-Eastern Maritime Ltd.

Lieutenant-Colonel Douglas Harding

Dr. David Clark: To ask the Secretary of State for Defence what posts the late Lieutenant-Colonel Douglas Harding held within his Department; and over what periods of time he held those posts.

Mr. Aitken: Lieutenant-Colonel Douglas Harding was commissioned in 1947 and served in the Royal Engineers and the Royal Corps of Transport until he was made redundant in April 1977. He was appointed to the retired officer grade of the civil service on 12 April 1977 and served as a staff officer within the Directorate of Movements (Army) in the Ministry of Defence until his death on 25 November 1990.

Hogg Robinson

Dr. David Clark: To ask the Secretary of State for Defence if he will name those ex-MOD personnel who have been employed by the firm Hogg Robinson after leaving his Department; and if he will make a statement.

Mr. Aitken: Official Departmental records list one individual as being employed by Hogg Robinson. It is not the Department's policy to disclose the names of ex-employees.

Elite Shipping

Dr. David Clark: To ask the Secretary of State for Defence if he will name those ex-MoD personnel who have been employed by the firm Elite Shipping; and if he will make a statement.

Mr. Aitken: According to official Departmental records, no ex-MoD personnel are employed by the firm Elite Shipping.

Research Establishments

Mr. Ainger: To ask the Secretary of State for Defence what consultations he has held with the customers of proof and experimental establishment facilities in the United Kingdom as part of the current review.

Mr. Aitken: The director general test and evaluation review of test and evaluation facilities including the proof and experimental establishments involved widespread discussion within the Department, with interested trade associations and individual customers.

Mr. Ainger: To ask the Secretary of State for Defence what representations he has received from customers of Pendine proof and experimental establishment on the effect of rationalisation of ranges in the United Kingdom on their trials planning.

Mr. Aitken: None.

Mr. Ainger: To ask the Secretary of State for Defence (1) what assessment he has made of the effect of an increase in small arms testing and proofing activity at Shoeburyness proof and experimental establishment on noise levels in the Shoeburyness area;

(2) what assessment he has made of the comparative noise absorption of the topography around the proof and experimental establishments at Pendine and Shoeburyness.

Mr. Aitken: Detailed work of this nature would be performed if it is decided that a case for the move of these activities exists.

Second World War Commemorative Events

Mr. Winnick: To ask the Secretary of State for Defence if it is intended for Italy to be involved in next year's events to celebrate the end of the second world war.

Mr. Hanley: Plans for commemorative events to mark the 50th anniversary of the "End of the War in Europe" are being developed. They will be based on the theme of peace and reconciliation. Consideration is being given to which countries should be involved but no firm decisions have yet been made.

Mr. Paul Martin

Mr. Morgan: To ask the Secretary of State for Defence if the appointment of Mr. Paul Martin to the Ministry of Defence as a permanent civil servant was referred to his Public Appointments Unit; and if he will make a statement.

Mr. Aitken: No. Mr. Martin was appointed to the Ministry of Defence as a higher executive officer, development, a junior training grade. Such appointments are not referred to the public appointments unit.

Military Bands

Dr. Marek: To ask the Secretary of State for Defence if he will give the costs and sources of finance for military bands for the last year for which figures are available; and what estimate he can make of the costs and their sources after the present reorganisation.

Mr. Hanley *[holding answer 13 May 1994]:* The cost of Army music to departmental funds in 1993-94 was around £46 million. This covered the costs of manpower, phase 1 training, transport, and the running costs of the Royal Military school of music. It excluded the costs of basic and certain full dress uniforms, food, accommodation, travel and subsistence, which cannot be identified separately. All other items were funded at non-public expense. The annual cost to public funds of the smaller structure announced in March 1993 and to be implemented from 1 April 1995 is likely to be in the order of £30 million, which includes the costs of manpower, phase 1 training, transport, maintenance and insurance of uniforms and instruments, replacement instruments, and running the Royal Military school of music. The likely costs of food, accommodation, travel and subsistence cannot be identified separately. In addition, the cost of providing the new bands with instruments and appropriate uniforms will be met from public funds.

AGRICULTURE, FISHERIES AND FOOD

Departmental Publications

Mr. Rowe: To ask the Minister of Agriculture, Fisheries and Food for how many regular publications she was responsible for in 1993-94; what was their circulation; and how many were obtainable by subscription.

Mr. Jack: Details are set out in the Department's current publications catalogue. In addition, specialist statistical and fisheries publications are listed in separate catalogues. Copies of all three publications catalogues have been placed in the Library. Most publications are available on request either from the Department or through HMSO, and some are available on subscription. Of the regular publications where circulation details are kept centrally, the numbers involved are as follows:

State Veterinary Journal—quarterly, 5,000 copies.

Food Safety Directorate Information Bulletin—monthly, 3,000 copies.

Survey News (for users of Government dietary survey data) —twice a year, 300 copies.

Flood and Coastal Defence R & D Newsletter—twice a year, 3,000 copies.

Campaign Against Illegal Poisoning of Wildlife Newsletter —quarterly, 2,000 copies.

Race Bank

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what progress has been made in finding alternative sources of sand for flood defence works other than source extraction from Race Bank; what environmental impact studies are continuing in respect of sand extraction from Race Bank; and if she will make a statement.

Mr. Jack: The National Rivers Authority has sought tenders for the supply of sand for the Lincolnshire sea defences in 1994 from a range of sources, including existing licensed areas as well as Race Bank. Those tenders are now being evaluated before decisions are made on the source of material to be used in this year's operations.

A substantial environmental assessment programme has already been completed in respect of the Race Bank and the outstanding results of the Hull university studies relating to the seasonal variability of crab populations and marine environmental conditions in and around the area of Race Bank will be available later this year. Those results will inform decisions to be made about the source of sand to be used in the Lincolnshire sea defences in 1995 and subsequent years.

WALES

Steel Industry

Mr. Llew Smith: To ask the Secretary of State for Wales if he will make a statement on the future prospects for the Welsh steel industry.

Mr. Redwood: Following substantial investment over the last decade, the Welsh steel industry is in a strong position to take advantage of increasing demand resulting from improving economic prosperity in the United Kingdom and overseas.

Training and Enterprise Councils

Mr. Donald Anderson: To ask the Secretary of State for Wales what guidance and additional resources he will give to the training and enterprise councils to encourage training of craftsmen for the construction industry.

Mr. Redwood: Training and enterprise councils have responsibility for planning and arranging Government-funded training in the light of their knowledge of local labour markets. I have allocated sufficient resources in 1994-95 to enable the TECs to meet their training plans.

GCSE

Mr. Rowlands: To ask the Secretary of State for Wales what estimate he has made of the number of pupils who re-sat GCSE in English and mathematics last November in each county; and how many of these in each county achieved A to C grades.

Sir Wyn Roberts: The information requested is not available, as data collected about candidates who are entered for GCSE examinations do not include how many previous attempts the candidate has made at a particular subject.

Mr. Rowlands: To ask the Secretary of State for Wales what estimate he has made of the number of pupils who re-sat GCSE last summer in each county; and how many achieved A to C grades.

Sir Wyn Roberts: The information requested is not available, as data collected about candidates who are entered for GCSE examinations do not include how many previous attempts the candidate has made.

Health Promotion Authority

Mr. Morgan: To ask the Secretary of State for Wales if he will place in the Library a copy of the report by the South Wales area office of the district audit service of the Audit Commission into the allegations of malpractice by Professor Catford, the former chief executive of the Health Promotion Authority for Wales.

Mr. Redwood: No. Publication of the report could prejudice possible legal proceedings.

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairman of the Health Promotion Authority for Wales in relation to the reinstatement of Mr. David Griffiths to the audit committee of the authority.

Mr. Redwood: None.

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairman of the Health Promotion Authority for Wales in relation to the recovery of sums owing to it from its former chief executive in respect of work commissioned by other authorities carried out in the authority's time and travel expenses.

Mr. Redwood: The chairman and officials of my Department have kept in close touch on this matter. The authority has already set in hand action to recover certain moneys it believes to be owing from Dr. Catford.

Local Government Reorganisation

Mr. Morgan: To ask the Secretary of State for Wales if he will specify the level of supplementary credit approvals to be allocated to the residuary body for Wales in the *(a)* present financial year and *(b)* 1995-96.

Mr. Redwood: A final decision on funding the residuary body for 1994-95 has not yet been taken. If the residuary body were to be set up in January 1995, I would envisage issuing a supplementary credit approval of about £70,000. We have no plans to make a supplementary credit approval available to the residuary body for 1995-96.

Mr. Morgan: To ask the Secretary of State for Wales on what date he expects to announce the name of *(a)* the chairman and *(b)* membership of the board of the residuary body for Wales; and what guidelines he has issued with respect to previous local government experience for such memberships.

Mr. Redwood: If the residuary body were to be established in January 1995 I would expect to announce the chairman and members in December 1994. I have not issued any guidelines as yet, but as my right hon. Friend said in Standing Committee A on 17 May 1994 there would be a need for members with property expertise and experience of local government.

Whitbread Round the World Yacht Race

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairman of the Cardiff Bay development corporation in relation to the

setting of an upper limit to the expenditure of public money that the corporation and other Welsh Office sponsored quangos on the resourcing of a Welsh Challenge in the Whitbread round the world yacht race.

Mr. Redwood: None.

Grant-maintained Status

Mr. Roger Evans: To ask the Secretary of State for Wales if he has had to take action in respect of any local authority in Wales which has issued misleading information about grant-maintained status.

Sir Wyn Roberts: There have been several instances where it has been suggested that the information being made available by local education authorities to schools that were considering grant-maintained status or where parents were about to ballot on grant-maintained status, was incorrect and misleading. There has, however, been only one instance to date where there has been sufficient firm evidence that the information was misleading, to justify intervention by the Welsh Office.

Some schools in Dyfed have been advised by their LEA that should a school successfully apply to become grant-maintained, both teaching and non-teaching staff working at the school would have no security of employment and would be required to apply to the grant-maintained governing body for their own jobs. That is clearly incorrect. The contracts of employment of staff who work only at the school transfer automatically from the former employer to the school's governing body on the day the school takes on its new status. Officials wrote to Dyfed county council to correct this misunderstanding and the letter was copied to all head teachers in Dyfed as well as other directors of education.

TRADE AND INDUSTRY

Parliamentary Questions

Mr. Meacher: To ask the President of the Board of Trade how many parliamentary questions, in the period November 1992 to March 1993, were answered with the response that the information requested is not held centrally and could be obtained only at disproportionate cost; how many were referred on to an agency chief executive; and, in each case, what percentage of the total number of questions asked this constituted.

Mr. Heseltine: According to the POLIS database, 14 parliamentary questions answered by Ministers in this Department in the period 1 November 1992 to 31 March 1993 were replied to in terms that the information was not held centrally or that the information could be provided only at disproportionate cost. Fourteen questions were referred to agency chief executives during the same period. Both of these figures represent less than 1 per cent. of written answers given by my Department during the period.

Company Investigations

Mr. Austin Mitchell: To ask the President of the Board of Trade (1) when the inspectors to inquire into the affairs of Furdrove Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(2) when the inspectors to inquire into the affairs of Signal Life Assurance Co. Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(3) when the inspectors to inquire into the affairs of Pharmaceutex (IV Fluid) Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(4) when the inspectors to inquire into the affairs of Riafield Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports.

(5) when the inspectors to inquire into the affairs of Corporate Planning Management Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(6) when the inspectors to inquire into the affairs of Hartley Baird plc were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(7) when the inspectors to inquire into the affairs of Allied Suppliers (Ireland) Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published; and when he will publish the final reports;

(8) when the inspectors to inquire into the affairs of Drivehouse Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation; how it has been disbursed to each inspector; what reports have been published, and when he will publish the final reports;

(9) when the inspectors to inquire into the affairs of Cubar Construction Company Ltd. were appointed; when their inquiry was completed; what are the business connections of the inspectors; what is the cost of the investigation and how it has been disbursed to each inspector; what reports have so far been published; and when he will publish the final reports.

Mr. Neil Hamilton: All inspectors were Department officers and the costs of their investigations are not available. Decisions not to publish their reports were all taken before 1990. The further information requested by the hon. Member is set out in the table.

Company	Date of appointment of inspectors	Date of Report
Allied Suppliers (Ireland Ltd.)	14 August 1978	29 April 1983
Riafield Ltd.	24 August 1981	30 December 1983
Corporate Management Planning Ltd.	11 November 1981	24 September 1986
Pharmaceutex (IV Fluid) Ltd.	25 March 1982	4 June 1986
Drivehouse Ltd.	—	—
Furdrove Ltd.	—	—
Cubar Construction Ltd.	10 May 1982	28 August 1984
Signal Life Assurance Co. Ltd.	19 November 1982	16 November 1988
Hartley Baird Plc	25 February 1983	21 December 1983
	9 May 1985	23 May 1986

Consultants

Ms Primarolo: To ask the President of the Board of Trade what was the expenditure on management and financial consultants by his Department in 1992-93.

Mr. Eggar: Expenditure committed to consultants in the financial year 1992-93 was £36 million. That figure does not include contracts let independently by the Department's executive agencies.

China (Forced Labour)

Mr. Rowlands: To ask the President of the Board of Trade what measures his Department has taken to ensure that no products from forced labour camps in China are imported into the United Kingdom.

Mr. Needham: With limited exceptions, the importation into the United Kingdom of goods produced in any foreign prison or like establishment is banned by the Foreign Prison-Made Goods Act 1897, as amended in 1988. Enforcement of the Act is a matter for Her Majesty's Customs and Excise, which depends on receiving sufficient evidence, specific to the consignment concerned.

Warren Spring Laboratory Staff

Mr. Chris Smith: To ask the President of the Board of Trade how many of the original staff at Warren Spring Laboratory have transferred to AEA Technology Ltd.

Mr. Heseltine: Some 85 Warren Spring Laboratory staff transferred to AEA Technology.

Dounreay

Mr. Llew Smith: To ask the President of the Board of Trade what quantities of *(a)* the core fuel and *(b)* the breeder blanket have been reprocessed annually at the Dounreay nuclear power development establishment for (i) the prototype fast reactor and (ii) the Dounreay fast reactor since each was commissioned; and where the arising plutonium is now stored or has been put to use.

Mr. Eggar: An average of 19·2 PFR core fuel elements have been reprocessed annually and in the last year PFR breeder reprocessing commenced with 148 elements being reprocessed. An average of 576 DFR core fuel elements were reprocessed annually up to 1977 but no DFR breeder elements have been reprocessed. The plutonium arising from this reprocessing is stored under international safeguards at BNFL's Sellafield site. Some of the plutonium arising from reprocessing has been recycled into new fast reactor fuel which has been used to generate electricity.

Mr. Llew Smith: To ask the President of the Board of Trade what quantities of *(a)* core fuel and *(b)* breeder blanket nuclear material remain inside prototype and demonstration fast reactors at Dounreay; and what proposals there are for reprocessing or direct disposal of both the core and breeder blanket from each reactor.

Mr. Eggar: There are 83 core fuel elements and 34 breeder elements remaining inside PFR and 977 breeder elements and no core elements remaining inside DFR. Regarding proposals for reprocessing, I refer the hon. Member to my reply to the hon. Member for Nottingham, South (Mr. Simpson) on 18 May 1994, *Official Report*, column *469*.

Radioactive Waste

Mr. Llew Smith: To ask the President of the Board of Trade what consideration he has given to the options for the disposal of radioactive wastes from AEA Technology sites in light of the recent report of the Advisory Committee on the Safety of Nuclear Installations.

Mr. Eggar: The disposal of radioactive wastes from UKAEA sites is the responsibility of UKAEA management. However, frequent discussions of the options have taken place between the UKAEA and officials from my Department both before and since the recent report of the Advisory Committee on the Safety of Nuclear Installations recent report.

RECOD Conference

Mr. Llew Smith: To ask the President of the Board of Trade if he will publish in the *Official Report* a summary of the Minister for Energy's address to the RECOD 1994 international conference on nuclear fuel reprocessing and waste management, held in London on 24 to 28 April; and if he will place in the Library a copy of the address.

Mr. Eggar: I have placed a copy of my speech opening the RECOD conference in the Library of the House.

Energy Resources

Mr. Llew Smith: To ask the President of the Board of Trade what access exists for United Kingdom companies and research organisations to the SESAME database on energy resources operated by the European Commission's Directorate-General for Research and Development.

Mr. Eggar: The SESAME database may be accessed on-line from EUROBASES—the European Commission's agent—and via a diskette of SESAME available from Infopartners and a CD-ROM version obtainable from Longman World.

Mobile Telephones

Mr. Vaz: To ask the President of the Board of Trade, pursuant to his answer of 9 May, *Official Report*, column *15*, what was the cost of calls made on mobile telephones in 1993-94; how much this equipment cost to buy or hire; and what were the maintenance costs.

Mr. Eggar: As stated in my reply of 9 May, records are no longer kept centrally of all uses of mobile telephones. However, using the same basis as before it is estimated that call charges in respect of the mobile telephones in use in my department, excluding "next steps" agencies, were around £91,000 in 1993-94.

The equipment in use was bought over the last three years or so at an annual average cost in the region of £45,000. It is not my Department's general policy to take out maintenance contracts on mobile telephones but the costs of repairs and new batteries are estimated to be in the region of £10,000 per annum.

Motor Vehicles Block Exemption System

Mr. Dykes: To ask the President of the Board of Trade if he will make a statement on the progress being made in Government discussions with the European Commission on the motor vehicles block-exemption system renewal.

Mr. Neil Hamilton: The Government are awaiting the Commission's proposals to amend and renew the block exemption. When these are received, officials will consult relevant parties in the United Kingdom motor trade.

Public Expenditure

Ms Harman: To ask the President of the Board of Trade pursuant to the answer of 12 May, *Official Report*, columns *232-34*, what were the principal causes of the difference between the figure for expenditure by the Department of Trade and Industry of £3,340 million in 1993-94 and the equivalent figure of £3,630 million published in table 5B.3 of the "Financial Statement and Budget Report" 1994-95; and if he will make a statement.

Mr. Eggar: The figures shown in table 5B.3 of the "Financial Statement and Budget Report" 1994-95 and on 12 May, *Official Report*, columns *232-34* for trade and industry expenditure include expenditure by nationalised industries and regulatory departments as well as the Department of Trade and Industry. The principal cause of the difference between the two figures is a reduction in estimated expenditure by British Coal reflecting reduced capital expenditure and tighter control of operating costs. The figures shown on 12 May are subject to revision and may differ from the figures eventually published in the "Financial Statement and Budget Report" 1995-96.

INDEX TO THE

PARLIAMENTARY DEBATES

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9th May—20th May 1994

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc, under subject headings and under the names of those taking part.

Rulings and Statements by Speaker and deputies are brought together under the heading 'Speaker's rulings and statements'.

Other contributions by Speaker and deputies appear under the heading Speaker.

Opposition Day Debates and Estimates Day Debates and Standing Order No. 10 applications are listed under those respective headings and under subject headings too.

The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

Abbreviations

Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

Column numbers followed by the letter W refer to Written Questions. These appear at the end of each daily part or volume with their own sequence of column numbers printed in italics.

A12
Road safety 5–6

A26
60–1w
Road works 241–3w

A27
Road works 241–3w

A40
Road construction 547–8w

A64
Road accidents 240–1w
Road works 546–7w

A66
Road works 8–9

A299
60w

Abortion
AIDS 320w

Absent parents
136–8w
Maintenance 235w

Access funds
Wales 22–3w

Access to buildings
Building regulations 393w

"Access to Local Authority and Housing Association Tenancies Consultation Paper"
66w, 210w
Adams, Mrs Irene
Debates etc
Local Government Etc (Scotland) Bill, Rep (17.05.94) 774–5

Adjudication officers
Immigration appeals 244w

Administration of justice
Administrative delays 305–6w
Race relations 244–5w

Advertising
Expenditure 401w
Grant maintained schools 207w
Scottish Office 97w

Advertising codes of practice
Tobacco advertising (13.05.94) 517–25

Advisory bodies
Mental health services 418w

AEA Technology
see United Kingdom Atomic Energy Authority

Aerospace industry
Export promotion 313
International cooperation 298w

Affiliation
Blood tests 577w

Africa
Structural adjustment 26w

African Development Bank
546w

Agricultural land
Cereals 40w, 42w
Flood control 145–6w
Inheritance tax 550w

Agricultural production
Cereals 551w

Agricultural subsidies
Pigmeat 288w, 296w
Wales 429w

Agricultural workers
Wales 22w

Aid financed trade
Arms trade 305w
China 30–1w

Aid workers
Rwanda 184w

AIDS
Abortion 320w
AIDS—continued
Departmental coordination 557–8w
Prisoners 141w, 161w
Voluntary organisations 515–6w

Ainger, Mr Nick
Debates etc.
MV Braer Inquiry (17.05.94) 683
Questions
Defence research, Research facilities 605w
Defence research establishments, Noise 605w
Health authorities, Wales 105w, 265w
Joint Nature Conservation Committee, Petroleum exploration licences 468w
NHS, Expenditure 536w
NHS, Wales 266w
NHS trusts, Financial targets 415–6w
NHS trusts, Nurses 265–6w
Petroleum exploration licences 388w
Regional health authorities, Finance 271–2w
Statutory sick pay, Health authorities 106w
Weapons, Testing 573w

Ainsworth, Mr Peter
Debates etc.
EC environmental policy (11.05.94) 337, 349, 366–7

Ainsworth, Mr Robert
Questions
Apprentices 363w, 662
Housing benefits, Rented housing 357w

Air pollution
Climate Change Convention 391w
Electricity generation 392w
Road transport 599w

Air pollution control
504w, 809
GATT 179w

Air routes
53w
USA 54w

Air traffic control
Humberside Airport 323w, 547w
Leeds-Bradford Airport 323w, 547w

Air Training Corps
142–3

Airlines
Competition 10–1
Heathrow Airport 3

Aitken, Mr Jonathan, Minister of State for Defence Procurement
Questions
Anglo-Eastern Maritime, Civil servants' business appointments 604w
Armed forces, Contracts for services 138–9
Armed forces civilians, Liverpool 498–9w
Arms to Iraq Inquiry, Ministry of Defence 285w
Arms trade 187w
Arms trade, South Africa 573w
Army Base Repair Organisation, Contracts for services 128–9w
Challenger tanks 188w
Clyde submarine base, Nuclear submarines 602w
Defence Accounts Agency, Contracts for services 498w
Defence costs study 129w
Defence costs study, Public appointments 129w
Defence equipment, Exports 130w
Defence industries, Hampshire 129w
Defence procurement 127–8w
Defence research 201w
Defence research, Research facilities 605w
Defence research establishments, Noise 605w
Devonport Dockyard, Operating costs 572w
Elite Shipping, Civil servants' business appointments 605w
Front line initiative 573w
Harding, Douglas 604w

Aitken, Mr Jonathan—continued
HMS Valiant, Repairs and maintenance 303w
Hogg Robinson, Civil servants' business appointments 605w
Horseshoe Barracks Shoeburyness, Mines 201w
Martin, Paul 286w
Martin, Paul, Civil service recruitment 285–6w, 606w
Military bands 139
Mines 286w, 572w
Ministry of Defence, Civil service recruitment 573w
Naval bases 141–2
Nuclear disarmament, Russia 128w
Nuclear fuels, Transport of radioactive materials 602–3w
Nuclear submarines, Nuclear fuel reprocessing 303w
Rosyth Dockyard 140–1
Shells, Uranium 132–3w
THORP, Nuclear safeguards 572–3w
Trident submarines, Defence expenditure 127w
Weapons, Testing 573w

Alcoholic drinks
EC internal trade (11.05.94) 421–8

Alcoholic drinks duties
225w, 294w
Beer 293w
EC internal trade 226w

Alexander, Mr Richard
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 466, 472
Tobacco advertising (13.05.94) 523

Ali, Ghazanfer
670–1

Alison, Rt Hon Michael, Second Church Estates Commissioner
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 175–7
Questions
Bishops 37–9w
Church buildings, Theft 549–50
Church Commissioners, Investment 306–7w, 546–7, 550–2
Church Commissioners, Offices 307w
Church of England 546
Clergy, Pay 307w
Redundant churches 552
Women clergy, Pay 306–7w

Allason, Mr Rupert
Questions
Naval bases 141

Allen, Mr Graham
Debates etc.
Immigration (European Economic Area) Order 1994 (09.05.94) 70–4
Questions
EC immigration 337–8w
EU Justice and Home Affairs Council 459w
European Communities, Human rights 551–2w
European Convention on Human Rights 431w
Identity cards 940
Immigration applications, Homosexuality 334–5w
Medical examinations, Immigration controls 516w
Overseas aid, Rwanda 252w
Political refugees 569–70w
Refugees 10w
Ruppert, Bryan 333–4w
South Africa, British residents abroad 285w

Almshouses
Energy conservation 209w

Alton, Mr David
Questions
China, Aid financed trade 30–1w
China, Overseas aid 30w

Alzheimer's disease
Research finance 439w

Ambleside
Planning permission (19.05.94) 1022–32

Ambulance services
594w
Emergency calls 559w
Manpower 558–9w
Scotland 98w

Amendments and new clauses
Civil Rights (Disabled Persons) Bill 1993/94 (09.05.94) 21–3, 211w, 579w
Opposition parties 6w
Parliamentary Counsel 581w
Speaker's rulings and statements (09.05.94) 21–3
Tobacco Advertising Bill 1993/94 257w

Amess, Mr David
Questions
GATT 180w

Amnesties
Firearms 194w

Ancram, Mr Michael, Minister of State, Northern Ireland Office
Questions
Arable area payments scheme, Northern Ireland 48w
Cereals, Northern Ireland 48w, 582–3w
Community care, Northern Ireland health and social services boards 45–6w
Disability living allowance, Northern Ireland 44w
Export of live animals, Republic of Ireland 47w
Fisheries, Northern Ireland 125w
Further education, Northern Ireland 471–2w
Higher education, EC nationals 472w
Higher education, Northern Ireland 472w
Income support, South Down 125w
Invalidity benefits, Northern Ireland 46–7w
Junior hospital doctors, Working hours 43–4w
Milk Marketing Board for Northern Ireland 236w
Neurology, Royal Victoria Hospital Belfast 471w
Northern Ireland health and social services boards, Labour costs 582w
Northern Ireland health and social services boards, Managers 473w
Nurses, Manpower 472–4w
Primary education, Northern Ireland 175w
Sheep, Northern Ireland 126–7w
Students, Northern Ireland 564w

Anderson, Mr Donald
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 180, 183–5, 192
Visiting forces and international headquarters orders (09.05.94) 55–7
Questions
Armed forces, Redundancy 145–6
Building industry, Training 607w

Anderson, Ms Janet
Debates etc.
Tobacco advertising (13.05.94) 523
Questions
Ministry of Defence, Civil service recruitment 573w

Anglo-Eastern Maritime
Civil servants' business appointments 604w

Anglo-Irish Intergovernmental Conference
Civil service manpower 174w

Angola
Peace negotiations 5–6w

Animal products
Rhinoceros 4w

Animal welfare
Transport of animals 295–6w

Anton Piller orders
Scotland 288w

ANZAC landings
Festivals and special occasions 78w
Monuments 308w

Apprentices
363w, 659–62, 664–5

Arab League
see League of Arab States

Arable area payments scheme
40–2w
Northern Ireland 48w
Scotland 51w
Wales 23w

Arable farming
152w
Wales 23w

Armed conflict
Armenia 552w
Azerbaijan 552w
Bosnia-Herzegovina 137–8, 147, 245–6w, 283w, 314–5w
Rwanda 28w, 281w, 671–2
Somalia 281w
Yemen 282–3w, 314w

Armed forces
131–2w, 575w
Clergy 144–5, 576w
Contracts for services 138–9
Homosexuality 603w
Insecticides 384w
Redundancy 145–6, 200w, 286–7w

Armed forces cadets
Finance 186w

Armed forces civilians
146
Harrogate 498–9w
Liverpool 498–9w
Redundancy 145

Armed forces deployment
Belize 131w
Bosnia-Herzegovina 128w, 601w, 952
Goose Bay 499–500w
Macedonia 246w
Military bands 575w
Peace keeping operations 147–8, 574w
Yugoslavia 137

Armed forces discharges
Pregnant women 287–8w

Armed forces housing
Empty housing 285w
Property transfer 130w, 139–40

Armed forces recruitment
Costs 602w
Young people 127w

Armed forces strength
129–30w
Gibraltar 83w

Armenia
Armed conflict 552w

Arms to Iraq Inquiry
Attorney General 221w, 251w
Dept of Trade and Industry 21w, 191w, 389w
Foreign and Commonwealth Office 249–50w, 285w
Ministry of Defence 285w
Prime Minister 78w, 222w, 268w
Treasury 481–2w
Treasury Solicitors Dept 251w

Arms trade
187w
Aid financed trade 305w
Central America 16–8w
Indonesia 307–8
Nuclear weapons 162w, 386w
South Africa 432w, 573w

Arms trade—continued
South America 16–8w

Armstrong, Ms Hilary
Questions
Housing finance 261–2w
Housing finance, Local authorities 262w
Unemployment benefits 503w

Army
Social services 384w

Army Base Repair Organisation
Contracts for services 128–9w

Arnold, Mr Jacques
Debates etc.
EC environmental policy (11.05.94) 333–5, 339
Written questions, Points of order (09.05.94) 126

Arnold, Sir Thomas
Questions
Africa, Structural adjustment 26w
International Monetary Fund, Russia 227w
Motorways 54w
Plutonium 468w
Russia, Know-how Fund 25w

Arts
Handicapped 343w

Arts Council grants
Jazz 93w

Ashdown, Rt Hon Paddy
Debates etc.
Smith, John, Members' deaths (12.05.94) 432
Questions
EC integration 151
Prime Minister's questions 953

Ashton, Mr Joseph
Debates etc.
Tobacco advertising (13.05.94) 521

Assaults on police
North Yorkshire 586w

Assisted areas
Road construction 432w

Assured tenancies
Housing benefits 510w

Asthma
Mid Glamorgan Health Authority 104w
Road traffic 279w
West Glamorgan Health Authority 104w

Atkins, Mr Robert, Minister of State, Dept of the Environment
Debates etc.
EC environmental policy (11.05.94) 356, 360, 372–5
Oral question time intervention (18.05.94) 806
Questions
Air pollution control 504w
Beaches, Pollution control 506w
Beaches, Water pollution 69w
Benzene, Exhaust emissions 514w
Birds of prey, Nature conservation 168w
Cardiff Bay barrage, Environment protection 532w
Climate Change Convention, Air pollution 391w
Economist, Environment protection 391w
Electricity generation, Air pollution 392w
Energy conservation, Almshouses 209w
Energy Conservation Bill 1993/94, Civil service manpower 516w
Energy Conservation Bill 1993/94, Expenditure 167w
Energy Conservation Bill 1993/94, Parliamentary Counsel 512w
Energy Saving Trust 68–9w
Environment Agency 377w, 506w
Environment protection, EC action 391w
Environment protection, Northern Ireland 807
Environment protection, Tourism 261w
European Environment Agency 375w
Fish conservation, EC law 378w

Atkins, Mr Robert—continued
Greenhouse effect 374w, 504w
Hazardous materials, Import controls 390w
Health physics 506w
Integrated pollution control 374w
Ivory, International trade 532–3w
Lighting, Pollution control 116–7w
Nature conservation, EC law 394w
Nitrate sensitive areas 513–4w
Office of Water Services, Consumer protection 261w
Recycling, Government departments 64w
River Doe Lea, River pollution 507w
Road traffic, Exhaust emission controls 392w
Sewers 530w
Special protection areas 373–4w
Sustainable development, UK contributions 65w
UK Ecolabelling Board 510–1w
Waste disposal, Greater London 512w
Waste management 375–6w
Water abstraction, Liability 393–4w
Water and sewerage companies 507w
Water meters, Council housing 810
Water pollution, EC action 375w
Water storage 67–8w
Water supply disconnections 798–9
Water supply industry, Privatisation 392w
Water supply industry, Standards specifications 391–2w
Water treatment, EC law 511–2w

Atkinson, Mr David
Questions
Russia, Overseas aid 25–6w
Western European Union 127w

Atkinson, Mr Peter
Debates etc.
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1090, 1092, 1096, 1099
Inshore Fishing (Scotland) Bill (HL), Rep (20.05.94) 1038, 1042, 1044
Questions
Water treatment, EC law 511w

Atlantic Computers
Dept of Trade inquiries 389w

Attorney General
Arms to Iraq Inquiry 221w, 251w
Cellular phones 173w
Consultants 440w
Internet 173w
Repetitive strain injury 173w

Audiology technicians
Greater London 316–7w

Audit
EC environmental policy (16.05.94) 647–8

Austin-Walker, Mr John
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (18.05.94) 813, (19.05.94) 982–3
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1082–3
Tobacco Advertising Bill, Rep (13.05.94) 459, 507
Tobacco advertising (13.05.94) 524–5
Questions
Carlisle Airport, British Nuclear Fuels 324w
Domestic energy conservation 378w
Family income 222w
Nuclear submarines, Nuclear fuel reprocessing 303w
Safeway, Planning permission 209w
Youth training, Greater London 118w

Average earnings
Women's employment 667

Azerbaijan
Armed conflict 552w

Back pain
Disability living allowance 232w

Badgerline Group
Yorkshire Rider 179w

Balance of trade
294w, 313
Manufactured goods 20w

Baldry, Mr Tony, Parliamentary Under-Secretary of State, Dept of the Environment
Debates etc.
Planning permission, Ambleside (19.05.94) 1026–32
Revenue support grant (18.05.94) 934–8
Water pollution, Worcester (09.05.94) 132–6
Questions
Building industry, Deregulation initiative 506–7w
Construction materials, Imports 115w
Councillors 509–10w
Enterprise zones, Tyne and Wear 394w
Fire prevention, Harrogate 530w
Internet, Dept of the Environment 67w
Local authority powers, Blood sports 377w
Local government, Referenda 808–9
Local government expenditure 531w
Local government reform 806–7
Local government reform, Nottinghamshire 806
Local government services, Contracts for services 505w
Local government staff, Greater Manchester 170w
Opencast mining, Planning permission 505–6w, 801–2
Planning compensation 208w
Planning permission 115w
Planning permission, Demolition 66w
Planning permission, Telecommunications technology 66w
Private detectives, Dept of the Environment 170w
RECHAR, Widdrington 210w
Road traffic, M25 534w
Safeway, Planning permission 209w
Single regeneration budget 208–9w
Southampton City Council, Contracts for services 168w

Bangladesh
Grameen Bank 411w

Banks
Redundancy 117–8w

Banks, Mr Matthew
Debates etc.
MV Braer Inquiry (17.05.94) 684
Sale and Supply of Goods Bill, Rep (20.05.94) 1063, 1071–3
Questions
Armed forces housing, Property transfer 139
Business questions 962
Diplomatic relations 162–3w
Electricity tariffs 317–8
Entry clearances 250w
Heathrow Airport, Airlines 3
Incapacity benefit, Social security benefits rules 357w
Local government reform, Southport 805
Police custody 948
Social Fund 545

Banks, Mr Robert
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 243, 250–1
Tobacco Advertising Bill, Rep (13.05.94) 466–7, 470, 472, 483, 487, 497, 503
Questions
Assaults on police, North Yorkshire 586w
Business questions 965
Council house sales, Harrogate 510w
Drug abuse, Young people 555w
Drug crimes, North Yorkshire 586w
Drugs and crime 587w
Fire prevention, Harrogate 530w
Hotel and catering industry, Manpower 567w
Market overt 303w
New businesses, North Yorkshire 385w
North Yorkshire Training and Enterprise Council 360w

Banks, Mr Robert—continued
North Yorkshire Training and Enterprise Council, Finance 579w
Old people's homes, North Yorkshire 83–4w
Pigmeat, Agricultural subsidies 288w
Pupil-teacher ratios, Harrogate 484w
Strikes, Yorkshire and Humberside 448w
Sustainable development, UK contributions 65w
Take-up of employment, Harrogate 447w

Banks, Mr Tony
Debates etc.
Birds of prey, Points of order (18.05.94) 812
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 324
Oral question time intervention (16.05.94) 548
Questions
Airlines, Competition 10–1
Balance of trade 313
Church buildings, Theft 549–50
Customs, Tortoises 479w
Immigration applications, Homosexuality 453–4w
Network SouthEast, Railway travel 464–5w
Primates 462w

Barking
By election writs (17.05.94) 657
Railway transport 57w

Barnes, Mr Harry
Debates etc.
Business motions (19.05.94) 1017–20
European Communities (16.05.94) 559
Questions
Business questions 965
Charterline 15–6
Cross border cooperation in Ireland, Public bodies 176–7w
Detection rates 193w
Detection rates, Northern Ireland 239w
Sinn Fein, Northern Ireland government 577–8w
Stormont, Property development 238w
Training, Take-up of employment 660–1

Barnsley
Postal services 539–40w

Barnsley and Doncaster Training and Enterprise Council
Directors 358–60w
Expenditure 360w

Barron, Mr Kevin
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 323
Deregulation and Contracting Out Bill, Rep (10.05.94) 220
Private Members' bills, Points of order (13.05.94) 516
Tobacco advertising (13.05.94) 520
Tobacco Advertising Bill, Rep (13.05.94) 448, 452–3, 457, 464–5, 472, 478–9, 481–2, 484, 486–7, 494, 507–11, 514
Questions
Industrial health and safety 166w
Sports sponsorship, Tobacco industry 91–3w
Tobacco Advertising Bill 1993/94, Amendments and new clauses 257w
Unemployment 658–9

Bates, Mr Michael
Debates etc.
Iron and steel industry, Italy (09.05.94) 87, 90–1
Questions
Local government reform, Cleveland 169w
Nurses' training 517w

Batiste, Mr Spencer
Questions
Bosnia-Herzegovina, Armed forces deployment 952
Identity cards 940
Industrial research 318

Battle, Mr John
Questions
"Access to Local Authority and Housing Association Tenancies Consultation Paper" 66w
Assured tenancies, Housing benefits 510w
Development aid 409–10w
Empty housing, Compulsory purchase 114w
Flats over shops initiative 510w
Homelessness 797
Housing associations, Rents 529–30w
Housing revenue accounts 508–9w
Sub-Saharan Africa, Development aid 410–1w

Bayley, Mr Hugh
Questions
Bovine spongiform encephalopathy, Compensation 146–7w
Christmas cards, Welsh Office 479w
Railway accidents 120w

BBC External Services
Government grants 162w

Beaches
Pollution control 506w
Water pollution 69w, 794–5

Beckett, Rt Hon Margaret
Debates etc.
Smith, John, Members' deaths (12.05.94) 431
Questions
Buses, Safety belts 669–70
Post Office, Privatisation 952–3
Railtrack, Offices 436–7w
Railtrack, Railway safety 325w

Beef
EC trade with developing countries 147–9w
Import controls 442w

Beef premiums
(17.05.94) 785–92

Beer
Alcoholic drinks duties 293w

Beggs, Mr Roy
Questions
Electricity tariffs, Northern Ireland 317
Industrial health and safety, Legislation 237–8w
Junior hospital doctors, Working hours 43–4w
Tree planting, Northern Ireland 43w

Beith, Rt Hon A J
Debates etc.
Coal Industry (Restructuring Grants) Order 1994 (19.05.94) 990–2
Energy Conservation Bill, Points of order (13.05.94) 516
Private Members' bills, Points of order (13.05.94) 440
Questions
Civil Rights (Disabled Persons) Bill 1993/94 358w
Dept of the Serjeant at Arms, Manpower 498w
Energy Conservation Bill 1993/94 316
Energy Conservation Bill 1993/94, Civil service manpower 516w
Energy Conservation Bill 1993/94, Parliamentary Counsel 512w
Fishing gear, Scotland 408w
FV Fidelis, Fishing gear 199–200w
House of Commons staff, Industrial tribunals 81–2w
Members' facilities, HC staff 81w
Nuclear review 306–7
RECHAR, Widdrington 210w

Belgium
Gas pipelines 541w

Belize
Armed forces deployment 131w
Foreign relations 82w
Guatemala 5w

Bell, Mr Stuart
Questions
Overseas trade, Malaysia 313–4

Bellingham, Mr Henry
Questions
Crime prevention, Science and technology 568w
Small businesses, East Anglia 180w

Benefits Agency district offices
Management 357w
Nottinghamshire 580–2w

Benn, Rt Hon Tony
Debates etc.
Post Office, Privatisation (19.05.94) 974
Smith, John, Members' deaths (12.05.94) 434
Questions
Business questions 960

Bennett, Mr Andrew F
Debates etc.
Deregulation initiative, Orders and regulations (11.05.94) 380, 384–5, 388, 410–4, 415
EC environmental policy (11.05.94) 347, 352–6
Immigration (European Economic Area) Order 1994 (09.05.94) 65
Tobacco Advertising Bill, Rep (13.05.94) 490–3, 495, 507, 511
Tobacco advertising (13.05.94) 523
Questions
Child Support Agency 351w
Defence review 146
Government assistance to industry, Greater Manchester 182w
Police custody 948
UK Ecolabelling Board 510–1w

Benzene
Exhaust emissions 514w

Berkshire County Council
Dance, George Henry 3w

Berry, Mr Roger
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (10.05.94) 156, (11.05.94) 322, (18.05.94) 814, (19.05.94) 981–2
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1077–8, 1081, 1083, 1085, 1087, 1089, 1092, 1094, 1096–7, 1100
Inshore Fishing (Scotland) Bill (HL), Rep (20.05.94) 1038
Private Members' bills, Points of order (13.05.94) 441
Questions
Business questions 960–1
Civil Rights (Disabled Persons) Bill 1993/94, Amendments and new clauses 579w
Civil Rights (Disabled Persons) Bill 1993/94, Public expenditure 580w
Joint public-private sector ventures 226–7w

Billin
Sco[illegible]h Office 94w

Bio[illegible]ical weapons
I[illegible] 387w

Birds of prey
Nature conservation 168w

Birmingham
Nurses 86w

Birmingham Accident Hospital
Hospital closures 87–8w

Birmingham relief road
433–4w

Birthday telegrams
Costs 357w

Bishops
37–9w

Black Country Development Corporation
673–4

Blackwall
River crossings 120–1w

Blair, Mr Tony
Questions
Drug abuse 942
Firearms, Amnesties 194w
Import controls, Offensive weapons 228w

Bleiloch Inquiry
see Ministry of Defence Police Committee of Inquiry

Blood donors
Creutzfeldt-Jakob dementia 320w

Blood sports
Local authority powers 377w
Trespass 333w

Blood tests
Affiliation 577w

Blunkett, Mr David
Debates etc.
NHS complaints, Points of order (11.05.94) 327
Questions
AIDS, Departmental coordination 557–8w
Ambulance services, Emergency calls 559w
Ambulance services, Manpower 558–9w
Community health services, Expenditure 593w
Dept of Health, Contracts for services 519–20w
Dept of Health, Research finance 593w
Eye tests 421w
Eye tests, Optical charges 1w
Family doctors 421–2w
Family doctors, Pay 559–60w
GP fundholders, Prescriptions 421w
Health authorities, Operating costs 218w
Health service staff, Fringe benefits 417w
Health service staff, Managers 217–8w
Health services 215–6w
HIV infection, Disease control 558w
Hospital waiting lists, Finance 422w
Hospitals, Children 160w, 557w
Mental illness 516w
Mental illness, Medical treatments 419w
NHS, Private investment 557w
NHS reform 559w
NHS trusts, Executives 594w
NHS trusts, Expenditure 272w
NHS trusts, Repairs and maintenance 593–4w
NHS trusts, Sheffield 322w
NHS trusts, Travelling expenses 590w
Nurses' training 593w
Regional health authorities, Finance 218w
Regional health authorities, Manpower 217w
Smoking, Death 421w
Steroid drugs, Drug side effects 214–5w
Surgery, Costs 593w
Tagamet, Expenditure 519w
Tax allowances, Health insurance 528w
Tax yields, Health insurance 528w
Ulcers, Medical treatments 519w
Ulcers, Patients 518–9w
"Your Pocket Guide to Sex" 160–1w

Board of Inland Revenue
see Inland Revenue

Boateng, Mr Paul
Questions
County courts, Complaints 548
Justices' clerks 452w
Justices' clerks, Conditions of employment 306w
Magistrates' courts, Closures 451w
Magistrates' courts committees 243–4w, 451w

Bombings
Lockerbie 247w, 304w, 401w, 956
St Ethelburgas Church 93w, 172w

Bosnia-Herzegovina
Armed conflict 137–8, 147, 245–6w, 283w, 314–5w
Armed forces deployment 128w, 601w, 952

Bosnia-Herzegovina—continued
Peace keeping operations 201w
UN Protection Force 161w

Boswell, Mr Tim, Parliamentary Under-Secretary of State for Education
Questions
Doncaster College 258w
Educational finance, Lancashire 583w
Further education, Student numbers 32–4w
Further education colleges, Educational catering 545w
Further education teachers, Educational qualifications 206w
Higher Education Charter 583w
Higher Education Funding Council for England, Teacher training 309–10w
Mandatory student grants 258w
Postgraduate education, Student grants 412w
Repetitive strain injury, Dept for Education 583w
Science education 112–3w
Universities, Higher education admission 113w

Botnar, Octav
Tax evasion 554w

Bottomley, Mr Peter
Debates etc.
Local Government Etc (Scotland) Bill, Rep (18.05.94) 908–9
Tobacco advertising (13.05.94) 521–2
Questions
Armed forces, Clergy 144–5
Open government 16

Bovine spongiform encephalopathy
Compensation 146–7w

Bovine tuberculosis
Deer 52w
Scotland 52w

Bowden, Mr Andrew
Questions
War widows' pensions 672

Bowis, Mr John, Parliamentary Under-Secretary of State, Dept of Health
Debates etc.
Victoria Hospital Accrington, Maternity hospitals (20.05.94) 1106–10
Questions
Child abuse 416w
Child abuse, Death 320w
Child workers 159w
Children, Death 414w
Children, Local government social services 318–20w
Children in care 269w
Children in care, Gypsies 154w
Children in care, Homelessness 155–6w
Children in care, Per capita costs 155w
Community care, Hospital discharges 320–1w
Counselling 417–8w
Dance, George Henry, Berkshire County Council 3w
Dementia, Staffordshire 157w
Dementia, West Midlands 157w
Drug abuse, Hampshire 321w
Drug abuse, Young people 555w
Hearing aids, NHS charges 419w
HIV infection, Disease control 558w
Hospital discharges, Sunderland 418w
Local government services, Fees and charges 155w
Mental health community care 417–8w
Mental health services 418w
Mental health services, Advisory bodies 418w
Mental health services, Finance 554–5w
Mental health services, Hospitals 160w
Mental illness 516w
Mental illness, Medical treatments 419w
NHS, Information technology 153w
NHS finance, Counselling 84w
Old people's homes, North Yorkshire 83–4w

Bowis, Mr John—continued
Registered homes 3w
Registered homes tribunals 90w
Residential care 88–90w
Residential care, Departmental correspondence 88w
Residential care, North East region 211–2w
Sheltered housing 117w
Social workers, Crimes of violence 556w
Westcliffe Hospital, Hospital beds 156w
Young people, Housing 320w

Boxing
Injuries (10.05.94) 293–300

Bradford
Unemployment 447w

Bradford South
By election writs (17.05.94) 657

Bradley, Mr Keith
Questions
Disability working allowance 233w
Electronic surveillance, Curfews 72w
Incapacity benefit 260w
Incapacity benefit, Medical examinations 172–3w
Income support, Mortgages 24w
Invalidity benefits, Health insurance 438w
Invalidity benefits, Investment income 259–60w
Invalidity benefits, Occupational pensions 259w
Severe disability premium, Social security appeals 135w
Social Fund 545

Brandreth, Mr Gyles
Questions
Armed forces, Clergy 144
Citizen's Charter 15
Crown courts, Child liaison officers 140w
Evidence, Children 139–40w
Police, Chester 949
Training, Expenditure 660

Bray, Dr Jeremy
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 768–9
Questions
Science education 13
Trade competitiveness 312

Brazier, Mr Julian
Debates etc.
EC environmental policy (11.05.94) 339, 342, 356–8
Questions
Armed forces civilians 146
Building regulations, Access to buildings 393w
Inflation 225w
Office of Water Services, Public appointments 393w
Police cautions 947
Private rented housing 798
Social security benefits, Students 535–6

Breast cancer
671

Breast feeding
Health education 516w

Bridges
River Tamar 464w

Bridgewater, Carl
Homicide 193–4w

British Coal Corporation
Privatisation 253w
Redundancy pay 20w

British dependent territories
Environment protection 461w

British Indian Ocean Territory
Ilois 281–2w

British Library
Construction 14w

British National Party
Public order policing 194w

British Nuclear Fuels
Carlisle Airport 324w

British Rail
Company cars 436w
Consultants 7–8
Directors 56–7w
Pay 434–5w, 437w
Privatisation 8, 549w

British residents abroad
South Africa 285w

Brooke, Rt Hon Peter, Secretary of State for National Heritage
Questions
Arts, Handicapped 343w
British Library, Construction 14w
Departmental correspondence 345w
English Heritage, Civil service manpower 413–4w
English Heritage, Employment protection 343–4w
English Heritage, Listed buildings 413w, 461–2w
English Heritage, Property transfer 343w
Film industry, Lighting 462w
Jazz, Arts Council grants 93w
Millennium Commission 413w
Museums and galleries 171–2w
National lottery 91w
National lottery, Public appointments 90–1w
Office of the National Lottery 13w
Parliamentary questions, Dept of National Heritage 537–8w
Radio reception, Llanbrynmair 414w
St Ethelburgas Church, Bombings 93w, 172w
Sports, Identity cards 538w
Sports sponsorship, Tobacco industry 91–3w
Television licences 537w
Television licences, EC action 255w
Theatres, Public houses 93w

Brown, Mr Nicholas
Debates etc.
Deregulation initiative, Orders and regulations (11.05.94) 390–4
Questions
Business statements 257–8w, 957–9

Browning, Mrs Angela
Debates etc.
National Parks Bill (HL), 2R order read (13.05.94) 515
Special education, Codes of practice (09.05.94) 43–5
Questions
Departmental coordination, South West region 168–9w
Handicapped, Discrimination 136w
Road signs 550w

Broxtowe
Council tax 806

Bruce, Mr Ian
Debates etc.
Equal opportunities, EC action (09.05.94) 107–8, 113–5
Questions
Church Commissioners, Investment 550–2
Crime 944–5
Divorce 549
Naval bases 141–2
Public service, Cost effectiveness 14–5
Standard spending assessments 800
Training for work 662–3

Buckinghamshire
Unemployment 447w

Buckley
Property values 424w
Road construction 423–4w

Building industry
Deregulation initiative 389w, 506–7w
Fraud 398w
Investment 479–80w

Building industry—continued
Training 607w
Training and enterprise councils 607w

Building regulations
Access to buildings 393w

Bulgaria
Foreign relations 431w

Burden, Mr Richard
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 210–2, 229–31
Questions
Council tax, Valuation 70w, 481w, 529w
In vitro fertilisation 518w
Royal Orthopaedic Hospital Birmingham, Hospital closures 87–8w
Water meters, Council housing 810

Burns, Mr Simon
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 187
EC environmental policy (11.05.94) 358, 361–2
European Communities (16.05.94) 566–7, 592, 605
Questions
Certificates of tax deposit 254w
Homelessness 797
Office of Electricity Regulation, Public appointments 298w
Railway signals, Repairs and maintenance 12
Sentencing 568–9w
Smart awards 542w
Social security benefits 537–8
Tax assessment 7w
Unemployment 954–5

Burt, Mr Alistair, Parliamentary Under-Secretary of State, Dept of Social Security
Questions
Capital rules, Criminal injuries compensation 136w
Child Support Act 1991 351w
Child Support Agency 350–1w, 438w, 540–1
Child Support Agency, Complaints 437–8w
Child Support Agency, Departmental publications 351–2w
Family credit, Child care 352w
Income support, Mortgages 24w
Income support, Social security benefits reductions 24–6w
Maintenance, Children 136–8w, 172w, 233–6w, 351w, 438w, 523–6w, 541–3
Members' correspondence 439w
Severe disability premium, Social security appeals 135w
Social security benefits, Students 535–6
Unemployment benefits 520–2w

Bus services
Local authorities 57w

Buses
Safety belts 669–70
Safety equipment 594w

Business
Compliance cost assessments 387w
EC law 289w

Business motions
(13.05.94) 575, (17.05.94) 784, (19.05.94) 1017–21

Business premises
Edinburgh 408–9w

Business questions
959–65

Business statements
257–8w, (16.05.94) 553–4, 957–9

Butcher, Mr John
Questions
Affiliation, Blood tests 577w
Small businesses 303

Butler, Mr Peter
Debates etc.
Special education, Codes of practice (09.05.94) 47–8
Questions
Drug abuse 942

Butterfill, Mr John
Debates etc.
Change of use, Public petitions (19.05.94) 1021
European Communities (16.05.94) 616
Post Office, Privatisation (19.05.94) 976

Butterflies
Nature conservation 49w
Scotland 49w

By election writs
Barking (17.05.94) 657
Bradford South (17.05.94) 657
Dagenham (17.05.94) 657
Eastleigh (17.05.94) 657
Newham North-East (17.05.94) 657

Bye laws
Lake Windermere 8w

Byers, Mr Stephen
Questions
Arms to Iraq Inquiry, Attorney General 221w, 251w
Arms to Iraq Inquiry, Dept of Trade and Industry 21w, 191w, 389w
Arms to Iraq Inquiry, Foreign and Commonwealth Office 249–50w, 285w
Arms to Iraq Inquiry, Ministry of Defence 285w
Arms to Iraq Inquiry, Prime Minister 78w, 222w, 268w
Arms to Iraq Inquiry, Treasury 481–2w
Arms to Iraq Inquiry, Treasury Solicitors Dept 251w
Arms trade, South Africa 573w
Building industry, Deregulation initiative 389w
Business, EC law 289w
Crown courts, Juries 245w
Energy conservation, Almshouses 209w
Enterprise zones, Tyne and Wear 394w
Grant maintained schools, Advertising 207w
Prime Minister, Civil service manpower 565–6w
Swan Hunter Shipbuilders 308
Thatcher, Margaret, Malaysia 401–2w

Cable systems
Complaints 300w

Caborn, Mr Richard
Debates etc.
Post Office, Privatisation (19.05.94) 972

Caesarian sections
517w

Callaghan, Mr Jim
Debates etc.
Boxing, Injuries (10.05.94) 293–7

Cameroon
Nigeria 80w

Campbell, Mrs Anne
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 466
Questions
Government research establishments 17
Local government, Subsidiarity 507w
"Rising Tide" 666–7
Water supply disconnections 808

Campbell, Mr Menzies
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 282, 289–91
Smith, John, Members' deaths (12.05.94) 436–7
Questions
Defence 148–9

Campbell, Mr Ronnie
Questions
Unemployment, Costs 227w

Campbell-Savours, Mr D N
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (09.05.94) 21–2, (10.05.94) 157, (11.05.94) 321
Equal opportunities, EC action (09.05.94) 110
National Parks Bill (HL), Points of order (13.05.94) 516
Post Office, Privatisation (19.05.94) 976
Public finance, Points of order (18.05.94) 811
Special education, Codes of practice (09.05.94) 24
Tobacco Advertising Bill, Rep (13.05.94) 454–7, 460–1, 488–9, 492–5, 499, 501
Tobacco advertising (13.05.94) 522
Questions
Business questions 964
Civil Rights (Disabled Persons) Bill 1993/94, Amendments and new clauses 211w
GP fundholders 90w
Health services 271w
Identity cards 939
Income tax 222–3w
JHP Training, National vocational qualifications 661

Campsfield House Detention Centre
Security 257w

Canavan, Mr Dennis
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 707–9, 749, (18.05.94) 821–3, 829, 842–4
Post Office, Privatisation (19.05.94) 978
Smith, John, Members' deaths (12.05.94) 436
Questions
Armed forces recruitment, Young people 127w
Water and sewerage companies 507w

Candidates
Civil service recruitment 272–4w

Cann, Mr Jamie
Questions
Working mothers, Lone parents 445w

Capital allowances
Fishing vessels 143w

Capital gains tax
396–7w

Capital punishment
World War I (18.05.94) 815

Capital rules
221–2w
Criminal injuries compensation 136w

Car leasing
Welsh Development Agency 203w

Carcinogens
Pregnancy 420w

Cardiff Bay barrage
204w
Environment protection 532w

Cardiff Bay Development Corporation
Sports sponsorship 608–9w

Cardiff Prison
Prison overcrowding 74w

Careers and Occupational Information Centre
362w
Disciplinary proceedings 362w

Carlile, Mr Alex
Debates etc.
Equal opportunities, EC action (09.05.94) 103–4, 111–2, 115–6
Post Office, Privatisation (19.05.94) 971–2
Questions
Agricultural subsidies, Wales 429w

Carlile, Mr Alex—continued
Agricultural workers, Wales 22w
Banks, Redundancy 117–8w
Coal mining, Environment protection 20w
Congenital abnormalities, Medical research 212w
Electricity generation, Air pollution 392w
Employment opportunities, Graduates 659
Food labelling, Genetic engineering 294–5w
Food standards, Genetic engineering 295w
Housing acquisition initiative, Wales 476w
Kyrgyzstan, Foreign relations 284w
Land Authority for Wales, Compulsory purchase 101–2w, 185w
"Local Government in Wales - a Charter for the Future White Paper" 107w
Local government reform, Meirionnydd 349w
Meat, Wales 22w
Members' facilities, House of Commons staff 81w
Members' facilities, Opening hours 81w
Nutrition and health 420w
Prisoners, AIDS 141w, 161w
Prisoners, Childbirth 73w
Prisoners, Transsexuals 460w
Radio reception, Llanbrynmair 414w
Rhinoceros, Animal products 4w
Taxis 61w
Transplant surgery, Transgenic animals 420w
Transsexuals, Marriage 379–80w
Veterinary services, Harmonisation of standards 444w
Water abstraction, Liability 393–4w
Water abstraction, Montgomeryshire 202w
Welsh Office, Departmental reorganisation 202w

Carlisle, Mr John
Debates etc.
Private Members' bills, Points of order (13.05.94) 440–1
Tobacco Advertising Bill, Rep (13.05.94) 445, 447, 449, 453, 455–75, 477, 480, 486, 498–9, 510–1, 513–4
Tobacco advertising (13.05.94) 524

Carlisle Airport
British Nuclear Fuels 324w

Carrington, Mr Matthew
Questions
London Underground 55w

Cars
Retail trade 121w

Cash, Mr William
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 228
European Communities (16.05.94) 565, 611–2, 619–21
Tobacco Advertising Bill, Rep (13.05.94) 450–1, 462–3, 468–9, 471, 473, 478, 492, 494

Castlereagh
Fires 48w
Road works 126w

Catford, John
Health Promotion Authority for Wales 584w, 608w

Cellular phones
Attorney General 173w
Chancellor of the Duchy of Lancaster 134w
Departmental correspondence 585w
Dept for Education 584w
Dept of Employment 263w
Dept of Health 590w
Dept of National Heritage 599–600w
Dept of Social Security 353w
Dept of Trade and Industry 15w, 613w
Dept of Transport 119–20w
Home Office 9w
Lord Chancellor's Dept 139w
Lord President of the Council 308w
Ministry of Agriculture Fisheries and Food 199w
Ministry of Defence 133w
Northern Ireland Office 126w
Scottish Office 368–9w
Telephone charges 76w
Treasury 578w
Welsh Office 101w

Cenargo International
548w

Central America
Arms trade 16–8w

Ceramic industries
Export promotion 314

Cereals
Agricultural land 40w, 42w
Agricultural production 551w
Northern Ireland 48w, 582–3w
Scotland 51w
Wales 23–4w

Certificates of tax deposit
254w

Cervical cancer
Screening 215w

Challenger tanks
188w

Chancellor of the Duchy of Lancaster
Cellular phones 134w
Civil servants' business appointments 293w
Internet 63w
Parliamentary questions 62w, 167w

Chancellor of the Exchequer
see Treasury

Change of use
Planning permission (19.05.94) 1021
Public petitions (19.05.94) 1021

Channel tunnel
8
Railway transport 550w
Security 549–50w
Transport of radioactive materials 241w

Charities Board
see National Lottery Charities Board

Charterline
15–6
Costs 440w

Cheese
Production 41–3w

Cheltenham and Gloucester Building Society
Lloyd's Bank 180w

Chemists' shops
Testing 317–8w

Cherished number plates
Driver and Vehicle Licensing Agency 278w
Teledata 281w

Chernobyl
Radiation hazards 300w

Chester
Police 949

Child abuse
416w
Death 320w

Child care
Family credit 352w

Child liaison officers
Crown courts 140w

Child minding
Corporal punishment 364w
Scotland 364w

Child Support Act 1991
Questions
351w

Child Support Agency
350–1w, 438w, 540–1, 543, 669, 955
Complaints 437–8w
Departmental publications 351–2w
Public petitions (16.05.94) 648

Child workers
159w

Childbirth
Prisoners 73w

Children
Death 414w
Evidence 139–40w, 459w
Fares 273–6w
Hospitals 160w, 557w
Liberia 497w
Local government social services 318–20w
Maintenance 136–8w, 172w, 233–6w, 351w, 438w, 523–6w, 540–4
Vaccination 589w

Children Act 1989
Questions
Disabled facilities grants 420–1w

Children in care
269w
Gypsies 154w, 156w
Homelessness 155–6w
Per capita costs 155w

China
Aid financed trade 30–1w
Import controls 611w
Nature conservation 282w
Overseas aid 30w

Chisholm, Mr Malcolm
Debates etc.
Local Government Etc (Scotland) Bill, Rep (18.05.94) 847–8
Questions
Child minding, Corporal punishment 364w
Gas supply industry, Competition 17–9w
Tax yields 226w

Cholera
Somalia 305w

Christmas cards
Welsh Office 479w

Church buildings
Theft 549–50

Church Commissioners
Investment 306–7w, 546–7, 550–2
Offices 307w

Church of Scotland (Properties & Investments) Order Confirmation Bill 1993/94
Debates etc.
3R* (11.05.94) 301
Rep* (10.05.94) 137

Churchill, Mr Winston
Questions
Front line initiative 148, 573w

Citizen's Charter
15, 20, 61w, 189w
Handicapped 577w
Publicity 61–2w

City of London
Financial institutions 226w

City of Westminster
Flood control 371–2w
Tourism 371–3w

Civil defence
Warnings 336–7w

Civil Rights (Disabled Persons) Bill 1993/94
Debates etc.
Amendments and new clauses (09.05.94) 21–3
Members' personal statements (10.05.94) 155
Parliamentary privilege (10.05.94) 156–8, (11.05.94) 321–6
Rep adjourned (20.05.94) 1077–100
Questions
153, 358w, 438w, 523w, 566w, 954, 960–5
Amendments and new clauses 211w, 579w
Legislative drafting 560w

Civil Rights (Disabled Persons) Bill 1993/94—continued
Parliamentary Counsel 210–1w
Public expenditure 580w

Civil servants
Disabled workers 63w
Hong Kong 430w
Ministry of Defence 148

Civil servants' business appointments
Anglo-Eastern Maritime 604w
Chancellor of the Duchy of Lancaster 293w
Dept of Employment 166–7w
Dept of Trade and Industry 20–2w
Elite Shipping 605w
Foreign and Commonwealth Office 82w
Hogg Robinson 605w

Civil servants' secondment
Early retirement 407–8w
Scotland 407–8w
Training and enterprise councils 263w, 360–2w, 503w
West Wales Training and Enterprise Council 579w

Civil service
Contracts for services 16–7
Disclosure of information 303–4w
Efficiency scrutinies 304w

Civil service agencies
Contracts for services 277–8w
Scottish Court Service 93–4w
Teacher training 412w

Civil service dispersal
House purchase 75w

Civil service manpower
Anglo-Irish Intergovernmental Conference 174w
Criminal appeals 194w
Dept of Health 589w
EC institutions 13–4
Energy Conservation Bill 1993/94 516w
English Heritage 413–4w
Greater London 588w
Ministry of Defence 146
NHS Management Executive 589w
Prime Minister 565–6w

Civil service recruitment
Candidates 272–4w
Consultants 134–5w, 439–40w
Martin, Paul 272w, 285–6w, 606w
Ministry of Defence 573w
Office of Water Services 252w

Clapham, Mr Michael
Debates etc.
Coal Industry (Restructuring Grants) Order 1994 (19.05.94) 995–6, 1000
Deregulation and Contracting Out Bill, Rep (10.05.94) 213–4, 252
Tobacco advertising (13.05.94) 524
Questions
Apprentices 664–5
Coal mining, Redundancy 298–9w
Industrial research 318
Postal services, Barnsley 539–40w

Clappison, Mr James
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (20.05.94) 1035

Clark, Dr David
Questions
Anglo-Eastern Maritime, Civil servants' business appointments 604w
Armed forces 131–2w, 575w
Armed forces, Clergy 576w
Armed forces, Redundancy 200w, 286–7w
Armed forces deployment, Peace keeping operations 574w
Bosnia-Herzegovina, Armed conflict 137–8
Challenger tanks 188w
Defence costs study, Public appointments 129w
Elite Shipping, Civil servants' business appointments 605w
Exservicemen, Employment 200w

Clark, Dr David—continued
Front line initiative 144
Harding, Douglas 604w
HMS Polar Circle 187–8w
Hogg Robinson, Civil servants' business appointments 605w
Merchant ships, Military exercises 603–4w
Military bands 576w
Military bands, Armed forces deployment 575w
RAF Dishforth, Defence expenditure 187w
RNSD Copernacre 187w
Sanctions, Iraq 576w
UN Military Staff Committee 574w
UN Protection Force, Sarajevo 574–5w
UN Security Council 554w
United Nations, Defence equipment 553w
United Nations, Defence procurement 553w
United Nations, Information services 574w
United Nations, Peace keeping operations 553w
United Nations, Satellite communications 554w

Clark, Dr Michael
Questions
Nuclear review 307

Clarke, Mr Eric
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 713
MV Braer, Inquiry (17.05.94) 684

Clarke, Rt Hon Kenneth, Chancellor of the Exchequer
Questions
EC economic policy 227–8w
Economic growth 224w
Economic situation 223w
Income tax 222w
Mortgages, Interest rates 223w
World Trade Organisation, Environment protection 527–8w

Clarke, Mr Tom
Questions
Commonwealth Development Corporation 29w

Clelland, Mr David
Debates etc.
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1096
Sale and Supply of Goods Bill, Rep (20.05.94) 1056, 1062–7

Clergy
Armed forces 144–5, 576w
Pay 307w

Cleveland
Local government reform 169w, 531–2w

Clifton-Brown, Mr Geoffrey
Questions
Church Commissioners, Investment 307w
East Gloucestershire NHS Trust 213w
Family planning, Overseas aid 305w
Flood control 144–5w
Flood control, Agricultural land 145–6w
Flood defence committees, Public appointments 39–40w
Food poisoning, Death 158w
Grant maintained schools 484–7w
Hill farming, Environment protection 351w
Income support, Expenditure 545
Konver programme, Cotswold 467w
Local government services, Contracts for services 68w
Planning permission, Demolition 66w
Police Complaints Authority, Evidence 458–9w
Water supply disconnections 799

Climate Change Convention
Air pollution 391w

Closed circuit television
Courts 453w

Closures
Magistrates' courts 451–2w

Clwyd
European Regional Development Fund 21w

Clwyd, Mrs Ann
Debates etc.
Equal opportunities, EC action (09.05.94) 106–13, 122
Tobacco Advertising Bill, Rep (13.05.94) 459
Questions
Libraries, Wales 264w
Women's employment, Average earnings 667

Clyde submarine base
Military exercises 500w
Nuclear submarines 602w

Coal Industry Bill 1993/94
Questions
253w

Coal Industry (Restructuring Grants) Order 1994
Debates etc.
(19.05.94) 984–1001

Coal mine closures
318–20
Water pollution 179w

Coal mining
Environment protection 20w
Redundancy 180w, 298–9w
Redundancy pay 181–2w
Subsidence 301–2
Subsidies 182w

Coastal fishing
Scotland (20.05.94) 1036–53

"Code of Practice on Access to Government Information"
474w

Coe, Mr Sebastian
Question
Secure training centres 942–3

Coffey, Ms Ann
Questions
Homelessness 796–7

Cohabitation
Immigration applications 10–1w

Cohen, Mr Harry
Debates etc.
Homicide (Defence of Provocation) Bill, 1R (17.05.94) 688–90
Questions
London Underground 55w
M11, Environmental impact assessment 119w
Ministry of Defence, Government buildings 132w
Ministry of Defence, Subsistence allowances 132w
Nuclear accidents, Emergency planning 601–2w
Nuclear fuels, Transport of radioactive materials 602w
Nuclear submarines, Emergency planning 602w
Pindar project 132w

Collective bargaining
NHS trusts 367w

Colvin, Mr Michael
Questions
Atlantic Computers, Dept of Trade inquiries 389w
Rabbits, Pest control 441w
South Africa, Arms trade 432w
South Africa, Sanctions 432w

Combat 18
299w

Comber bypass
126w

Commission for the New Towns
Property transfer 208w

Common fisheries policy
Portugal 146w
Spain 145–6w

Common Services Agency
Privatisation 99w

Commons Registration (East Sussex) Bill (HL) 1993/94
Debates etc.
2R* (11.05.94) 301

Commonwealth Development Corporation
29w

Commonwealth War Graves Commission
(16.05.94) 649–56
UK contributions 35w

Community care
Hospital discharges 320–1w
Northern Ireland health and social services boards 45–6w
Scotland 364w

Community charge register
514w
Scotland 561w

Community health services
Expenditure 593w

Companies political contributions
Disclosure of information 179–80w

Company cars
British Rail 436w
Railtrack 436w
VAT 124–5w

Company disclosure of information
Investment 7w

Company investigations
609–12w

Company liquidations
Expenditure 540–1w

Competition
Airlines 10–1
Gas supply industry 17–9w

"Competition and Choice in the Gas Market consultation paper"
17–9w
Complaints
Cable systems 300w
Child Support Agency 437–8w
County courts 548

Compliance cost assessments
Business 387w
Small businesses 385w

Compulsory purchase
Empty housing 114w
Land Authority for Wales 101–2w, 185w
Road construction 425–6w
Wales 425–6w

Computers
National Criminal Intelligence Service 11w
Pornography 946
Sea Fish (Conservation) Act 1992 151–2w

Computers in government departments
Dept of Employment 262–3w

Computers in National Health Service
Scotland 98w

Concessionary fares
Pensioners 279w

Conditions of employment
Family doctors 555w
Justices' clerks 306w

Confiscation orders
Drug crimes 459–60w

Congdon, Mr David
Questions
"Index of Local Conditions" 393w
London First Centre, Regional development grants 389w
Maintenance, Children 542
Young offenders 953

Congenital abnormalities
Medical research 212w

Connarty, Mr Michael
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 733–6, 748, 751–2, (18.05.94) 826, 859–62
Questions
Health services, Pensioners 152

Conservative Party
150

Constituencies
Death rate 84w

Construction materials
Imports 115w

Consultants
Attorney General 440w
British Rail 7–8
Civil service recruitment 134–5w, 439–40w
Dept of Employment 567w
Dept of National Heritage 14w, 599w
Dept of the Environment 70w
Dept of Trade and Industry 300–2w, 611w
Dept of Transport 122w, 549w
Driving Standards Agency 276w
Foreign and Commonwealth Office 554w
Health authorities 268w
Home Office 342w
Information Technology Services Agency 24w
Market Access International 82w
Ministry of Agriculture Fisheries and Food 152w
NHS trusts 268–9w
Office of Passenger Rail Franchising 597–8w
Prime Minister 78w
Scottish Office 99w
Treasury 7–8w, 400w, 528w
Vehicle Inspectorate 276w

Consumer protection
179w
Office of Water Services 261w

Contaminated Land Bill 1993/94
Debates etc.
2R order read (20.05.94) 1101

Contraceptives
Family doctors 588w

Contracts for services
Armed forces 138–9
Army Base Repair Organisation 128–9w
Civil service 16–7
Civil service agencies 277–8w
Council housing management 512–3w
Defence Accounts Agency 498w
Dept of Health 519–20w
Driving Standards Agency 278–9w
Government research establishments 15w
Inland Revenue 399w
Local government services 68w, 505w
NHS trusts 367–8w
Property Services Agency 508w
Shipping 324w
Southampton City Council 168w

Cook, Mr Robin
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 190–4, 196
Post Office, Privatisation (19.05.94) 969–70
Questions
Arms trade, Indonesia 308
Post Office, Privatisation 305–6

Coombs, Mr Anthony
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 252–3
European Communities (16.05.94) 558
Questions
Income tax 222w
Local government 803–4
Road construction, West Midlands 7
Unemployment 665–6

Coombs, Mr Simon
Questions
Business questions 962–3
Inflation 224–5w
Research councils, Finance 13
West coast railway line 55w

Coopers and Lybrand Deloitte
Prisons Ombudsman 381w

Cope, Rt Hon Sir John, Paymaster-General
Debates etc.
Alcoholic drinks, EC internal trade (11.05.94) 424–8
Value Added Tax (Education) Order 1994 (19.05.94) 1002–4, 1014–6
Questions
Alcoholic drinks duties 225w, 294w
Alcoholic drinks duties, Beer 293w
Alcoholic drinks duties, EC internal trade 226w
Arms to Iraq Inquiry, Treasury 481–2w
Cellular phones, Treasury 578w
Consultants, Treasury 528w
Customs, Tortoises 479w
Debts, Developing countries 527w
EC budget 228w
EC grants and loans, Fraud 480w
Import controls, Firearms 229w
Import controls, Offensive weapons 228w
Tax rates and bands 223w
Tax yields, Health insurance 528w
Taxation, Fuels 124w
Value Added Tax (Education) Order 1994 528–9w
VAT 225w
VAT, Company cars 124–5w
VAT, Energy prices 229w
VAT, Foreign tourists 294w

Corbett, Mr Robin
Questions
Bridgewater, Carl, Homicide 193–4w
Criminal appeals, Civil service manpower 194w

Corbyn, Mr Jeremy
Debates etc.
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1099
Marriage (Amendment) Bill, 2R order read (20.05.94) 1102
Trade Description (Amendment) Bill, 2R order read (20.05.94) 1102
Questions
Occupational pensions 540
Railway transport, Barking 57w

Cormack, Mr Patrick
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (20.05.94) 1035
Post Office, Privatisation (19.05.94) 973
Treasure Bill (HL), Points of order (20.05.94) 1102
Questions
Bosnia-Herzegovina, Armed conflict 147

Corporal punishment
Child minding 364w
Crimes of violence 568w

Corporation tax
223w, 394–6w

Corston, Ms Jean
Debates etc.
Equal opportunities, EC action (09.05.94) 110
Questions
Children in care, Gypsies 154w
Children in care, Homelessness 155–6w
Children in care, Per capita costs 155w
Death rate, Constituencies 84w
Health surveys 84w

Cosmetic surgery
515w

Cotswold
Konver programme 467w

Couchman, Mr James
Debates etc.
European Communities (16.05.94) 606–8
Tobacco Advertising Bill, Rep (13.05.94) 445, 451, 457, 474–5, 478, 483, 490–1, 495, 501, 511–2
Questions
Alcoholic drinks duties 225w
Alcoholic drinks duties, Beer 293w
Metropolitan Police, Police firearms 670

Council house sales
Greater London 65w
Harrogate 510w
Local government revenue 169–70w, 508w
Nottinghamshire 65w

Council housing
Empty housing 796
Housing construction 68w
Wales 426w
Water meters 810

Council housing management
Contracts for services 312–3w

Council of Ministers
Documents 552w

Council tax
Broxtowe 806
Greater London 530w
Handicapped 514w
Kent 480w
Richmond-upon-Thames 795
Transitional arrangements 795
Valuation 70w, 480–1w, 529w

Council tax capping
504w

Council Tax Limitation (Sheffield City Council) (Maximum Amount) Order 1994
Debates etc.
(19.05.94) 1017–9

Councillors
509–10w

Counselling
417–8w
NHS finance 84w

County courts
Complaints 548

Court Service
547–8

Courts
Closed circuit television 453w

Courts martial
384w

Cousins, Mr Jim
Questions
Ambulance services 594w
Arms trade, Central America 16–8w
Dept of Trade and Industry, Sponsorship 16w
Group of Ten 6w
Post Office, Privatisation 310
United Kingdom Atomic Energy Authority 180–1w
United Kingdom Atomic Energy Authority, Manpower 76w

Coventry Airport
Night flying 547w

Cox, Mr Tom
Questions
Armed forces housing, Empty housing 285w
Arms trade 187w
Cars, Retail trade 121w
Child Support Agency 350–1w
Citizen's Charter, Handicapped 577w
Council house sales, Greater London 65w
Cyprus, Foreign relations 401w
Evidence, Children 453w
Exhaust emission controls, Motor vehicle testing 379w
Guppy, Darius 586w
Health service staff, Temporary employment 416w
Human rights 600w

Cox, Mr Tom—continued
Kashmir, Human rights 469w
Kenya, Overseas aid 184w
NHS trusts 590w
Police training 72w
Prisoners, Drug abuse 339w
Rent assessment panels 115–6w
Road construction, Greater London 121w
Wages councils 448w
Wandsworth Health Authority, Executives 517–8w
War pensions, Falkland Islands 259w
Waste disposal, Greater London 512w
Youth courts, Ethnic minorities 244w

Creutzfeldt-Jakob dementia
Blood donors 320w

Crime
11w, 944–6
Sentencing 570w

Crime prevention
568w, 950
Ellesmere Port 949–50
Entertainment licensing 560–1w
Nottingham 945
Science and technology 568w

Crimes of violence
Corporal punishment 568w
London Transport 121–2w, 325w
Social workers 556w

Criminal appeals
Civil service manpower 194w
Dunning, Colin Ivor 454w

Criminal injuries compensation
331–3w
Capital rules 136w

Criminal Justice and Public Order Bill 1993/94
Questions
72w, 568w, 585w

Cross border cooperation in Ireland
Public bodies 176–7w

Crossrail
596w
Expenditure 323w

Crossrail Bill 1991/92
Questions
596w, 669

Crown courts
Child liaison officers 140w
Juries 245w

Croydon
Local government elections 151–2

Cumbria
Local government reform 809–10

Cummings, Mr John
Questions
ANZAC landings, Festivals and special occasions 78w
ANZAC landings, Monuments 308w
Armed forces cadets, Finance 186w
HC staff, Industrial tribunals 81–2w
Ministers' domestic visits, Easington 15w
Police, Peterlee 9w
Residential care, North East region 211–2w
Special constables, Peterlee 73–4w
Theatres, Public houses 93w

Cunliffe, Mr Lawrence
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 180–2, 190

Cunningham, Mr Jim
Questions
Balance of trade 294w
Bangladesh, Grameen Bank 411w
Child Support Agency 350w
Children Act 1989, Disabled facilities grants 420–1w
Disabled facilities grants 321w
EC budget 228w
EC economic policy 227–8w
Overseas aid 411w

Cunningham, Mr Jim—continued
Probation hostels 380w

Curfews
Electronic surveillance 72w

Curriculum
Educational assessment 411–2w
History education 34w
Wales 536w

Curry, Mr David, Minister of State, Dept of the Environment
Questions
Community charge register 514w
Council tax, Greater London 530w
Council tax, Handicapped 514w
Council tax, Richmond-upon-Thames 795
Council tax, Transitional arrangements 795
Council tax, Valuation 70w
Council tax capping 504w
Dept of the Environment, Deregulation initiative 505w
EC Committee of the Regions, Local government reform 170w
Flood control, City of Westminster 371–2w
Local government 804–6
Local government, Subsidiarity 507w
Local government finance, Greater London 530–2w
Local government reform 169w, 810
Local government reform, Cleveland 169w, 531–2w
Local government reform, Cumbria 809–10
Local government reform, Local government pensions 375w
Local government reform, Southport 805
Local government revenue 504–5w
Local government revenue, Council house sales 169–70w
Local government services, Contracts for services 68w
Local government services, Performance standards 507w
Local government social services, Local government reform 3–4w
Standard spending assessments 799–801
Standard spending assessments, Education 800
Tourism, City of Westminster 371–3w
Tower Hamlets Borough Council 506w
Westminster City Council, Local government finance 372w

Customs
Tortoises 479w

Cyprus
Foreign relations 401w

Dafis, Mr Cynog
Questions
Curriculum, Wales 536w
EC Committee of the Regions 166w
Energy Conservation Bill 1993/94 316–7
Energy Conservation Bill 1993/94, Expenditure 167w
Gas supply industry, Energy conservation 253w
Grant maintained schools, Government grants 31–2w
Grant maintained schools, Voting methods 487–96w
Grant maintained schools, Wales 107w, 477–8w
Housing associations, Wales 425–30w
Housing subsidies, Wales 102–4w
Inland Revenue, Welsh language 123–4w
Maintenance, Children 136–8w
Planning permission, Wales 477–8w
Science and technology research, Wales 18
Strategic development scheme, Wales 346–50w

Dagenham
By election writs (17.05.94) 657

Dalyell, Mr Tam
Debates etc.
Amendments and new clauses, Points of order (17.05.94) 784

Dalyell, Mr Tam—continued
Local Government Etc (Scotland) Bill, Rep (17.05.94) 713, 725, 750, 754, 775–6, (18.05.94) 819, 836–7, 839, 869–70, 879, 915–6
MV Braer Inquiry (17.05.94) 682
Oral question time point of order (19.05.94) 956
Questions
British dependent territories, Environment protection 461w
British Indian Ocean Territory, Ilois 281–2w
Export licensing, Iraq 182w
Foetal tissue, Medical research 556w
Glenfeshie Estate 164w
Helicopters, Iraq 130–1w
Hound Point Terminal, Industrial health and safety 567w
Iraq, International Red Cross 184w
Iraq, Water supply 221w
Local government reform, Costs 254–5w
Lockerbie, Bombings 304w, 401w, 956
Police, Official visits 163w

Dance, George Henry
Berkshire County Council 3w

Darling, Mr Alistair
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 285–6

Dartford
Unemployment 446w

Data banks
Energy analysis 612w

Data networks
Pornography 585w

Date marking
Prescription drugs 318w

Davidson, Mr Ian
Debates etc.
Local Government Etc (Scotland) Bill, Rep (18.05.94) 819–20, 880–1
Questions
Air routes, USA 54w
Armed forces deployment, Belize 131w
Belize, Foreign relations 82w
Doctors' list of patients 87w

Davies, Mr Bryan
Questions
Public transport, Urban areas 54w

Davies, Rt Hon Denzil
Debates etc.
European Communities (16.05.94) 591–4
Questions
Planning inquiries, Llanelli 104w

Davies, Mr Quentin
Debates etc.
European Communities (16.05.94) 625–30
Tobacco Advertising Bill, Rep (13.05.94) 456, 458, 468
Questions
Prescriptions, Expenditure 555w

Davies, Mr Ron
Questions
Asthma, Mid Glamorgan Health Authority 104w
Carcinogens, Pregnancy 420w
Diethylstilbestrol 419–20w
Hospital admissions, Wales 104–5w
Local government reform, Vale of Glamorgan 429–30w
Milk marketing scheme 295w
Sheep scab, Wales 429w
Unemployment, Wales 186w

Davis, Mr David, Parliamentary Under-Secretary of State, Office of Public Service & Science
Questions
Charterline 15–6
Charterline, Costs 440w
Citizen's Charter 15, 20, 61w
Citizen's Charter, Publicity 61–2w

Davis, Mr David—continued
Civil servants, Disabled workers 63w
Civil service, Contracts for services 16–7
Civil service recruitment, Consultants 134–5w, 439–40w
EC institutions, Civil service manpower 13–4

Davis, Mr Terry
Questions
Child Support Agency 438w
HMS Valiant, Repairs and maintenance 303w

Day care of children
Palace of Westminster 414w

Dearing Review
Costs 207w

Death
Child abuse 320w
Children 414w
Fires 334w
Food poisoning 158w
Paracetamol 587w
Railway accidents 278w
School transport 595w
Smoking 421w

Death rate
Constituencies 84w

Debts
226w, 397w
Developing countries 527w

Deer
Bovine tuberculosis 52w

Defence
148–9

Defence Accounts Agency
Contracts for services 498w

Defence costs study
129w
Public appointments 129w

Defence equipment
Exports 16w, 130w
United Nations 553w

Defence estimates
131w

Defence expenditure
35–6w
RAF Dishforth 187w
Trident submarines 127w

Defence industries
Hampshire 129w

Defence procurement
127–8w
United Nations 553w

Defence research
201w
Research facilities 605w

Defence research establishments
Noise 605w

Defence review
146

Defence Scientific Advisory Council
Public appointments 500–2w

Degrees
Science and technology 189w

Dementia
Staffordshire 157w
West Midlands 157w

Demolition
Planning permission 66w

Denham, Mr John
Questions
Defence industries, Hampshire 129w
Drug abuse 321w
Drug abuse, Hampshire 321w
Drugs and crime, Hampshire 335w
Homelessness 506w
World Bank, Disclosure of information 304w

Dental technicians
2w

Dentures
2w

Departmental coordination
AIDS 557–8w
Fire prevention 387–8w
South West region 168–9w

Departmental correspondence
345w
Cellular phones 585w
Mann, Ian 585w
Preston, Peter 469w
Prime Minister 39w
Residential care 88w

Departmental leaflets
Scottish Office Education Dept 562w

Departmental publications
Child Support Agency 351–2w
Integrated pollution control 423–4w
Ministry of Agriculture Fisheries and Food 606w

Departmental reorganisation
Welsh Office 202w, 204–5w

Departmental responsibilities
Exservicemen 268w

Deportation
Metropolitan Police 584w
Restraint equipment 379w

Dept for Education
Cellular phones 584w
Internet 113w
Repetitive strain injury 583w

Dept of Employment
Cellular phones 263w
Civil servants' business appointments 166–7w
Computers in government departments 262–3w
Consultants 567w
Internet 166w
Private detectives 165–6w, 263w
Security industry 165–6w

Dept of Health
Cellular phones 590w
Civil service manpower 589w
Contracts for services 519–20w
Internet 1w
Press releases 159w
Public expenditure 592–3w
Research finance 593w

Dept of National Heritage
Administrative costs 13w, 600w
Cellular phones 599–600w
Consultants 14w, 599w
Internet 14w
Parliamentary questions 537–8w
Private detectives 14w
Security industry 14w

Dept of Social Security
Cellular phones 353w
Internet 24w
Management consultants 352–3w
Members' personal statements (10.05.94) 155
Parliamentary Counsel 260–1w
Private detectives 232–3w
Public expenditure 580w
Security industry 232–3w

Dept of the Environment
Consultants 70w
Deregulation initiative 505w
Internet 67w
Private detectives 65w, 170w
Security industry 65w

Dept of the Serjeant at Arms
Manpower 498w

Dept of Trade and Industry
Arms to Iraq Inquiry 21w, 191w, 389w
Cellular phones 15w, 613w
Civil servants' business appointments 20–2w

Dept of Trade and Industry—continued
Consultants 300–2w, 611w
Internet 75w
Parliamentary questions 609w
Public expenditure 614w
Sponsorship 16w

Dept of Trade inquiries
Atlantic Computers 389w

Dept of Transport
Cellular phones 119–20w
Consultants 122w, 549w
Government contracts 432–4w
Internet 58w
Operating costs 58w
Private detectives 547–8w
Public expenditure 597w

Derbyshire
Youth training 661

Deregulation and Contracting Out Bill 1993/94
Debates etc.
(11.05.94) 380–419
Business questions (16.05.94) 553
Rep (10.05.94) 161–292

Deregulation initiative
Building industry 389w, 506–7w
Dept of the Environment 505w
Orders and regulations (11.05.94) 380–419

Detection rates
193w
Northern Ireland 239w

Deva, Mr Nirj Joseph
Debates etc.
Royal Military School of Music, Kneller Hall (13.05.94) 529–30
Questions
Air pollution control 809
"Competition and Choice in the Gas Market Consultation Paper" 17–9w
Council tax, Greater London 530w
Electric cables, North Yorkshire 191–2w
"Energy Technologies for the UK" 192w
Foreign investment in UK 152
Local government finance 398w
Local government finance, Taxation 388w

Developing countries
Debts 527w

Development aid
409–10w
Sub-Saharan Africa 410–1w

"Developments in the European Community Six Monthly Report"
(16.05.94) 556–647

Devlin, Mr Tim
Debates etc
EC environmental policy (11.05.94) 332, 339, 343, 352
MV Braer Inquiry (17.05.94) 685
Questions
A66, Road works 8–9
Public service, Cost effectiveness 14
Regional selective assistance, North East region 310–1
Single regeneration budget 803

Devonport Dockyard
Operating costs 572w

Dewar, Mr Donald
Questions
Income support, Social security benefits reductions 24–6w
Independent Living 1993 Fund 135–6w
Maintenance, Children 542
Social security benefits 521–2w
Unemployment benefits 520–2w
Wandsworth Health Authority, Speech therapists 316w

Dickens, Mr Geoffrey
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 321–2
Deregulation and Contracting Out Bill, Rep (10.05.94) 227–8

Dickens, Mr Geoffrey—continued
Local Government Etc (Scotland) Bill, Rep (18.05.94) 911–2
Questions
Church buildings, Theft 550
Government research establishments 18
Water supply disconnections 798–9

Dicks, Mr Terry
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 325
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1084, 1093, 1096, 1098, 1100
Questions
European Passenger Services 59w

Diethylstilbestrol
419–20w

Diplomatic relations
162–3w

Dir77/388/EEC
12–3w

Dir94/16/EEC
316w

Director General of Electricity Supply
see Office of Electricity Regulation

Director General of the National Lottery
see Office of the National Lottery

Director General of Water Services
see Office of Water Services

Director of Passenger Rail Franchising
see Office of Passenger Rail Franchising

Directors
Barnsley and Doncaster Training and Enterprise Council 358–60w
British Rail 56–7w
Railtrack 56–7w

Disability living allowance
Back pain 232w
Mentally handicapped 537w
Mentally ill 537w
Northern Ireland 44w
Social security appeal tribunals 537w

Disability working allowance
233w

Disabled facilities grants
321w
Children Act 1989 420–1w

Disabled workers
659–60
Civil servants 63w
Prime Minister 565–6w

Disaster relief
Ethiopia 79w

Disciplinary proceedings
Careers and Occupational Information Centre 362w
Teachers 34–5w
Welsh Office 204w

Discrimination
Handicapped 136w

Disease control
Foot and mouth disease 289–90w
HIV infection 558w
Import of live animals 289w

District rates
Northern Ireland 472w

Divorce
548–9
Family conciliation services 548–9

Dixon, Mr Don
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 474

Dobson, Mr Frank
Debates etc.
MV Braer Inquiry (17.05.94) 677–8
Questions
British Rail, Privatisation 8

Dobson, Mr Frank—continued
Office of Passenger Rail Franchising, Consultants 597–8w
Railway travel 598–9w

Doctor-patient ratios
Hospital consultants 97–8w

Doctors' list of patients
87w
GP fundholders 215w

Domestic energy conservation
378w

Donaldson Inquiry
see MV Braer Inquiry

Doncaster College
258w

Donohoe, Mr Brian H
Questions
Private detectives, Dept of Employment 165–6w
Private detectives, Dept of National Heritage 14w
Private detectives, Dept of the Environment 65w
Private detectives, Northern Ireland Office 43w
Vehicle Inspectorate, Operating costs 325–32w

Dorchester
Railway network 59w

Dorrell, Mr Stephen, Financial Secretary to the Treasury
Questions
Building industry, Fraud 398w
Capital allowances, Fishing vessels 143w
Capital gains tax 396–7w
Consultants, Treasury 400w
Corporation tax 223w, 394–6w
Identity cards 397w
Income tax 222–4w
Inland Revenue, Contracts for services 399w
Inland Revenue, Welsh language 123–4w
Investment, Building industry 479–80w
Joint public-private sector ventures 226–7w
National insurance contributions 396w
PAYE 397w
Personal savings, Republic of Ireland 125w
Public expenditure 226w
Schedule D income tax 395–6w
Tax allowances, Health insurance 528w
Tax allowances, Maintenance 578w
Tax assessment 7w
Tax burden 223w
Tax yields 226w

Douglas-Hamilton, Lord James, Parliamentary Under-Secretary of State, Scottish Office
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 265, 281–5
Local Government Etc (Scotland) Bill, Rep (17.05.94) 691–2, (18.05.94) 828–30, 838–40, 850–2, 870–1, 881–3, 886–7, 913–6
Questions
Anton Piller orders, Scotland 288w
Emergency planning, Scotland 366w
Entertainment licensing, Crime prevention 560–1w
Further education colleges, Scotland 403w
Gifted children, Scotland 364w
Police 94w
Police, Lost working days 404w
Police, Official visits 163w
Police, Performance related pay 365w
Police authorities, Local government reform 94w
Pre-school education, Scotland 163w
Primary education, School population 163w
Prison population, South Yorkshire 402w
Prisoners, Scotland 95–7w

Douglas-Hamilton, Lord James—continued
Private education, Scotland 368w
Skye bridge, Nature conservation 50–1w
Strathclyde Passenger Transport Authority 363w

Dounreay
467w
Nuclear fuel reprocessing 611–2w

Dowd, Mr Jim
Questions
East London railway line 12

Drift nets
EC action 40w, 291–2w

Driver and Vehicle Licensing Agency
Cherished number plates 278w
Teledata 278w, 281w

Driving licences
239w
Photographs 323w

Driving Standards Agency
Consultants 276w
Contracts for services 278–9w

Driving tests
60w

Droughts
Ethiopia 79w

Drug abuse
321w, 941–2
Hampshire 321w
North Yorkshire 555w
Prisoners 339w
Temazepam 379w
Young people 555w, 569w

Drug crimes
Confiscation orders 459–60w
North Yorkshire 586w

Drug side effects
Steroid drugs 214–5w

Drug Trafficking Offences Act 1986
Questions
459w

Drugs and crime
153–4, 587w
Hampshire 335w

Duncan, Mr Alan
Questions
Apprentices 661–2

Duncan Smith, Mr Iain
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 248
European Communities (16.05.94) 615, 634–6
Questions
Bosnia-Herzegovina, Armed conflict 147
EC countries, Fines 82w
Lorries, Greater London 54–5w
Part-time employment 446w

Dunn, Mr Bob
Questions
Channel tunnel, Railway transport 550w
Freightliner, Privatisation 186w
Gas tariffs 304
Road traffic control 9
Standing Advisory Committee on Trunk Road Assessment 594w
Unemployment, Dartford 446w

Dunnachie, Mr Jimmy
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 722
Questions
Child Support Agency 669
Myalgic encephalomyelitis, Social security benefits rules 135w

Dunning, Colin Ivor
Criminal appeals 454w

Dunwoody, Mrs Gwyneth
Questions
British Rail, Company cars 436w
British Rail, Consultants 7–8
British Rail, Directors 56–7w
British Rail, Pay 434–5w, 437w
Civil service agencies, Contracts for services 277–8w
Dept of Transport, Operating costs 58w
Driving Standards Agency, Consultants 276w
Driving Standards Agency, Contracts for services 278–9w
Marine Safety Agency, Relocation of employees 322w
Rail Regulator, Pay 435w
Road safety, Research 239–40w
Road traffic offences 324–5w
Shipping, Contracts for services 324w
Television licences, EC action 255w
Transport Research Laboratory, Privatisation 58w
Vehicle Inspectorate 57–8w

Durant, Sir Anthony
Questions
Local government, Referenda 809

Dykes, Mr Hugh
Questions
Motor industry, Restrictive trade practices 613–4w
Post Office, Privatisation 310

Dyslexia
Wales 422–3w

Eagle, Ms Angela
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 448
Questions
Armed forces civilians, Liverpool 498–9w
Defence Accounts Agency, Contracts for services 498w
Trade union membership 668–9

Early retirement
Civil servants' secondment 407–8w
Teachers 205–6w

Easington
Ministers' domestic visits 15w

East Anglia
Small businesses 180w

East Gloucestershire NHS Trust
213w

East London
Public transport 55–6w

East London railway line
12

East Midlands
Regional enterprise grants 465–7w
Regional selective assistance 465–7w
Single regeneration budget 504w

East Midlands Electricity
298w
Yorkshire Electricity Board 298w

East Sussex Health Authority
Paediatrics 317w

East Timor
Human rights 315w
Indonesia 283–4w

Eastham, Mr Ken
Questions
Capital rules 221–2w

Eastleigh
By election writs (17.05.94) 657

Eastwood District Council
Public appointments 51–2w

EC accession
(16.05.94) 104
Environment protection 284w
Norway 442–3w

EC action
Drift nets 40w, 291–2w

EC action—continued
Environment protection 391w
Goods vehicles (11.05.94) 379
Museums and galleries 345w
Roads 175w
Television licences 255w
Tourists 12–3w
Water pollution 375w

EC budget
228w

EC Committee of the Regions
166w
Local government reform 170w

EC Cons Doc 7909/92
(16.05.94) 647–8

EC Cons Doc 10166/93
(09.05.94) 75–99

EC Cons Doc 11101/93
(16.05.94) 556–647

EC Cons Doc 11317/93
(09.05.94) 75–99

EC countries
Fines 82w
Identity cards 336w
Security 499w

EC Draft 6703/88
(09.05.94) 100–26

EC Draft 11504/93
(11.05.94) 379

EC economic policy
227–8w

EC enlargement
431w

EC environmental policy
Audit (16.05.94) 647–8
Opposition days (11.05.94) 332–79

EC grants and loans
Fraud 480w
Welsh districts 105–6w

EC immigration
337–8w
Treaties 193w

EC Industry Council
Iron and steel industry 76w

EC institutions
Civil service manpower 13–4

EC integration
151–3

EC internal trade
Alcoholic drinks (11.05.94) 421–8
Alcoholic drinks duties 226w

EC law
Business 289w
Environment protection 793–4
Equal opportunities 565w
Fish conservation 378w
Legislation 441w
Mineral waters 262w
Nature conservation 394w
Water treatment 511–2w

EC nationals
Higher education 472w

EC Social Charter
445w

EC trade with developing countries
Beef 147–9w

Ecolabelling
510–1w

Economic growth
224w, 227w, 672–3

Economic policy
South Africa 956

Economic situation
150–1, 223w, 226w

Economist
Environment protection 391w

Edinburgh
Business premises 408–9w

Education
Standard spending assessments 800
VAT exemptions (19.05.94) 1002–16

Education (Admission to Higher Education) Bill 1993/94
Debates etc.
1R (18.05.94) 816–8

Education (National Curriculum) (Foundation Subjects at Key Stage 4) Order 1994
Debates etc.
(10.05.94) 158

Educational assessment
Curriculum 411–2w
Higher education admission (18.05.94) 816–8
Special education (09.05.94) 24–52

Educational catering
Further education colleges 545w

Educational finance
Lancashire 583w

Educational psychology
Manpower 545w

Educational qualifications
Further education teachers 206w

Efficiency scrutinies
Civil service 304w

***Eggar, Mr Tim**, Minister for Energy*
Debates etc.
Coal Industry (Restructuring Grants) Order 1994 (19.05.94) 984, 998–1001
Questions
British Coal Corporation, Privatisation 253w
British Coal Corporation, Redundancy pay 20w
Cellular phones, Dept of Trade and Industry 15w, 613w
Chernobyl, Radiation hazards 300w
Coal mine closures 318–20
Coal mine closures, Water pollution 179w
Coal mining, Redundancy 180w, 298–9w
Coal mining, Redundancy pay 181–2w
Coal mining, Subsidence 301–2
Coal mining, Subsidies 182w
"Competition and Choice in the Gas Market Consultation Paper" 17–9w
Consultants, Dept of Trade and Industry 300–2w, 611w
Dept of Trade and Industry, Sponsorship 16w
Dounreay 467w
Dounreay, Nuclear fuel reprocessing 611–2w
East Midlands Electricity 298w
East Midlands Electricity, Yorkshire Electricity Board 298w
Electric cables, North Yorkshire 191–2w
Electricity interconnectors 75w
Electricity interconnectors, France 15w
Electricity tariffs 178w, 317–8
Electricity tariffs, Northern Ireland 317
Energy analysis, Data banks 612w
Energy Conservation Bill 1993/94 316–7
"Energy Technologies for the UK" 192w
Frigg gas field, Treaties 542w
Gas meters 303–4
Gas pipelines, Belgium 541w
Gas supply industry, Competition 17–9w
Gas supply industry, Energy conservation 253w
Gas tariffs 19w, 304, 385–6w
Internet, Dept of Trade and Industry 75w
Joint Nature Conservation Committee, Petroleum exploration licences 468w
Nuclear Electric, Privatisation 316
Nuclear fuel reprocessing, Conferences 612w
Nuclear power, Nuclear review 306
Nuclear review 306–7, 543–4w
Office of Electricity Regulation, Public appointments 298w

***Eggar, Mr Tim**—continued*
Office of Water Services, Civil service recruitment 252w
Offshore fixed platforms, Overseas workers 388w
Petrol, Prices 183w
Petroleum exploration licences 179w, 388w
Pipelines, Law of the sea 541w
Plutonium 468w
Public expenditure, Dept of Trade and Industry 614w
Renewable Energy Advisory Committee, Public appointments 296–8w
Sellafield, Nuclear fuel reprocessing 387w
THORP, Police 77w
United Kingdom Atomic Energy Authority, Manpower 76w
United Kingdom Atomic Energy Authority, Radioactive waste disposal 612w
United Kingdom Atomic Energy Authority Constabulary 77w
United Kingdom Atomic Energy Authority Constabulary, Ministry of Defence Police Committee of Inquiry 77w
United Kingdom NIREX, Police 77w
Wave power 181w
Wind power, Orkney 544w

Eland House
63w

Elections
195w

Electric cables
North Yorkshire 191–2w

Electricity generation
Air pollution 392w

Electricity interconnectors
75w
Europe 15w
France 15w

Electricity tariffs
178w, 317–8
Northern Ireland 317

Electronic mail
Government departments 401w
Written questions 6w

Electronic surveillance
Curfews 72w

Elite Shipping
Civil servants' business appointments 605w

Ellesmere Port
Crime prevention 949–50

Elletson, Mr Harold
Debates etc.
EC environmental policy (11.05.94) 364–7
Questions
Armenia, Armed conflict 552w

Emergency calls
Ambulance services 559w

Emergency planning
Nuclear accidents 601–2w
Nuclear submarines 601–2w
Scotland 366w

Emery, Rt Hon Sir Peter
Debates etc.
Business questions (16.05.94) 553
Deregulation and Contracting Out Bill, Rep (10.05.94) 174–5, 179, 193
Deregulation initiative, Orders and regulations (11.05.94) 380–6, 390–1, 393, 406–8
Official Report, Points of order (13.05.94) 439
Post Office, Privatisation (19.05.94) 975
Smith, John, Members' deaths (12.05.94) 434
Suckler cow premiums (17.05.94) 785–6, 790, 792
Tobacco Advertising Bill, Rep (13.05.94) 468, 486, 488–9, 512–3
Tobacco advertising (13.05.94) 521

***Emery, Rt Hon Sir Peter**—continued*
Questions
Business questions 965
Gas tariffs 304
House of Commons procedure 307–8w.
"Procedure Select Committee Report on Scrutiny of Deregulation Orders" 6w

Employees' contributions
36–8w

Employment
363w, 446w
Economic regions 663
Exservicemen 200w
Gwynedd 185w
North West region 663–4
Statistics 658
Warwickshire 657–8
West Midlands 447w
Yorkshire and Humberside 447w

Employment Appeal Tribunal
362w, 446w

Employment by sector
229w

Employment opportunities
Foreign investment in UK 183w
Graduates 659

Employment protection
English Heritage 343–4w
Glasgow Royal Infirmary NHS Trust 363w, 402w
Local government reform 366w
Part-time employment 448w
Yorkhill NHS Trust 363w, 402w

Employment Protection (Government Communications Headquarters) Bill 1993/94
Debates etc.
2R order read (20.05.94) 1101

Employment schemes
Scotland 561w

Empty housing
Armed forces housing 285w
Compulsory purchase 114w
Council housing 796

Energy analysis
Data banks 612w

Energy conservation
Almshouses 209w
Gas supply industry 253w

Energy Conservation Bill 1993/94
Debates etc.
Order for resuming adjourned consideration read (13.05.94) 515
Questions
316–7
Civil service manpower 516w
Expenditure 167w
Parliamentary Counsel 512w

Energy prices
VAT 229w

Energy Saving Trust
68–9w

"Energy Technologies for the UK"
192w
English Channel
Shipping accidents 322–3w

English Heritage
Civil service manpower 413–4w
Employment protection 343–4w
Listed buildings 413w, 461–2w
Property transfer 343w

Enright, Mr Derek
Debates etc.
European Communities (16.05.94) 556–7, 561, 608, 614–20
Oral question time intervention (09.05.94) 14
Tobacco Advertising Bill, Rep (13.05.94) 460
Questions
Citizen's Charter 20

Enright, Mr Derek—continued
Higher Education Funding Council for England, Teacher training 309–10w
Road traffic control 9
Teacher Training Agency 310w
Teaching as a Career Unit 309w
Territorial Army 142

Enterprise zones
Tyne and Wear 394w

Entertainment licensing
Crime prevention 560–1w
Scotland 560–1w

Entry clearances
250w

Environment Agency
377w, 506w
Northern Ireland 44w

Environment protection
British dependent territories 461w
Cardiff Bay barrage 532w
Coal mining 20w
EC accession 284w
EC action 391w
EC law 793–4
Economist 391w
Hill farming 551w
Kuwait 314w
Lappel Bank 532w
Northern Ireland 807
Opposition days (11.05.94) 332–79
Tourism 261w
World Trade Organisation 527–8w

Environmental impact assessment
M11 119w

Equal opportunities
EC law 565w
Sex discrimination (09.05.94) 100–26

Estate management
NHS 83w

Etherington, Mr Bill
Questions
Export of live animals, Veterinary services 462w
Hospital discharges, Sunderland 418w

Ethiopia
Disaster relief 79w
Droughts 79w

Ethnic groups
Kosovo 284w

Ethnic minorities
Government grants to local authorities 255–6w, 342w, (11.05.94) 420, 457w
Housing (Right to Manage) Regulations 1994 114–5w
Public petitions (11.05.94) 420
Single regeneration budget 255w
Youth courts 244w

EU Justice and Home Affairs Council
459w

Europe
Electricity interconnectors 15w

European Agricultural Guidance and Guarantee Fund
Wales 476–7w

European Communities
(16.05.94) 556–647
Human rights 551–2w

European Convention on Human Rights
431w

European Environment Agency
375w

European Parliament elections
Voting rights 72w

European Parliament members
Gibraltar 83w

European Passenger Services
59w

European Regional Development Fund
Clwyd 21w

European Regional Development Fund—continued
Wales 21w

European works councils
446w

Evans, Mr David
Questions
Bus services, Local authorities 57w
Gas pipelines, Belgium 541w
Income tax 224w
Local government services, Contracts for services 505w
Nuclear weapons 130w
Pipelines, Law of the sea 541w

Evans, Mr John
Debates etc.
Revenue support grant (18.05.94) 930–4, 936
Questions
Armed forces, Redundancy 145
Ministers' domestic visits, North Devon 304w
Overseas trade, South Africa 315
Standard spending assessments 799–800

Evans, Mr Nigel
Debates etc.
Alcoholic drinks, EC internal trade (11.05.94) 421–3
Tobacco Advertising Bill, Rep (13.05.94) 469, 472–3, 481, 484, 492, 497
Tobacco advertising (13.05.94) 524
Questions
Driving licences 239w
Export promotion, Aerospace industry 313

Evans, Mr Roger
Debates etc.
Sale and Supply of Goods Bill, Rep (20.05.94) 1057–9, 1062, 1064–5, 1072, 1075
Questions
Grant maintained schools, Wales 609w
School transport, Injuries 437w
Social security benefits uprating 352w

Evennett, Mr David
Questions
Foreign investment in UK, Employment opportunities 183w
Income tax 222w

Evidence
Children 139–40w, 453w
Police Complaints Authority 458–9w

Ewing, Mrs Margaret
Debates etc.
Local Government Etc (Scotland) Bill, Rep (18.05.94) 824, 828, 867–8, 871, 879–80, 882–3, 912–3, 916
Private Members' bills, Points of order (13.05.94) 443–4
Smith, John, Members' deaths (12.05.94) 433–4
Questions
Divorce, Family conciliation services 549
Shipbuilding 309

Executives
NHS trusts 556w, 594w
Wandsworth Health Authority 517–8w

Exercise Green Amanita
Costs 566w

Exhaust emission controls
Motor vehicle testing 379w
Road traffic 392w

Exhaust emissions
Benzene 514w

Export licensing
Iraq 182w

Export of live animals
Republic of Ireland 47w
Sheep 444–5w
Veterinary services 462w

Export promotion
313, 315

Export promotion—continued
Aerospace industry 313
Ceramic industries 314
Machine tools industry 314

Exports
16w, 180w
Defence equipment 16w, 130w

Exservicemen
Departmental responsibilities 268w
Employment 200w
Health hazards 317w
Pesticides 317w

Extractive industries
Race Bank 607w

Eye tests
421w
Optical charges 1w

F111 aircraft
Low flying 499w

F15E aircraft
Low flying 499w

Fabricant, Mr Michael
Debates etc.
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1085, 1098
European Communities (16.05.94) 558, 564
Inshore Fishing (Scotland) Bill (HL), Rep (20.05.94) 1050
Sale and Supply of Goods Bill, Rep (20.05.94) 1069–70
Questions
Corporation tax 223w
Export promotion, Ceramic industries 314
Family credit, Child care 352w
Medical treatments, Greater London 517w
Women clergy, Pay 306–7w

Factory closures
Halls Electrical Contracting 451–2w

Fairbairn, Sir Nicholas
Debates etc.
Local Government Etc (Scotland) Bill, Rep (18.05.94) 913

Falkland Islands
Mines 82w
War pensions 259w

Family conciliation services
Divorce 548–9

Family credit
Child care 352w

Family doctors
421–2w
Conditions of employment 555w
Contraceptives 588w
Family planning 216w
Pay 559–60w
Testing 317–8w
Training 587–8w
Urban areas 157w

Family income
222w

Family planning
Family doctors 216w
Overseas aid 305w
Sierra Leone 497w

Family planning clinics
216w, 588w

Fares
Children 273–6w
Greater London 273–6w

Fatchett, Mr Derek
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 162–3, 201–4, 218, 220–1, 245–7, 262
Deregulation initiative, Orders and regulations (11.05.94) 414–8
Iron and steel industry, Italy (09.05.94) 78–80, 90–2
Questions
Small businesses 303

Faulds, Mr Andrew
Questions
Electricity tariffs 178w

Federation of Street Traders' Union (London Local Authorities Act 1990) (Amendment) Bill 1993/94
Debates etc.
2R order read (19.05.94) 939

Fenchurch Street-Southend railway line
56w

Fenner, Dame Peggy
Questions
Birds of prey, Nature conservation 168w
Council tax, Valuation 480w
Trade Marks Bill (HL) 1993/94 299w

Ferries
Safety standards (09.05.94) 60–4
Spain 548w

Festivals and special occasions
ANZAC landings 78w
Government departments 560w
World War II 127w, 605w

Field, Mr Barry
Debates etc.
Merchant Shipping (Ro-Ro Passenger Ship Survivability) (No 2) Regulations 1994 (09.05.94) 62–3
MV Braer Inquiry (17.05.94) 681–2
Questions
Frigg gas field, Treaties 542w
Local government reform 810
Pipelines, Law of the sea 541w
Smart awards, Isle of Wight 183w
Tower Hamlets Borough Council 506w

Field, Mr Frank
Questions
Church of England 546
Employees' contributions 36–8w
Labour market 38w
Local government expenditure 531w
Maintenance, Children 543–4
Occupational pensions 353–6w

Film industry
Lighting 462w, 467w
Manpower 502w
Training 502–3w

Financial institutions
City of London 226w

"Financial Statement and Budget Report 1994/95"
578–80w
Financial targets
NHS trusts 415–6w

Fines
EC countries 82w

Fire prevention
Departmental coordination 387–8w
Harrogate 530w

Fire regulations
Holiday accommodation 11–2w

Firearms
141w
Amnesties 194w
Import controls 229w

Firearms (Amendment) Bill 1993/94
Debates etc.
1R (13.05.94) 444
2R* & rem stages* (20.05.94) 1102

Fires
Castlereagh 48w
Death 334w

Fish conservation
EC law 378w
River Tawe 204w

Fisheries
Northern Ireland 125w
Norway 442–3w
Republic of Ireland 150w

Fishery agreements
Spain 40w

Fishery protection
Navy 440w

Fishing gear
FV Fidelis 199–200w
Scotland 408w

Fishing quotas
442w

Fishing vessels
Capital allowances 143w
Shipping registration 290–1w

Flats over shops initiative
510w

Flood control
144–5w
Agricultural land 145–6w
City of Westminster 371–2w

Flood defence committees
Public appointments 39–40w

Flynn, Mr Paul
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 324
Deregulation and Contracting Out Bill, Rep (10.05.94) 190
MV Braer Inquiry (17.05.94) 685
Private Members' bills, Points of order (13.05.94) 441
Tobacco Advertising Bill, Rep (13.05.94) 446, 452, 459–60
Questions
Armed forces, Homosexuality 603w
Buses, Safety equipment 594w
Civil service, Contracts for services 17
Employment, Statistics 658
Health physics 506w
Jazz, Arts Council grants 93w
Jazz, Wales 105w
Motorways, Road traffic 594–5w
Personal pensions 537
Road accidents 596w
Road safety, Summertime 596w
School transport, Death 595w
School transport, Road accidents 595w
School transport, Safety belts 594w
Science and technology policy 581w
UN Register of Conventional Arms 246w

Foetal tissue
Medical research 556w

Food labelling
Genetic engineering 294–5w

Food poisoning
Death 158w

Food prices
USA 151w

Food standards
Genetic engineering 295w

Foot and mouth disease
Disease control 289–90w

Foreign and Commonwealth Office
Arms to Iraq Inquiry 249–50w, 285w
Civil servants' business appointments 82w
Consultants 554w
Parliamentary questions 430w

Foreign investment in UK
152
Employment opportunities 183w
Scotland 370–1w

Foreign relations
Belize 82w
Bulgaria 431w
Cyprus 401w
Italy 601w
Kyrgyzstan 284w
Russia 313w

Foreign tourists
VAT 294w

Forestry
550–1w

Forestry Commission
463w

Forestry Review Group
48w

Forman, Mr Nigel
Debates etc.
European Communities (16.05.94) 560, 577, 594, 642
Tobacco Advertising Bill, Rep (13.05.94) 448–50, 483, 485, 496
Questions
Export promotion, Machine tools industry 314
Railway safety 2

Forsyth, Mr Michael, Minister of State for Employment
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 206
Equal opportunities, EC action (09.05.94) 100–6, 108, 112, 121–2
Questions
Cellular phones, Dept of Employment 263w
Civil servants' business appointments, Dept of Employment 166–7w
Consultants, Dept of Employment 567w
Dept of Employment, Computers in government departments 262–3w
EC Committee of the Regions 166w
EC Social Charter 445w
Employment 446w
Employment, Economic regions 663
Employment, North West region 663–4
Employment, Statistics 658
Employment, West Midlands 447w
European works councils 446w
Exercise Green Amanita, Costs 566w
Government Communications Headquarters, Trade union membership 667–8
Halls Electrical Contracting, Factory closures 451–2w
Hound Point Terminal, Industrial health and safety 567w
Industrial health and safety 166w
Internet, Dept of Employment 166w
Minimum wage 668
Offshore fixed platforms, Recruitment 566w
Private detectives, Dept of Employment 165–6w, 263w
Public utilities, Redundancy 166w
Strikes, Yorkshire and Humberside 448w
Take-up of employment, Harrogate 447w
Trade union membership 668
Unemployment 445w, 658–9, 665–6
Unemployment, Bradford 447w
Unemployment, Buckinghamshire 447w
Unemployment, Dartford 446w
Unemployment, South West region 666
Wages councils 448w
Workfare 502w
Working hours, Industrial health and safety 167w

Forsythe, Mr Clifford
Debates etc.
Post Office, Privatisation (19.05.94) 974

Forth, Mr Eric, Parliamentary Under-Secretary of State for Education
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 247
Special education, Codes of practice (09.05.94) 24–8, 32, 36, 42, 44–6, 48
Questions
Cellular phones, Dept for Education 584w
Grant maintained schools, Special education 495w
Internet, Dept for Education 113w
School population 583w
Special education, Physical education 544–5w
Special education, School population 34w
Special schools, Teachers 545w
Sports Council, Outdoor education 309w
Teachers, Disciplinary proceedings 34–5w

"Forward Look of Government-funded Science Engineering and Technology 1994"
133–4w

Foster, Rt Hon Derek
Debates etc
Business questions (16.05.94) 553

Foster, Mr Don
Debates etc.
Special education, Codes of practice (09.05.94) 45–6
Questions
Driving tests 60w
Higher Education Charter 583w
M4, Trans-European networks 280w
Road construction, Public inquiries 280–1w
Swainswick bypass, Costs 280w
Swainswick bypass, Road construction 280w

Foulkes, Mr George
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 326
Local Government Etc (Scotland) Bill, Rep (17.05.94) 706, 748, 764–7, 778–9, (18.05.94) 836, 848–9, 851, 878, 906, 914–5
Local Government Etc (Scotland) Bill, Points of order (18.05.94) 813
Questions
Emergency planning, Scotland 366w
Entertainment licensing, Crime prevention 560–1w
Local Government (Scotland) Bill 1993/94 365w
NHS trusts, Official cars 367w
Private education, Scotland 368w
Strathclyde Regional Council, Administrative costs 409w
VAT 672
Water supply disconnections 798

Fox, Dr Liam
Debates etc.
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1091–2, 1098
Inshore Fishing (Scotland) Bill (HL), Rep (20.05.94) 1043–4
Sale and Supply of Goods Bill, Rep (20.05.94) 1073–4
Questions
Ivory, International trade 532–3w
Woodspring 221w

Fox, Sir Marcus
Debates etc.
Smith, John, Members' deaths (12.05.94) 436

France
Electricity interconnectors 15w

Fraser, Mr John
Questions
Insolvency Service, Recruitment 181w

Fraud
Building industry 398w
EC grants and loans 480w

Freeman, Rt Hon Roger, Minister of State for Transport
Questions
British Rail, Company cars 436w
British Rail, Consultants 7–8
British Rail, Directors 56–7w
British Rail, Pay 434–5w, 437w
British Rail, Privatisation 8
Channel tunnel 8
Channel tunnel, Railway transport 550w
Channel tunnel, Security 549–50w
Channel tunnel, Transport of radioactive materials 241w
Concessionary fares, Pensioners 279w
Fenchurch Street-Southend railway line 56w
Midland Metro 55w
Network SouthEast, Railway travel 464–5w

Freeman, Rt Hon Roger—continued
Office of Passenger Rail Franchising, Consultants 597–8w
Public transport 54w
Public transport, Urban areas 54w
Rail Regulator, Pay 435w
Railtrack, Offices 436–7w
Railtrack, Railway safety 325w
Railtrack, Railway stations 280w
Railway accidents 120w
Railway accidents, Death 278w
Railway network, Dorchester 59w
Railway safety 1–3
Railway signals, Repairs and maintenance 12
Railway transport 56w
Railway transport, Barking 57w
Railway transport, North Wales 549w
Railway transport, Privatisation 7, 56w
Railway transport, Tickets 57w
Railway travel 598–9w
West coast railway line 55w, 277w

Freightliner
Privatisation 186w

French, Mr Douglas
Questions
Cosmetic surgery 515w
Defence procurement 127–8w
Personal savings, Republic of Ireland 125w
Plastic surgery 416w
Plastic surgery, Professional qualifications 316w
Road traffic control 55w
Roundabouts, Road safety 58–9w
Telephone charges, Cellular phones 76w

Frigg gas field
Treaties 542w

Fringe benefits
Health service staff 417w

Front line initiative
143–4, 148, 573w

Fuels
Taxation 124w

Funding Agency for Schools
207w, 309w
Public meetings 495–6w

Further education
Northern Ireland 471–2w
Student grants 32–4w
Student numbers 32–4w, 107–8w
Wales 107–8w

Further education colleges
Educational catering 545w
Scotland 403w

Further education teachers
Educational qualifications 206w

FV Fidelis
Fishing gear 199–200w

Fyfe, Mrs Maria
Debates etc.
Local Government Etc (Scotland) Bill, Rep (18.05.94) 832–5
Questions
Ambulance services, Scotland 98w
Common Services Agency, Privatisation 99w
Computers in National Health Service, Scotland 98w
Hospital consultants, Doctor-patient ratios 97–8w
Political refugees, Immigration rules 335w
Scottish Ambulance Service, NHS trusts 404–5w, 464w

Galbraith, Mr Sam
Debates etc.
Boxing, Injuries (10.05.94) 299
Deregulation and Contracting Out Bill, Rep (10.05.94) 271, 273–4
Local Government Etc (Scotland) Bill, Rep (18.05.94) 835–6

Gale, Mr Roger
Questions
A299 60w
Export of live animals, Sheep 444–5w
Identity cards 939–40

Gallie, Mr Phil
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 263–4
Local Government Etc (Scotland) Bill, Rep (17.05.94) 705–7, 722–3, 767–8
MV Braer Inquiry (17.05.94) 683
Scottish National Party, Points of order (10.05.94) 156
Questions
Greater Glasgow Health Board, Mental health services 164–5w
Scottish courts 164w

Galloway, Mr George
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 209–10, 219, 228, 274–7, 279, 284
Deregulation initiative, Orders and regulations (11.05.94) 403–5

Gapes, Mr Mike
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 243–4

Garnier, Mr Edward
Questions
Gartree Prison 569w, 948–9
Private rented housing, Harborough 797
Road traffic control 9

Garrett, Mr John
Questions
Open government 16

Gartree Prison
569w, 948–9

Gas meters
303–4

Gas pipelines
Belgium 541w

Gas supply industry
Competition 17–9w
Energy conservation 253w

Gas tariffs
19w, 304, 385–6w

GATT
180w, 542–3w
Air pollution control 179w

General certificate of secondary education
Wales 607–8w

General elections
154

Genetic engineering
Food labelling 294–5w
Food standards 295w

George, Mr Bruce
Debates etc.
Visiting forces and international headquarters orders (09.05.94) 57–9

Gerrard, Mr Neil
Debates etc.
Immigration (European Economic Area) Order 1994 (09.05.94) 68, 73
Questions
Council house sales, Local government revenue 508w
Housing benefits 521–2w
Immigration applications 74w, 140w
Right of silence 944
Shipping accidents, Irish Sea 322–3w
THORP, Nuclear safeguards 572–3w

Gibraltar
Armed forces strength 83w
European Parliament members 83w

Gifted children
Scotland 364w

Gill, Mr Christopher
Questions
Front line initiative 143
Health Education Authority, Publications 516w

Glasgow Royal Infirmary NHS Trust
Employment protection 363w, 402w

Glenfeshie Estate
164w

Godman, Dr Norman A
Debates etc.
European Communities (16.05.94) 562
Local Government Etc (Scotland) Bill, Rep (17.05.94) 692–3, (18.05.94) 840, 865–7
MV Braer Inquiry (17.05.94) 682
Questions
Maintenance, Children 172w, 233–6w
UN Security Council 221w

Golding, Mrs Llin
Debates etc.
Commonwealth War Graves Commission (16.05.94) 649–52
Deregulation and Contracting Out Bill, Rep (10.05.94) 175
Questions
Child abuse 416w
Children, Death 414w
Metropolitan Police 339w

***Goodlad, Rt Hon Alastair**, Minister of State, Foreign & Commonwealth Office*
Questions
Consultants, Foreign and Commonwealth Office 554w
Consultants, Market Access International 82w
East Timor, Human rights 315w
Government buildings, Repairs and maintenance 5w
Hong Kong, Civil servants 430w
Indonesia, East Timor 283–4w

Goods vehicles
EC action (11.05.94) 379

Goodson-Wickes, Dr Charles
Questions
Armed forces, Contracts for services 138
Civil service, Contracts for services 16–7
Debts 226w
Export promotion 313
Northern line 11

Goodwood House
Public petitions (11.05.94) 420

Goose Bay
Armed forces deployment 499–500w
Low flying 499w

Gordon, Ms Mildred
Questions
Audiology technicians, Greater London 316–7w
Deportation, Restraint equipment 379w
Limehouse link, Repairs and maintenance 66w
River crossings, Blackwall 120–1w

Gorman, Mrs Teresa
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 249
Questions
Corporal punishment, Crimes of violence 568w
Trade competitiveness 312

Government
Italy 601w

Government assistance to industry
Greater Manchester 182w

Government buildings
Ministry of Defence 132w
Public sector housing 796
Repairs and maintenance 5w

Government Communications Headquarters
Trade union membership 667–8

Government contracts
Dept of Transport 432–4w

Government departments
Electronic mail 401w
Festivals and special occasions 560w
Recycling 64w

Government grants to local authorities
Ethnic minorities 255–6w, 342w, (11.05.94) 420, 457w

Government research establishments
17–8
Contracts for services 15w

GP fundholders
84w, 90w, 590w
Doctors' list of patients 215w
Prescriptions 421w

Graduates
Employment opportunities 659

Graham, Mr Thomas
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 249
Local Government Etc (Scotland) Bill, Rep (17.05.94) 706–8, 725–7, 744, 754, 777

Grameen Bank
Bangladesh 411w

Grant, Sir Anthony
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 325
Post Office, Privatisation (19.05.94) 977
Questions
Post Office, Privatisation 306

Grant maintained schools
109–12w, 484–7w
Advertising 207w
Finance 496–7w
Government grants 31–2w
Loans 259w
Northern region 108–10w
School population 143–4w
Special education 495w
Voluntary schools 144w
Voting methods 487–96w
Wales 107w, 477–8w, 609w

Great Ormond Street Hospital
Income 269w

Greater Glasgow Health Board
Mental health services 164–5w

Greater London
Audiology technicians 316–7w
Civil service manpower 588w
Council house sales 65w
Council tax 530w
Fares 273–6w
Health service staff 216w
Hospital closures 213w
Hospitals 157w
Infant mortality 153w
Junior hospital doctors 85–6w, 154w
Local government finance 530–2w
Lorries 54–5w
Medical treatments 517w
NHS trusts 212w
Perinatal mortality 158–9w
Public transport 122w
Road construction 121w
Roads 122w
Waste disposal 512w
Youth courts 244w
Youth training 118w

Greater Manchester
Government assistance to industry 182w
Local government staff 170w

Greater Manchester (Light Rapid Transit System) Bill (HL) 1990/91
Debates etc.
Rep* (11.05.94) 301
3R* (17.05.94) 657

Greenhouse effect
374w, 504w

Greenway, Mr Harry
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 322
Private Members' bills, Points of order (13.05.94) 441–2
Tobacco Advertising Bill, Rep (13.05.94) 458, 474
Value Added Tax (Education) Order 1994 (19.05.94) 1008–10
Questions
Arable farming 152w
Birthday telegrams, Costs 357w
Business questions 961
Church Commissioners, Investment 546–7
Citizen's Charter, Publicity 61–2w
Clergy, Pay 307w
Crime, Sentencing 570w
Defence estimates 131w
Greenhouse effect 504w
Hayes bypass 122–3w
Health service staff, Labour costs 219–20w
Inflation 143w
London Underground, Safety measures 5
Official engagements 78w, 221w, 401w, 565w
Post Office, Performance standards 183w

Greenway, Mr John
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 178–80
Questions
Economic growth 224w

Griffiths, David
Health Promotion Authority for Wales 608w

Griffiths, Mr Nigel
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 224–6, 235–6, 258
Local Government Etc (Scotland) Bill, Rep (17.05.94) 705
Written questions, Points of order (09.05.94) 126
Questions
Coal mining, Subsidence 302
"Competition and Choice in the Gas Market Consultation Paper" 17–9w
Energy Saving Trust 68–9w
Gas tariffs 19w, 385–6w
Small businesses, Compliance cost assessments 385w
Tourists, EC action 12–3w

Griffiths, Mr Peter
Debates etc.
Private Members' bills, Points of order (13.05.94) 444
Tobacco Advertising Bill, Rep (13.05.94) 474, 495, 506, 508–11

Griffiths, Mr Win
Debates etc.
Special education, Codes of practice (09.05.94) 28–33, 36
Questions
Child Support Agency 955
Employment, Economic regions 663
Funding Agency for Schools 207w
Non-departmental public bodies, Wales 264–5w
Special education 584w
Special education, School population 34w
Special education, Wales 100–2w
Training and enterprise councils 361w

Grocott, Mr Bruce
Debates etc.
Post Office, Points of order (18.05.94) 813
Questions
Rwanda, Armed conflict 671–2

Group of Ten
6w

Grylls, Sir Michael
Debates etc.
Post Office, Privatisation (19.05.94) 974
Questions
Oil industry, Licensing 19w

Guatemala
Belize 5w

Gummer, Rt Hon John Selwyn, *Secretary of State for the Environment*
Debates etc.
BC environmental policy (11.05.94) 332, 335, 340–52
Questions
Air pollution control 809
Building regulations, Access to buildings 393w
Consultants, Dept of the Environment 70w
Departmental coordination, South West region 168–9w
Environment protection, BC law 793–4
Local government 803–4
M25, Motorway service areas 505w
Office of Water Services, Public appointments 393w
Private detectives, Dept of the Environment 65w
Radioactive waste disposal 533–4w
Single regeneration budget 802–3
"This Common Inheritance Third Year Report" 117w
Water charges 533w
Water charges, West country 808
Water pollution, Beaches 794–5
Water supply disconnections 808
Water supply industry, Capital investment 807–8

Gunnell, Mr John
Questions
Armed forces strength 130w
Inland Revenue, Contracts for services 399w
Opencast mining, Planning permission 801
Railway safety 1–2
Secure training centres 943
Single Market Compliance Unit, Public contracts 14–5w

Guppy, Darius
586w

Guy's Hospital
3w

Gwynedd
Employment 185w
Part-time employment 184–5w

Gypsies
Children in care 154w, 156w

Habitual residence test
546

Hague, Mr William, *Parliamentary Under-Secretary of State, Dept for Social Security*
Questions
Birthday telegrams, Costs 357w
Cellular phones, Dept of Social Security 353w
Housing benefits 521–2w
Housing benefits, Rented housing 357w
Incapacity benefit 539–40
Information Technology Services Agency, Consultants 24w
Internet, Dept of Social Security 24w
Maxwell Pensions Unit 349–50w
Occupational pensions 353–6w, 539–40
Occupational pensions, Pensioners 539
Offshore fixed platforms, Overseas workers 566–7w
Pensions 352w
Personal pensions 540
Private detectives, Dept of Social Security 232–3w
Public expenditure, Dept of Social Security 580w
Social security benefits 521–2w
Social security benefits, Expenditure 353w
Social security benefits, Identity cards 439w
Social security benefits uprating 352w
Social security claims 580w
War pensions, Falkland Islands 259w
Widowers' benefits 538
Widows' benefits 538–9

Hain, Mr Peter
Debates etc.
Post Office, Privatisation (19.05.94) 977
Questions
Combat 18 299w
Post Office, Privatisation 309–10, 952
South Wales Constabulary 951

Halls Electrical Contracting
Factory closures 451–2w

Hamilton, Mr Neil
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 194–7, 207, 217–20, 232–5, 256–8
Questions
Atlantic Computers, Dept of Trade inquiries 389w
Building industry, Deregulation initiative 389w
Business, Compliance cost assessments 387w
Companies political contributions, Disclosure of information 179–80w
Company investigations 609–12w
Film industry, Lighting 467w
Fire prevention, Departmental coordination 387–8w
Government assistance to industry, Greater Manchester 182w
Inntrepreneur Estates 315–6
Insolvency Service, Recruitment 181w
Lloyd's Bank, Cheltenham and Gloucester Building Society 180w
Mass media, Codes of practice 468w
Motor industry, Restrictive trade practices 613–4w
Newspaper press, Wholesale trade 77w
Small businesses, Compliance cost assessments 385w
Yorkshire Rider, Badgerline Group 179w

Hampshire
Defence industries 129w
Drug abuse 321w
Drugs and crime 335w

Hampson, Dr Keith
Debates etc.
Post Office, Privatisation (19.05.94) 980

Handicapped
Arts 343w
Citizen's Charter 577w
Council tax 514w
Discrimination 136w
Personal income 538

Hanley, Mr Jeremy, *Minister for the Armed Forces*
Debates etc.
Commonwealth War Graves Commission (16.05.94) 652–6
Royal Military School of Music, Kneller Hall (13.05.94) 530–4
Visiting forces and international headquarters orders (09.05.94) 53–5, 59–60
Questions
Air Training Corps 142–3
Armed forces 131–2w, 575w
Armed forces, Clergy 144–5, 576w
Armed forces, Homosexuality 603w
Armed forces, Insecticides 384w
Armed forces, Redundancy 145–6, 200w, 286–7w
Armed forces cadets, Finance 186w
Armed forces civilians 146
Armed forces deployment, Belize 131w
Armed forces deployment, Bosnia-Herzegovina 128w
Armed forces deployment, Goose Bay 499–500w
Armed forces deployment, Peace keeping operations 574w
Armed forces discharges, Pregnant women 287–8w
Armed forces housing, Empty housing 285w
Armed forces housing, Property transfer 130w, 139–40

Hanley, Mr Jeremy—continued
Armed forces recruitment, Costs 602w
Armed forces recruitment, Young people 127w
Armed forces strength 129–30w
Army, Social services 384w
Cellular phones, Ministry of Defence 133w
Clyde submarine base, Military exercises 500w
Commonwealth War Graves Commission, UK contributions 35w
Courts martial 384w
Defence estimates 131w
Defence expenditure 35–6w
Exservicemen, Employment 200w
Helicopters, Iraq 130–1w
HMS Polar Circle 187–8w
Internet, Ministry of Defence 133w
Low flying, Disclosure of information 384w
Low flying, F111 aircraft 499w
Low flying, F15E aircraft 499w
Low flying, Goose Bay 499w
Low flying, Wales 303w
Merchant ships, Military exercises 603–4w
Military bands 145, 576w
Military bands, Armed forces deployment 575w
Military bands, Finance 606w
Ministry of Defence, Government buildings 132w
Ministry of Defence, Subsistence allowances 132w
Nuclear accidents, Emergency planning 601–2w
Nuclear non proliferation, Conferences 383–4w
Nuclear submarines, Emergency planning 601–2w
Nuclear weapons 130w
Parliamentary questions, Ministry of Defence 499w
Pindar project 132w
Public appointments, Defence Scientific Advisory Council 500–2w
Public appointments, Meteorological Research Sub-Committee 572w
Public appointments, National Employer Liaison Committee 500w
Public appointments, UK Polar Medal Assessment Committee 500w
RAF Dishforth, Defence expenditure 187w
RAF Valley, Rescue services 130w
RNSD Copernacre 187w
Royal Naval College 201w
Sanctions, Iraq 576w
Security, EC countries 499w
Territorial Army 142, 149
UN Military Staff Committee 574w
UN Protection Force, Sarajevo 574–5w
United Nations, Information services 574w
Western European Union 127w
World War II, Festivals and special occasions 127w, 605w

Hanson, Mr David
Questions
National House Building Council, Wales 100w

Harborough
Private rented housing 797

Hard core unemployed
263–4w

Harding, Douglas
604w

Hardy, Mr Peter
Debates etc.
Coal Industry (Restructuring Grants) Order 1994 (19.05.94) 992–4, 1000
EC environmental policy (11.05.94) 336
Questions
Armed forces, Clergy 144
Gas tariffs 385w
NHS trusts, Executives 556w

Harlow Wood Orthopaedic Hospital
Hospital closures 556w

Harman, Ms Harriet
Questions
Immigration controls 335w
Operation Elgar 570w
Public expenditure 230–2w
Public expenditure, Dept of Health 592–3w
Public expenditure, Dept of Social Security 580w
Public expenditure, Dept of Trade and Industry 614w
Public expenditure, Dept of Transport 597w
Public expenditure, Treasury 578–9w

Harmonisation of standards
Veterinary services 444w

Harris, Mr David
Debates etc.
MV Braer Inquiry (17.05.94) 679
Questions
Capital allowances, Fishing vessels 143w
Ferries, Spain 548w
Maintenance, Children 541
Railway transport, Privatisation 56w

Harrogate
Armed forces civilians 498–9w
Council house sales 510w
Fire prevention 530w
Pupil-teacher ratios 484w
Take-up of employment 447w

Haselhurst, Mr Alan
Questions
Petrol, Prices 183w
Regional airports 3–4

Hawkins, Mr Nick
Questions
Channel tunnel 8
Divorce 548–9
Police, Pay 143w
Teachers, Manpower 545–6w

Hawksley, Mr Warren
Questions
History education, Curriculum 34w
School Curriculum and Assessment Authority, Government grants 34w

Hayes, Mr Jerry
Debates etc.
BC environmental policy (11.05.94) 345

Hayes bypass
122–3w

Hazardous materials
Import controls 390w

Heald, Mr Oliver
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (10.05.94) 157
Equal opportunities, EC action (09.05.94) 103–4, 110, 116–8
European Communities (16.05.94) 603
Inshore Fishing (Scotland) Bill (HL), Rep (20.05.94) 1036–7
Sale and Supply of Goods Bill, Rep (20.05.94) 1055, 1058–63

Health
Poverty 213w, 589–90w
Water supply 589w

Health authorities
Consultants 268w
Operating costs 218w
Repairs and maintenance 593–4w
Statutory sick pay 106w
Travelling expenses 590w
Wales 105w, 265w

Health education
Breast feeding 516w

Health Education Authority
Publications 516w

Health hazards
Exservicemen 317w

Health insurance
Invalidity benefits 438w

Health insurance—continued
Tax allowances 528w
Tax yields 528w

Health physics
506w

Health Promotion Authority for Wales
Catford, John 584w, 608w
Finance 608w
Griffiths, David 608w

Health service staff
Fringe benefits 417w
Greater London 216w
Labour costs 219–20w
Maladministration 219w
Managers 217–8w
Redundancy 216w
Temporary employment 416w
West Midlands 153w

Health services
215–6w, 271w
Ministers' domestic visits 219w
Pensioners 152

Health surveys
84w

Health visitors
270w
Training 270w

Hearing aids
NHS charges 419w

Heart diseases
Hospital waiting lists 158w
Surgery 557w

Heart pacemakers
269–70w

Heath, Rt Hon Sir Edward
Debates etc.
European Communities (16.05.94) 569–74

Heathcoat-Amory, Mr David, Minister of State, Foreign & Commonwealth Office
Debates etc.
European Communities (16.05.94) 556–62, 604, 643–7
Questions
Belize, Foreign relations 82w
Belize, Guatemala 5w
Bosnia-Herzegovina, Peace keeping operations 201w
Council of Ministers, Documents 552w
EC accession, Environment protection 284w
EC countries, Fines 82w
EC enlargement 431w
European Communities, Human rights 551–2w
Falkland Islands, Mines 82w
Gibraltar, Armed forces strength 83w
Gibraltar, European Parliament members 83w
Italy, Foreign relations 601w
Italy, Government 601w

Heathrow Airport
Airlines 3

Helicopters
Iraq 130–1w

Henderson, Mr Doug
Questions
Opencast mining, Planning permission 802

Hendry, Mr Charles
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 465, 467, 478–88
Questions
Drug abuse 941

Heppell, Mr John
Debates etc.
Child Support Agency, Public petitions (16.05.94) 648
Deregulation and Contracting Out Bill, Rep (10.05.94) 215–7, 219

Heppell, Mr John—continued
Questions
Arms trade, Indonesia 307
Crime prevention 568w
Legal aid 577w
Local government reform 806–7
Public utilities, Redundancy 166w

Heseltine, Rt Hon Michael, President of the Board of Trade
Debates etc.
Post Office, Ministerial statements (19.05.94) 966–81
Questions
Arms trade, Central America 16–8w
Civil servants' business appointments, Dept of Trade and Industry 20–2w
Coal mining, Environment protection 20w
Exports 16w
GATT 542–3w
Government research establishments, Contracts for services 15w
Labour costs, Manufacturing industries 178w, 311–2
Manufacturing industries, Trade competitiveness 178w
Ministers' domestic visits, Easington 15w
Oil industry, Licensing 19w
Parliamentary questions, Dept of Trade and Industry 609w
Post Office, Privatisation 305–6, 309–10
Single Market Compliance Unit, Public contracts 14–5w
Trade competitiveness 312
United Kingdom Atomic Energy Authority 180–1w
Warren Spring Laboratory, Relocation of employees 611w

Hicks, Mr Robert
Debates etc.
Post Office, Privatisation (19.05.94) 973
Questions
Pigmeat, Agricultural subsidies 296w
Post Office, Privatisation 309

Higgins, Rt Hon Sir Terence
Debates etc.
Tobacco advertising (13.05.94) 519
Questions
EC integration 151

Higher education
EC nationals 472w
Northern Ireland 472w

Higher education admission
Educational assessment (18.05.94) 816–8
Universities 113w

Higher Education Charter
583w

Higher Education Funding Council for England
Teacher training 309–10w

Highlands of Scotland
Local government reform 366–7w

Hill, Mr James
Debates etc.
Merchant Shipping (Ro-Ro Passenger Ship Survivability) (No 2) Regulations 1994 (09.05.94) 63
Questions
Southampton City Council, Contracts for services 168w

Hill farming
Environment protection 551w

Hinchliffe, Mr David
Questions
AIDS, Abortion 320w
Armed forces, Insecticides 384w
Army, Social services 384w
Bosnia-Herzegovina, Armed forces deployment 601w
Capital rules, Criminal injuries compensation 136w
Child abuse, Death 320w
Children, Local government social services 318–20w

Hinchliffe, Mr David—continued
Courts martial 384w
Creutzfeldt-Jakob dementia, Blood doners 320w
Criminal injuries compensation 331–3w
Dance, George Henry, Berkshire County Council 3w
Family doctors, Testing 317–8w
Fires, Death 334w
Grant maintained schools, Special education 495w
Health hazards, Exservicemen 317w
Income support, Residential care 349w
Local authority powers, Blood sports 377w
Local government social services, Local government reform 3–4w
Mentally disturbed offenders 256–7w
Prescription drugs, Date marking 318w
Registered homes 3w
Registered homes tribunals 90w
Residential care 88–90w
Residential care, Departmental correspondence 88w
Scrapie 443–4w
Sheltered housing 117w
Spongiform Encephalopathy Advisory Committee 444w
Trespass, Blood sports 333w
Winget houses 375–6w
Young people, Housing 320w

Historic Buildings and Monuments Commission for England
see English Heritage

Historic Royal Palaces Agency
Expenditure 344w

History education
Curriculum 34w

HIV infection
Disease control 558w

HMS Polar Circle
187–8w

HMS Valiant
Repairs and maintenance 303w

Hoey, Ms Kate
Debates etc.
Post Office, Privatisation (19.05.94) 975
Questions
Post Office, Privatisation 305

Hogg, Rt Hon Douglas, Minister of State, Foreign & Commonwealth Office
Questions
Armenia, Armed conflict 552w
Arms to Iraq Inquiry, Foreign and Commonwealth Office 249–50w, 285w
Bosnia-Herzegovina, Armed conflict 245–6w, 283w, 314–5w
Bosnia-Herzegovina, Armed forces deployment 601w
Bosnia-Herzegovina, UN Protection Force 161w
Bulgaria, Foreign Relations 431w
European Convention on Human Rights 431w
Human rights 600w
Iraq, Medical equipment 247w
Iraq, Prisoners 431w
Iraq, Sanctions 162w, 247–8w
Iraq-Kuwait conflict, Prisoners of war 430–1w
Kosovo, Ethnic groups 284w
Kuwait, Environment protection 314w
Kyrgyzstan, Foreign relations 284w
Lockerbie, Bombings 247w
Macedonia, Armed forces deployment 246w
MV Playa 248w
Nuclear non proliferation, Conferences 283w
Nuclear Non Proliferation Treaty 246w
Nuclear Non Proliferation Treaty, Conferences 282w
Nuclear weapons, Arms trade 162w
Russia, Foreign relations 313w
Rwanda, Armed conflict 281w
Rwanda, Human rights 553w
Rwanda, Peace keeping operations 161–2w

Hogg, Rt Hon Douglas—continued
Rwanda, UN Commission on Human Rights 600w
Rwanda, UN Security Council 600w
Tunisia, Human rights 284w
UN Register of Conventional Arms 5w, 246w
UN Security Council 554w
United Nations, Defence equipment 553w
United Nations, Defence procurement 553w
United Nations, Peace keeping operations 553w
United Nations, Satellite communications 554w
Yemen, Armed conflict 282–3w

Hogg, Mr Norman
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 776–7
Questions
Child Support Agency 543
Monklands District Council, Local government corruption 95w

Hogg Robinson
Civil servants' business appointments 605w

Holiday accommodation
12w
Fire regulations 11–2w

Home Office
Cellular phones 9w
Consultants 342w
Internet 10w
Security industry 71w, 381w

Home Robertson, Mr John
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 289
Local Government Etc (Scotland) Bill, Rep (17.05.94) 748, 753, (18.05.94) 832, 844–8, 852
Questions
Ministry of Defence, Civil servants 148

Homelessness
506w, 796–7
Children in care 155–6w
Scotland 197–9w

Homicide
Bridgewater, Carl 193–4w
Life imprisonment 140w

Homicide (Defence of Provocation) Bill 1993/94
Debates etc.
1R (17.05.94) 688–90

Homosexuality
Armed forces 603w
Immigration applications 334–5w, 453–4w

Hong Kong
Civil servants 430w

Hood, Mr Jimmy
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 718, (18.05.94) 905–8, 914–5

Hoon, Mr Geoffrey
Debates etc.
Equal opportunities, EC action (09.05.94) 101, 104–5, 113, 117
Questions
Crime 945–6
Maintenance, Children 351w
Regional enterprise grants, East Midlands 465–7w
Regional selective assistance, East Midlands 465–7w

Hordern, Rt Hon Sir Peter
Debates etc.
European Communities (16.05.94) 587–90
Questions
Territorial Army 142

Horses
Veterinary medicine 150w

Horseshoe Barracks Shoeburyness
Mines 201w

Hospital admissions
Prisoners 196–8w
Wales 104–5w

Hospital beds
Westcliffe Hospital 156w

Hospital closures
Birmingham Accident Hospital 87–8w
Greater London 213w
Harlow Wood Orthopaedic Hospital 556w
Royal Orthopaedic Hospital Birmingham 87–8w

Hospital consultants
Doctor-patient ratios 97–8w
Scotland 97–8w
Vacancies 2w

Hospital discharges
Community care 320–1w
Sunderland 418w

Hospital length of stay
216w

Hospital waiting lists
Finance 422w
Heart diseases 158w
Medical treatments 157w

Hospitals
Children 160w, 557w
Greater London 157w
Mental health services 160w
Ministers' domestic visits 2w
Paediatrics 157w

Hotel and catering industry
Manpower 567w

Hound Point Terminal
Industrial health and safety 567w

House of Commons procedure
307–8w

House of Commons staff
Industrial tribunals 81–2w
Members' facilities 81w

House purchase
Civil service dispersal 75w

Housing
Rural areas 64w
Young people 320w

Housing acquisition initiative
Wales 476w

Housing associations
Rents 329–30w
Wales 425–30w

Housing benefits
521–2w
Assured tenancies 510w
Rented housing 357w
Secure tenancies 510w

Housing construction
Council housing 68w

Housing finance
261–2w
Local authorities 262w

Housing revenue accounts
508–9w

Housing (Right to Manage) Regulations 1994
Questions
Ethnic minorities 114–5w

Housing subsidies
Wales 102–4w

Howard, Rt Hon Michael, Secretary of State for the Home Department
Questions
Cellular phones, Home Office 9w
Civil service dispersal, House purchase 75w
Consultants, Home Office 342w
Crime 944–6
Crime prevention, Ellesmere Port 949–50

Howard, Rt Hon Michael—continued
Crime prevention, Nottingham 945
Drug abuse 941–2
Home Office, Security industry 71w, 381w
Identity cards 939–40
Internet, Home Office 10w
Life imprisonment, Parole 336w
Police, Chester 949
Police, Pay 143w
Police cautions 947
Police Complaints Authority, Public appointments 11w
Police powers 945
Prison Service Agency, Performance related pay 75w
Secure training centres, Young offenders 9w
Terrorism 567–8w

Howarth, Mr Alan
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (20.05.94) 1034
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1079–81, 1094–5, 1099–100
Private Members' bills, Points of order (13.05.94) 439
Special education, Codes of practice (09.05.94) 33–40
Tobacco Advertising Bill, Rep (13.05.94) 452, 454, 461–3, 467, 474, 480, 482, 491, 498, 500, 502, 505–6
Tobacco advertising (13.05.94) 523–4
Questions
Disabled workers 659–60
Incapacity benefit 539–40
National Lottery Charities Board, Public appointments 342w

Howarth, Mr George
Debates etc.
BC environmental policy (11.05.94) 347, 370–2
Questions
General elections 154
Water pollution, Beaches 794

Howell, Rt Hon David
Debates etc.
European Communities (16.05.94) 578–82
Questions
Cable systems, Complaints 300w
Departmental correspondence 345w

Howell, Sir Ralph
Questions
Advertising, Expenditure 401w

Howells, Dr Kim
Questions
Food prices, USA 151w

Hoyle, Mr Doug
Debates etc.
Smith, John, Members' deaths (12.05.94) 435
Questions
Prison Service Agency, Performance related pay 75w
Property Services Agency, Contracts for services 508w

Hughes, Mr Kevin
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 250
Questions
Tuberculosis 592w
Tuberculosis, Nurses 590–1w
Tuberculosis, Research finance 592w
Tuberculosis, Vaccination 591–2w

Hughes, Mr Robert
Debates etc.
Local Government Etc (Scotland) Bill, Rep (18.05.94) 837–8

Hughes, Mr Roy
Debates etc.
Iron and steel industry, Italy (09.05.94) 86–8, 93

Hughes, Mr Simon
Debates etc.
BC environmental policy (11.05.94) 338, 345, 350, 358–64
Questions
A26 60–1w
A27, Road works 241–3w
Cheese, Production 41–3w
Church Commissioners, Investment 547
Guy's Hospital 3w
Hazardous materials, Import controls 390w
Immigration Appellate Authorities, Administrative delays 71w
London Underground, Capital investment 5
Public transport, East London 55–6w
Standing Advisory Committee on Trunk Road Assessment 597w
Water pollution, Beaches 794

Human rights
600w
East Timor 315w
European Communities 551–2w
Kashmir 469w
Rwanda 553w
Tunisia 284w

Humberside Airport
Air traffic control 323w, 547w

Hunt, Rt Hon David, Secretary of State for Employment
Questions
Apprentices 659–62, 664–5
Disabled workers 659–60
Employment, Yorkshire and Humberside 447w
Employment opportunities, Graduates 659
Managers, Women 445–6w
Strikes 448w
Trade competitiveness 446w
Trade union membership 668–9
Trade unions 668
Training, Expenditure 660
Training for work 662–3
United Airlines, Industrial disputes 362w

Hurd, Rt Hon Douglas, Secretary of State for Foreign & Commonwealth Affairs
Debates etc.
European Communities (16.05.94) 640
Questions
Diplomatic relations 162–3w
Uruguay round, World Trade Organisation 461w

Hutton, Mr John
Debates etc.
Equal opportunities, EC action (09.05.94) 118–20
European Communities (16.05.94) 636–7
Questions
Careers and Occupational Information Centre 362w
Careers and Occupational Information Centre, Disciplinary proceedings 362w
Employment Appeal Tribunal 362w
Local government reform, Cumbria 809–10
Social Fund 544–5

I Spy Strangers
(20.05.94) 1076

"Identification and Assessment of Special Educational Needs Draft Code of Practice"
(09.05.94) 24–52

Identity cards
397w, 570w, 939–40
Costs 335–6w
EC countries 336w
Netherlands 336w
Social security benefits 439w
Sports 538w

Illsley, Mr Eric
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 251–2

Illsley, Mr Eric—continued
Equal opportunities, EC action (09.05.94) 106, 114, 120–1
Questions
Coal mining, Subsidence 301
Council tax, Transitional arrangements 795

Ilois
British Indian Ocean Territory 281–2w

Immigrant detainees
Costs 10w
Prison population 570–2w
Prisoners' transfers 142w

Immigration appeals
Adjudication officers 244w

Immigration Appellate Authorities
Administrative delays 71w

Immigration applications
74w, 140w
Cohabitation 10–1w
Homosexuality 334–5w, 453–4w

Immigration controls
335w
Medical examinations 516w

Immigration (European Economic Area) Order 1994
Debates etc.
(09.05.94) 65–74

Immigration rules
333–4w, 569w
Political refugees 335w

Import controls
Beef 442w
China 611w
Firearms 229w
Hazardous materials 390w
Offensive weapons 228w

Import of live animals
Disease control 289w

Imports
Construction materials 115w

In vitro fertilisation
518w

Incapacity benefit
260w, 539–40
Medical examinations 172–3w
Social security benefits rules 357w

Income support
Expenditure 545
Mortgages 24w
Residential care 349w
Social security benefits reductions 24–6w
South Down 125w
Youth training 210w

Income tax
222–4w

Independent Commission for Police Complaints for Northern Ireland
Annual reports 473w

Independent Living 1993 Fund
135–6w

"Index of Local Conditions"
393w

Indonesia
Arms trade 307–8
East Timor 283–4w
Soft loans 190w

Industrial development
Local enterprise companies 49–50w
Scotland 369–70w

Industrial disputes
United Airlines 362w

Industrial health and safety
166w
Hound Point Terminal 567w
Legislation 237–8w
Northern Ireland 237–8w
Working hours 167w

Industrial research
318

Industrial tribunals
HC staff 81–2w

Infant mortality
Greater London 153w

Inflation
143w, 224–5w

Information services
United Nations 574w

Information technology
NHS 153w
Press releases 474–5w

Information Technology Services Agency
Consultants 24w

Ingram, Mr Adam
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 205–7
Questions
Maintenance, Children 438w, 523–6w

Inheritance tax
Agricultural land 550w

Injuries
Boxing (10.05.94) 293–300
School transport 437w

Inland Revenue
Contracts for services 399w
Welsh language 123–4w

Inntrepreneur Estates
315–6

Insecticides
Armed forces 384w

Inshore Fishing (Scotland) Bill (HL) 1993/94
Debates etc.
Rep adjourned (20.05.94) 1036–53

Insolvency Service
Recruitment 181w

Integrated pollution control
374w
Departmental publications 423–4w

Interest rates
Mortgages 223w

International aid from international bodies
Rwanda 27–8w
Somalia 27–8w
Sudan 79–80w

International Bank for Reconstruction and Development
see World Bank

International cooperation
Aerospace industry 298w

International Headquarters & Defence Organisations (Designation & Privileges) (Amendment) Order 1994
Debates etc.
(09.05.94) 53–60

International Monetary Fund
Russia 227w
Sudan 253–4w

International Red Cross
Iraq 184w

International trade
Ivory 532–3w

International Transport Conventions Act 1983 (Amendment) Order 1994
Debates etc.
(10.05.94) 158

Internet
Attorney General 173w
Chancellor of the Duchy of Lancaster 63w
Dept for Education 113w
Dept of Employment 166w
Dept of Health 1w
Dept of National Heritage 14w
Dept of Social Security 24w
Dept of the Environment 67w
Dept of Trade and Industry 75w

Internet—continued
Dept of Transport 58w
Home Office 10w
Lord Chancellor's Dept 139w
Lord President of the Council 211w
Ministry of Agriculture Fisheries and Food 288–9w
Ministry of Defence 133w
Northern Ireland Office 125–6w
Prime Minister 39w
Scottish Office 94–5w
Treasury 6–7w

Interviews
Lennox-Boyd, Mark 282w

Invalid care allowances
Administrative delays 260w

Invalidity benefits
260w
Health insurance 438w
Investment income 259–60w
Northern Ireland 46–7w
Occupational pensions 259w

Investment income
Invalidity benefits 259–60w

Iraq
Biological weapons 387w
Export licensing 182w
Helicopters 130–1w
International Red Cross 184w
Medical equipment 247w
Prisoners 431w
Red Crescent 184w
Sanctions 162w, 247–8w, 576w
UN resolutions 314w
Water supply 221w

Iraq-Kuwait conflict
Prisoners of war 430–1w
War pensions 259w

Irish Sea
Shipping accidents 322–3w

Iron and steel industry
EC Industry Council 76w
Italy (09.05.94) 75–99
Wales 607w

Isle of Wight
Smart awards 183w

Italy
Foreign relations 601w
Government 601w
Iron and steel industry (09.05.94) 75–99
World War II 605w

Ivory
4w
International trade 532–3w

Jack, Mr Michael, Minister of State, Ministry of Agriculture, Fisheries & Food
Debates etc.
Suckler cow premiums (17.05.94) 787–92
Questions
Arable farming 152w
Cellular phones, Ministry of Agriculture Fisheries and Food 199w
Cereals, Agricultural production 551w
Cheese, Production 41–3w
Common fisheries policy, Spain 145–6w
Consultants, Ministry of Agriculture Fisheries and Food 152w
Departmental publications, Ministry of Agriculture Fisheries and Food 606w
Drift nets, EC action 40w, 291–2w
EC trade with developing countries, Beef 147–9w
Fisheries, Norway 442–3w
Fisheries, Republic of Ireland 150w
Fishery agreements, Spain 40w
Fishery protection, Navy 440w
Fishing quotas 442w
Fishing vessels, Shipping registration 290–1w
Flood control 144–5w
Flood control, Agricultural land 145–6w
Flood defence committees, Public appointments 39–40w

Jack, Mr Michael—continued
Food prices, USA 151w
FV Fidelis, Fishing gear 199–200w
Hill farming, Environment protection 551w
Internet, Ministry of Agriculture Fisheries and Food 288–9w
Milk marketing scheme 295w
Nature conservation, Seas and oceans 289w
Non-departmental public bodies, Ministry of Agriculture Fisheries and Food 152w
Parliamentary questions, Ministry of Agriculture Fisheries and Food 295w
Pigmeat, Agricultural subsidies 288w, 296w
Private detectives, Ministry of Agriculture Fisheries and Food 150w
Race Bank, Extractive industries 607w
Sea Fish (Conservation) Act 1992, Computers 151–2w
Sea Fish (Conservation) Act 1992, Expenditure 151w
Sea Fish (Conservation) Act 1992, Manpower 151w
Water pollution, Worcester 144w
Whales, Nature conservation 150–1w

Jackson, Ms Glenda
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 185–6, 214–5, 217–8
Questions
London Underground 11–2

Jackson, Mrs Helen
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 212–4
EC environmental policy (11.05.94) 348, 367–9
Iron and steel industry, Italy (09.05.94) 84–5, 91–2, 94
Local Government Etc (Scotland) Bill, Rep (17.05.94) 712, 735
Questions
Clyde submarine base, Military exercises 500w
Clyde submarine base, Nuclear submarines 602w
Ethnic minorities, Government grants to local authorities 255–6w, 342w
Nuclear submarines, Emergency planning 601w
Office of Water Services, Civil service recruitment 252w
Office of Water Services, Public appointments 386w
Single regeneration budget 208–9w
Water supply industry, Privatisation 392w
Water supply industry, Standards specifications 391–2w

Jamieson, Mr David
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 273
Value Added Tax (Education) Order 1994 (19.05.94) 1011–2, 1016
Questions
Funding Agency for Schools 309w
Private education, Inspections 113–4w
Sports Council, Outdoor education 309w, 345w

Janner, Mr Greville
Questions
Local government 805
Trade union membership 668

Jazz
Arts Council grants 93w
Wales 105w

Jenkin, Mr Bernard
Debates etc.
Equal opportunities, EC action (09.05.94) 101, 111
European Communities (16.05.94) 566–7, 588–9
Questions
Church Commissioners, Investment 306w
Minimum wage 668

Jenkin, Mr Bernard—continued
Nitrate sensitive areas 513–4w
Postgraduate education, Student grants 412w

Jessel, Mr Toby
Debates etc.
Royal Military School of Music, Kneller Hall (13.05.94) 526–9
Tobacco advertising (13.05.94) 525
Questions
Business questions 960
Council tax, Richmond-upon-Thames 795
Military bands 145

JHP Training
National vocational qualifications 661

Job training programme
Northern Ireland 44–6w

Johnston, Sir Russell
Debates etc.
Iron and steel industry, Italy (09.05.94) 83–4
Local Government Etc (Scotland) Bill, Rep (17.05.94) 769–71
Questions
Rwanda, Armed conflict 28w

Joint Nature Conservation Committee
Petroleum exploration licences 468w

Joint public-private sector ventures
226–7w

Jones, Mr Barry
Debates etc.
Iron and steel industry, Italy (09.05.94) 85–6
Questions
Aerospace industry, International cooperation 298w
Armed forces deployment, Bosnia-Herzegovina 128w
Asthma, Road traffic 279w
Concessionary fares, Pensioners 279w
Dyslexia, Wales 422–3w
European Regional Development Fund, Clwyd 21w
Local government reform, Local government pensions 264w, 375w
Official engagements 221w
Road construction, Buckley 423–4w
Road construction, Compulsory purchase 425–6w
Television licences 537w
VAT, Energy prices 229w

Jones, Mr Gwilym, Parliamentary Under-Secretary of State, Welsh Office
Questions
Council housing, Wales 426w
EC grants and loans, Welsh districts 105–6w
European Regional Development Fund, Clwyd 21w
Health authorities, Wales 105w, 265w
Housing associations, Wales 425–30w
Housing subsidies, Wales 102–4w
Integrated pollution control, Departmental publications 423–4w
Junior hospital doctors, Working hours 535–6w
Local government reform, Local government pensions 264w
Local government reform, Wrexham 424w
National House Building Council, Wales 100w
Nature conservation, Wales 103w
NHS, Expenditure 536w
NHS, Wales 266w
NHS trusts, Nurses 265–6w
Planning inquiries, Llanelli 104w
Planning permission, Wales 477–8w
Prescriptions, Wales 103w, 424w
Repetitive strain injury, Welsh Office 186w
Road construction, Buckley 424w
Road construction, Compulsory purchase 425–6w
Statutory sick pay, Health authorities 106w
Tuberculosis, Wales 535w

Jones, Mr Gwilym—continued
Welsh Water, Water supply industry 535w
Wind power, Planning permission 264w

Jones, Mr Ieuan Wyn
Debates etc.
Smith, John, Members' deaths (12.05.94) 435–6
Tobacco advertising (13.05.94) 522
Questions
EC grants and loans, Welsh districts 105–6w

Jones, Mr Jon Owen
Questions
China, Nature conservation 282w
Tunisia, Human rights 284w
Welsh Development Agency, Car leasing 203w
Welsh Development Agency, Redundancy pay 203–4w
Welsh Office, Disciplinary proceedings 204w

Jones, Dr Lynne
Questions
Commission for the New Towns, Property transfer 208w
Exports 16w
GATT, Air pollution control 179w
Homelessness 506w
Immigration applications, Cohabitation 10–1w
Mental health community care 417–8w
Mental health services 418w
Mental health services, Advisory bodies 418w
Mental health services, Finance 554–5w
Midland Metro 55w
Railtrack, Railway stations 280w

Jones, Mr Martyn
Questions
Consumer protection 179w
547–8w
European Agricultural Guidance and Guarantee Fund, Wales 476–7w
Foot and mouth disease, Disease control 289–90w
Import of live animals, Disease control 289w
Local government reform, Wrexham 424w
Private detectives, Dept of Employment 263w
Private detectives, Dept of Social Security 232–3w
Private detectives, Dept of the Environment 170w
Private detectives, Dept of Transport 547–8w
Private detectives, Ministry of Agriculture Fisheries and Food 150w
Private detectives, Northern Ireland Office 266w

Jones, Mr Nigel
Questions
Police, Manpower 338w

Jopling, Rt Hon Michael
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 179, 182–3, 197
Planning permission, Ambleside (19.05.94) 1022–4
Private Members' bills, Points of order (16.05.94) 555

Journalists
Ministers' domestic visits 2w

Judges
Recruitment 306w

Judiciary
Public appointments 527w

Junior hospital doctors
Greater London 85–6w, 154w
Northern Ireland 43–4w
Scotland 561w
Wales 535–6w
Working hours 1w, 43–4w, 518w, 535–6w, 561w

Juries
950–1
Crown courts 245w

Justices' clerks
452w
Conditions of employment 306w

Justices of the Peace Act 1979
Questions
452w

Kashmir
Human rights 469w

Kaufman, Rt Hon Gerald
Debates etc.
Smith, John, Members' deaths (12.05.94) 434–5

Keen, Mr Alan
Questions
Local government finance, Greater London 530–2w

Kennedy, Mr Charles
Debates etc.
European Communities (16.05.94) 560, 600–6, 645
Local Government Etc (Scotland) Bill, Rep (17.05.94) 754–6
Questions
Local government reform, Highlands of Scotland 366–7w
Skye bridge, Nature conservation 50–1w

Kennedy, Mrs Jane
Questions
Armed forces housing, Property transfer 139
Income tax 222w

Kent
Council tax 480w

Kenya
Overseas aid 184w

Key, Mr Robert, Parliamentary Under-Secretary of State, Dept of Transport
Questions
A12, Road safety 5–6
A26 60–1w
A27, Road works 241–3w
A40, Road construction 547–8w
A64, Road accidents 240–1w
A64, Road works 546–7w
A66, Road works 8–9
A299 60w
Asthma, Road traffic 279w
Birmingham relief road 433–4w
Bridges, River Tamar 464w
Buses, Safety equipment 594w
Cars, Retail trade 121w
Civil service agencies, Contracts for services 277–8w
Dept of Transport, Private detectives 548w
Driver and Vehicle Licensing Agency, Teledata 278w
Driving licences 239w
Driving licences, Photographs 323w
Driving Standards Agency, Consultants 276w
Driving Standards Agency, Contracts for services 278–9w
Driving tests 60w
Lorries, Motor vehicle registration 120w
M4, Trans-European networks 280w
Motorways 54w
Motorways, Road traffic 240w, 594–5w
Road accidents 596w
Road construction, Assisted areas 432w
Road construction, Public inquiries 280–1w
Road safety 6
Road safety, Research 239–40w
Road safety, Summertime 596w
Road signs 550w
Road traffic 240w
Road traffic control 9–10, 55w
Road traffic offences 324–5w
Roundabouts, Road safety 58–9w
School transport, Death 595w

Key, Mr Robert—continued
School transport, Injuries 437w
School transport, Motor vehicle safety 241w
School transport, Road accidents 595w
School transport, Safety belts 594w
Standing Advisory Committee on Trunk Road Assessment 594w, 597w
Swainswick bypass, Costs 280w
Swainswick bypass, Road construction 280w
Teledata, Driver and Vehicle Licensing Agency 281w
Transport Research Laboratory, Privatisation 58w, 548–9w
Transport Research Laboratory, Research finance 324w
Vehicle Inspectorate 57–8w
Vehicle Inspectorate, Operating costs 325–32w

Khabra, Mr Piara S
Questions
Part-time employment, Employment protection 448w

Kilfoyle, Mr Peter
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 177–8, 181, 187, 191, 193
Questions
National lottery 91w
National lottery, Public appointments 90–1w
Public appointments, Defence Scientific Advisory Council 500–2w
Public appointments, Meteorological Research Sub-Committee 572w
Public appointments, National Employer Liaison Committee 500w
Public appointments, UK Polar Medal Assessment Committee 500w
Tickets, Touting 141–2w

Killinchy
Planning permission 174w
Street lighting 126w

Killinchy School
Rates and rating 174–5w

King, Rt Hon Tom
Questions
Nuclear power, Nuclear review 306

Kinnock, Rt Hon Neil
Debates etc.
Smith, John, Members' deaths (12.05.94) 433

Kirkwood, Mr Archy
Debates etc.
Business questions (16.05.94) 553
Deregulation initiative, Orders and regulations (11.05.94) 388, 400–3
Local Government Etc (Scotland) Bill, Rep (17.05.94) 704, (18.05.94) 910–1
Questions
Business questions 959
Child Support Act 1991 351w
Drug abuse, Young people 569w
Maintenance, Children 233w, 541–2
School transport, Motor vehicle safety 241w

Knapman, Mr Roger
Questions
Science and technology policy 62w

Kneller Hall
(13.05.94) 526–34

Knight, Mrs Angela
Questions
Local government services, Performance standards 507w
Opencast mining, Planning permission 802
Radioactive waste disposal 533–4w
Social security benefits, Expenditure 353w
Youth training, Derbyshire 661

Knight, Dame Jill
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 247

Know-how Fund
Russia 25w

Knox, Sir David
Questions
Economic situation 226w
Maintenance, Children 351w
Prison population 569w

Konver programme
Cotswold 467w

Kosovo
Ethnic groups 284w

Kuwait
Environment protection 314w
Overseas trade 387w

Kynoch, Mr George
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 264, 266, 278
Inshore Fishing (Scotland) Bill (HL), Rep (20.05.94) 1045–9, 1051
Local Government Etc (Scotland) Bill, Rep (17.05.94) 704–5
MV Braer Inquiry (17.05.94) 682
Questions
Road construction, Scotland 562–3w
Water treatment, Scotland 463–4w
Yugoslavia, Armed forces deployment 137

Kyrgyzstan
Foreign relations 284w

Labour costs
Health service staff 219–20w
Local government 366w
Manufacturing industries 178w, 311–2
Northern Ireland health and social services boards 582w

Labour market
38w

Lait, Mrs Jacqui
Debates etc.
Value Added Tax (Education) Order 1994 (19.05.94) 1013–4
Questions
Paediatrics, East Sussex Health Authority 317w
"This Common Inheritance Third Year Report" 117w

Lake Windermere
Bye laws 8w

Lancashire
Educational finance 583w

Land Authority for Wales
Compulsory purchase 101–2w, 185w

Landlord and Tenant (Covenants) Bill 1993/94
Debates etc.
1R (16.05.94) 554
2R order read (20.05.94) 1102

***Lang, Rt Hon Ian**, Secretary of State for Scotland*
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 711–7, 731, 746, 757, 771–3
Questions
Advertising, Scottish Office 97w
Cellular phones, Scottish Office 368–9w
Consultants, Scottish Office 99w
Eastwood District Council, Public appointments 51–2w
Employment schemes, Scotland 561w
Internet, Scottish Office 94–5w
Local enterprise companies, Finance 561w
Parliamentary questions, Scottish Office 402–3w
Prison visiting committees, Scotland 405–7w
Road construction, Scotland 562–3w

Lang, Rt Hon Ian—continued
Scottish Court Service, Civil service agencies 93–4w
Scottish courts 164w
Scottish Office, Billing 94w
Scottish Office Education Dept, Departmental leaflets 562w
"Tackling Homelessness (Scotland) Consultation Paper" 197–9w

Lappel Bank
Environment protection 532w

Law of the sea
Pipelines 541w

Law Officers' Dept
see Attorney General

Lawrence, Sir Ivan
Questions
Life imprisonment, Parole 336w
Secure training centres, Young offenders 9w

League of Arab States
Trials 247w

Leave of absence
Speaker (19.05.94) 983, (20.05.94) 1033

Leeds-Bradford Airport
Air traffic control 323w, 547w

Legal aid
577w

Legg, Mr Barry
Questions
Retirement age 536

Legislative drafting
Civil Rights (Disabled Persons) Bill 1993/94 560w
Private Members' bills 211w

Legislative process
307–8w

Leigh, Mr Edward
Debates etc.
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1077–81, 1100
European Communities (16.05.94) 581
MV Braer Inquiry (17.05.94) 683
Post Office, Privatisation (19.05.94) 978
Sale and Supply of Goods Bill, Rep (20.05.94) 1068–71, 1073
Tobacco Advertising Bill, Rep (13.05.94) 445, 452, 455, 459, 465, 470, 477, 500, 504

Lennox-Boyd, Mark
Interviews 282w

***Lennox-Boyd, Mr Mark**, Parliamentary Under-Secretary of State, Foreign & Commonwealth Office*
Questions
Africa, Structural adjustment 26w
African Development Bank 546w
Aid financed trade, Arms trade 305w
Angola, Peace negotiations 5–6w
Bangladesh, Grameen Bank 411w
BBC External Services, Government grants 162w
British dependent territories, Environment protection 461w
British Indian Ocean Territory, Ilois 281–2w
China, Aid financed trade 30–1w
China, Nature conservation 282w
China, Overseas aid 30w
Commonwealth Development Corporation 29w
Development aid 409–10w
Entry clearances 250w
Ethiopia, Droughts 79w
Family planning, Overseas aid 305w
Indonesia, Soft loans 190w
Kenya, Overseas aid 184w
Lennox-Boyd, Mark, Interviews 282w
Liberia, Children 497w
Narmada dam 28–9w
Nicaragua, Overseas aid 189–90w
Nigeria, Cameroon 80w

Lennox-Boyd, Mr Mark—continued
Overseas aid 411w
Overseas aid, Rwanda 252w
Overseas aid, Sudan 251w
Parliamentary questions, Foreign and Commonwealth Office 430w
Refugees, Rwanda 252w
Rhinoceros, Animal products 4w
Russia, Know-how Fund 25w
Russia, Overseas aid 25–6w
Rwanda, Aid workers 184w
Rwanda, Armed conflict 28w, 281w
Rwanda, International aid from international bodies 27–8w
Rwanda, Organisation of African Unity 4–5w
Rwanda, Tanzania 80–1w
Rwanda, United Nations 4w
Sierra Leone, Family planning 497w
Soft loans 29w
Somalia, Armed conflict 281w
Somalia, Cholera 305w
Somalia, Overseas aid 27–8w, 80w
Somalia, Repatriation 26–7w
South Africa, Arms trade 432w
South Africa, British residents abroad 285w
South Africa, Sanctions 432w
Sub-Saharan Africa, Development aid 410–1w
Sudan, International aid from international bodies 79–80w
Sudan, Overseas aid 251–2w
World Bank, Disclosure of information 304w
Yemen, Armed conflict 314w
Zimbabwe, Overseas aid 497w

Lester, Mr Jim
Questions
EC integration 152–3
Local government reform, Nottinghamshire 806
Road construction 53w

Lestor, Miss Joan
Questions
Breast feeding, Health education 516w
Caesarian sections 517w
Channel tunnel, Security 549–50w

Lewis, Mr Terry
Questions
Armed forces, Contracts for services 138–9

Liability
Water abstraction 393–4w

Liberia
Children 497w

Libraries
538–9w
Wales 264w

Libyan Arab Republic
Sanctions 576w

Lidington, Mr David
Debates etc.
Public Records (Amendment) Bill, 1R (11.05.94) 329–31
Questions
Church Commissioners, Offices 307w
Crossrail, Expenditure 323w
Crossrail Bill 1991/92 669
Economic growth 224w
Maxwell Pensions Unit 349–50w
NHS Pensions Agency, Performance standards 86–7w
St Ethelburgas Church, Bombings 93w, 172w
Unemployment, Buckinghamshire 447w

Life imprisonment
195w
Homicide 140w
Parole 336w

Lighting
Film industry 462w, 467w
Pollution control 116–7w

Lilley, Rt Hon Peter, Secretary of State for Social Security
Questions
Child Support Agency 350–1w, 543
Civil Rights (Disabled Persons) Bill 1993/94 358w, 438w, 523w
Habitual residence test 546
Handicapped, Personal income 538
Income support, Expenditure 545
Maintenance, Children 543–4
Parliamentary Counsel, Dept of Social Security 260–1w
Personal pensions 537
Retirement age 536
Social security benefits 537–8

Limehouse link
Repairs and maintenance 66w

Listed buildings
English Heritage 413w, 461–2w

Liverpool
Armed forces civilians 498–9w
Public sector housing 210w

Llanbrynmair
Radio reception 414w

Llanelli
Planning inquiries 104w

Lloyd, Rt Hon Peter, Minister of State, Home Office
Questions
Civil defence, Warnings 336–7w
Elections 195w
Ethnic minorities, Government grants to local authorities 255–6w, 342w, 457w
European Parliament elections, Voting rights 72w
Gartree Prison 569w
Guppy, Darius 586w
Life imprisonment 195w
Mentally disturbed offenders 256–7w
National Lottery Charities Board, Public appointments 342w
Police custody, North Wales 74w
Prison accommodation 380–1w
Prison overcrowding, Cardiff Prison 74w
Prison population 569w
Prison population, South Yorkshire 339–41w
Prison Service Agency, Performance standards 142w
Prisoners 381w
Prisoners, AIDS 141w, 161w
Prisoners, Childbirth 73w
Prisoners, Drug abuse 339w
Prisoners, Hospital admissions 196–8w
Prisoners, Transsexuals 460w
Prisons Ombudsman, Coopers and Lybrand Deloitte 381w
Prisons Ombudsman, Public appointments 72w
Remand in custody, South Yorkshire 339–40w

Lloyd, Mr Tony
Questions
Apprentices 660
Employment 363w
Gas meters 303–4

Lloyd's Bank
Cheltenham and Gloucester Building Society 180w

Lloyd's of London
955–6

Llwyd, Mr Elfyn
Questions
Access funds, Wales 22–3w
Alzheimer's disease, Research finance 439w
Beef, Import controls 442w
Council housing, Wales 426w
Defence research 201w
Employment, Gwynedd 185w
Further education, Student numbers 32–4w, 107–8w
Local government services, Fees and charges 155w

Llwyd, Mr Elfyn—continued
Neighbourhood watch schemes 8w
Part-time employment, Gwynedd 184–5w
Police custody, North Wales 74w
Prison overcrowding, Cardiff Prison 74w
Secure training centres, North Wales 73w
Sheep, Wales 102w
Welsh Water, Water supply industry 535w

Loans
Grant maintained schools 259w

Local authorities
Bus services 57w
Housing finance 262w

Local authority powers
Blood sports 377w

Local enterprise companies
Disclosure of information 50w, 369w
Finance 561w
Industrial development 49–50w

Local government
803–6
Labour costs 366w
Referenda 808–9
Scotland 366w
Subsidiarity 507w

Local Government Act 1966
Questions
457w

Local Government Act 1988 (Competition) (Defined Activities) (Housing Management) Order 1994
Debates etc.
(10.05.94) 158, (11.05.94) 328

Local government corruption
Monklands District Council 95w

Local government elections
Croydon 151–2

Local Government Etc (Scotland) Bill 1993/94
Debates etc.
(19.05.94) 1017–9
Rep (17.05.94) 691–784, (18.05.94) 819–929

Local government expenditure
531w, 578w

Local government finance
398w
Greater London 530–2w
Scotland 52w
Taxation 388w
Westminster City Council 372w

"Local Government in Wales - a Charter for the Future White Paper"
107w
Local government pensions
Local government reform 264w, 375w

Local government reform
169w, 806–7, 810
Cleveland 169w, 531–2w
Costs 254–5w
Cumbria 809–10
EC Committee of the Regions 170w
Employment protection 366w
Highlands of Scotland 366–7w
Local government pensions 264w, 375w
Local government social services 3–4w
Meirionnydd 349w
Montgomeryshire 349w
Nottinghamshire 806
Police authorities 94w
Powys 430w
Public libraries 13w
Redundancy 366w
Scotland 94w, 165w, 365–6w, (17.05.94) 691–784, (18.05.94) 819–929
Southport 805
Tourist boards 12w
Vale of Glamorgan 429–30w
Wales 264w, 608w
Wrexham 424w

Local government revenue
504–5w
Council house sales 169–70w, 508w

Local Government (Scotland) Bill 1993/94
Questions
365w

Local government services
Contracts for services 68w, 505w
Fees and charges 155w
Performance standards 507w

Local government social services
Children 318–20w
Local government reform 3–4w
Scotland 364w

Local government staff
Greater Manchester 170w

Lockerbie
Bombings 247w, 304w, 401w, 956

London docklands
Recreation spaces 64w

London First Centre
Regional development grants 389w

London Transport
Crimes of violence 121–2w, 325w

London Underground
11–2, 55w
Capital investment 5
Safety measures 4–5

Lone parents
Working mothers 445w

Lord, Mr Michael
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 179, 182

Lord Chancellor's Dept
Cellular phones 139w
Internet 139w
Parliamentary questions 452w

Lord President of the Council
Cellular phones 308w
Internet 211w

Lorries
Greater London 54–5w
Motor vehicle registration 120w

Lost working days
Police 267–8w, 338–40w, 404w

Low flying
Disclosure of information 384w
F111 aircraft 499w
F15E aircraft 499w
Goose Bay 499w
Wales 303w

Luff, Mr Peter
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 264
Inshore Fishing (Scotland) Bill (HL), Rep (20.05.94) 1036–42, 1047, 1051–3
Water pollution, Worcester (09.05.94) 127–32
Questions
Economic growth 672–3
Science and technology policy 62w
Water pollution, Worcester 144w
Zimbabwe, Overseas aid 497w

Lyell, Rt Hon Sir Nicholas, Attorney-General
Questions
Arms to Iraq Inquiry, Attorney General 221w, 251w
Arms to Iraq Inquiry, Treasury Solicitors Dept 251w
Attorney General, Repetitive strain injury 173w
Cellular phones, Attorney General 173w
Consultants, Attorney General 440w
Internet, Attorney General 173w
Serious Fraud Office, Annual reports 173–4w

Lynne, Ms Liz
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (09.05.94) 22, (11.05.94) 322
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1078, 1082, 1099
Private Members' bills, Points of order (13.05.94) 442
Tobacco Advertising Bill, Rep (13.05.94) 480, 492, 494
Tobacco advertising (13.05.94) 519–20
Questions
Civil Rights (Disabled Persons) Bill 1993/94 523w
Parliamentary Counsel, Dept of Social Security 260–1w
Parliamentary Counsel, Private Members' bills 257w

M4
Trans-European networks 280w

M11
Environmental impact assessment 119w

M25
Motorway service areas 505w
Road traffic 534w

McAllion, Mr John
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 721–4, 730, 751, 761, 778, (18.05.94) 824–6
Water supply disconnections, Points of order (18.05.94) 814
Questions
Civil service, Efficiency scrutinies 304w
Government Communications Headquarters, Trade union membership 667–8
Recycling, Government departments 64w
Trident submarines, Defence expenditure 127w

McAvoy, Mr Thomas
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 773–4

McCartney, Mr Ian
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 461, 469, 477–8, 482, 488–91, 493, 495–505, 511–2
Tobacco advertising (13.05.94) 518–9

McCrea, Rev William
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 189–90
Tobacco Advertising Bill, Rep (13.05.94) 502
Tobacco advertising (13.05.94) 522

Macdonald, Mr Calum
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 282–3, 286–7
MV Braer Inquiry (17.05.94) 681
Questions
Front line initiative 143
Tax burden 225w

Macedonia
Armed forces deployment 246w

McFall, Mr John
Debates etc.
Local Government Etc (Scotland) Bill, Rep (18.05.94) 909–10
MV Braer Inquiry (17.05.94) 686
Questions
Armed forces deployment, Goose Bay 499–500w
Further education colleges, Scotland 403w
Low flying, F111 aircraft 499w
Low flying, F15E aircraft 499w
Low flying, Goose Bay 499w
Nuclear disarmament, Russia 128w
Open government, Telephone services 474w
VAT, Foreign tourists 294w

McGrady, Mr Eddie
Questions
Community care, Northern Ireland health and social services boards 45–6w
Disability living allowance, Northern Ireland 44w
Environment Agency, Northern Ireland 44w
Environment protection, Northern Ireland 807
Environment protection, Tourism 261w
Fisheries, Northern Ireland 125w
Income support, South Down 125w
Invalidity benefits, Northern Ireland 46–7w
Job training programme, Northern Ireland 44–6w
Radioactivity, Pollution monitoring 266w
Whales, Nature conservation 150–1w

MacGregor, Rt Hon John, Secretary of State for Transport
Debates etc.
MV Braer Inquiry, Ministerial statements (17.05.94) 675–87
Questions
Air routes 53w
Airlines, Competition 10–1
Bus services, Local authorities 57w
Dept of Transport, Operating costs 58w
European Passenger Services 59w
Freightliner, Privatisation 186w
Heathrow Airport, Airlines 3
MV Braer Inquiry 322w
Public expenditure, Dept of Transport 597w
Regional airports 3–4
Road construction 53w
Road construction, West Midlands 6–7
Road transport, Air pollution 599w

Machine tools industry
Export promotion 314

McKelvey, Mr William
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 278–81
Local Government Etc (Scotland) Bill, Rep (17.05.94) 709, 768
Questions
Civil Rights (Disabled Persons) Bill 1993/94 954

Mackinlay, Mr Andrew
Debates etc.
Oral question time intervention (18.05.94) 793
Pardon for Soldiers of the Great War Bill, 1R (18.05.94) 815
Questions
Armed forces deployment, Peace keeping operations 147–8
Commonwealth War Graves Commission, UK contributions 35w
Employment Appeal Tribunal 446w
Environment protection, EC law 793
Exservicemen, Departmental responsibilities 268w
Open government 61w
Public transport 54w
THORP, Police 77w
United Kingdom Atomic Energy Authority Constabulary 77w
United Kingdom Atomic Energy Authority Constabulary, Ministry of Defence Police Committee of Inquiry 77w
United Kingdom NIREX, Police 77w

Maclean, Mr David, Minister of State, Home Office
Questions
Assaults on police, North Yorkshire 586w
Botnar, Octav, Tax evasion 554w
Bridgewater, Carl, Homicide 193–4w
Corporal punishment, Crimes of violence 568w
Crime 11w
Crime, Sentencing 570w
Criminal appeals, Civil service manpower 194w
Criminal injuries compensation 331–3w

Maclean, Mr David—continued
Criminal Justice and Public Order Bill 1993/94 568w
Data networks, Pornography 585w
Detection rates 193w
Drug abuse, Young people 569w
Drug crimes, Confiscation orders 459w
Drug crimes, North Yorkshire 586w
Drugs and crime 587w
Drugs and crime, Hampshire 335w
Dunning, Colin Ivor, Criminal appeals 454w
Electronic surveillance, Curfews 72w
Exhaust emission controls, Motor vehicle testing 379w
Homicide, Life imprisonment 140w
Juries 950–1
Motor vehicle theft 382–3w, 454–8w
Pornography, Computers 946
Prisoners, Republic of Ireland 460–1w
Probation hostels 380w
Right of silence 943–4
Right of silence, Northern Ireland 944
Secure training centres 942–3
Secure training centres, North Wales 73w
Secure training centres, Young offenders 568w
Sentencing 568–9w
Temazepam, Drug abuse 379w
Tickets, Touting 141–2w
Trespass, Blood sports 333w
Victim support schemes 71–2w
Young offenders 951–2

McLeish, Mr Henry
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 736–7, 742–9, (18.05.94) 831, 840–1, 852–3, 855–9, 914

Maclennan, Mr Robert
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 772–3
Questions
Data networks, Pornography 585w
Dunning, Colin Ivor, Criminal appeals 454w
Mann, Ian, Departmental correspondence 585w
Prisons, Ships 949

McLoughlin, Mr Patrick,
Parliamentary Under-Secretary of State, Dept of Trade & Industry
Debates etc.
Sale and Supply of Goods Bill, Rep (20.05.94) 1063, 1074–6
Questions
Cable systems, Complaints 300w
Combat 18 299w
Consumer protection 179w
GATT, Air pollution control 179w
Industrial research 318
Market overt 303w
New businesses, North Yorkshire 385w
Office of Water Services, Public appointments 386w
Post Office 387w
Post Office, Performance standards 183w
Post offices, South Yorkshire 386w
Postal services, Barnsley 539–40w
Public houses 302
Small businesses 302–3
Small businesses, East Anglia 180w
Smart awards 542w
Smart awards, Isle of Wight 183w
Spirits, Measurement 76–7w, 541w
Telecommunications industry, USA 192w
Telephone charges, Cellular phones 76w
Trade Marks Bill (HL) 1993/94 299w

McMaster, Mr Gordon
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (10.05.94) 157
Local Government Etc (Scotland) Bill, Rep (17.05.94) 753, (18.05.94) 907
Questions
Eastwood District Council, Public appointments 51–2w

McMaster, Mr Gordon—continued
Local government reform, Scotland 165w
Parliamentary questions, Chancellor of the Duchy of Lancaster 62w
Parliamentary questions, Northern Ireland Office 312–3w
Quarrying, Scotland 53w

MacShane, Denis
Maiden speeches (16.05.94) 582–7
Members' oath and affirmation (10.05.94) 154

MacShane, Mr Denis
Debates etc.
European Communities (16.05.94) 582–7
Members' oath and affirmation, MacShane, Denis (10.05.94) 154

McWilliam, Mr John
Debates etc.
Post Office, Privatisation (19.05.94) 973

Madden, Mr Max
Debates etc.
Immigration (European Economic Area) Order 1994 (09.05.94) 67, 74
Questions
Ali, Ghazanfer 670–1
Habitual residence test 546
Newspaper press, Wholesale trade 77w
Unemployment, Bradford 447w
Yorkshire Rider, Badgerline Group 179w

Madel, Sir David
Questions
Investment, Building industry 479–80w

Maginnis, Mr Ken
Questions
District rates, Northern Ireland 472w
Higher education, EC nationals 472w
Higher education, Northern Ireland 472w
Neurology, Royal Victoria Hospital Belfast 471w
Police, Northern Ireland 469w
Prisoners, Republic of Ireland 460–1w
Social security abuse, Northern Ireland 471w

Magistrates
Political parties 140w

Magistrates' courts
Closures 451–2w

Magistrates' courts committees
243–4w, 451w

Mahon, Mrs Alice
Questions
Information Technology Services Agency, Consultants 24w
Public houses 302

Maiden speeches
MacShane, Denis (16.05.94) 582–7

Maintenance
Absent parents 235w
Children 136–8w, 172w, 233–6w, 351w, 438w, 523–6w, 540–4
Scotland 233–5w
Tax allowances 578w

Maitland, Lady Olga
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (09.05.94) 23
Questions
Administration of justice, Race relations 244–5w
Air routes 53w
Open government 19
Police Complaints Authority, Public appointments 11w

Major, Rt Hon John, *Prime Minister, First Lord of the Treasury and Minister for the Civil Service*
Debates etc.
Smith, John, Members' deaths (12.05.94) 429–30
Questions
Advertising, Expenditure 401w

Major, Rt Hon John—continued
Ali, Ghazanfer 670–1
ANZAC landings, Festivals and special occasions 78w
Arms to Iraq Inquiry, Prime Minister 78w, 222w, 268w
Black Country Development Corporation 673–4
Bosnia-Herzegovina, Armed forces deployment 952
Breast cancer 671
Buses, Safety belts 669–70
Capital rules 221–2w
Child Support Agency 669, 955
Citizen's Charter, Handicapped 577w
Civil Rights (Disabled Persons) Bill 1993/94 153, 566w, 954
Civil service, Disclosure of information 303–4w
Civil service, Efficiency scrutinies 304w
Conservative Party 150
Consultants, Prime Minister 78w
Crossrail Bill 1991/92 669
Cyprus, Foreign relations 401w
Drugs and crime 153–4
EC integration 151–3
EC law, Equal opportunities 565w
Economic growth 672–3
Economic policy, South Africa 956
Economic situation 150–1
Electronic mail, Government departments 401w
Exservicemen, Departmental responsibilities 268w
Foreign investment in UK 152
General elections 154
Health services, Pensioners 152
Internet, Prime Minister 39w
Iraq, International Red Cross 184w
Iraq, Water supply 221w
Kashmir, Human rights 469w
Lloyd's of London 955–6
Local government elections, Croydon 151–2
Lockerbie, Bombings 304w, 401w, 956
Manufacturing industries, Productivity 149–50
Metropolitan Police, Police firearms 670
Ministers' domestic visits, North Devon 304w
Official engagements 78w, 221w, 401w, 565w
Post Office, Privatisation 952–3
Preston, Peter, Departmental correspondence 469w
Prime Minister, Civil service manpower 565–6w
Prime Minister, Departmental correspondence 39w
Prime Minister's questions 953
Prisoners, Press 953–4
Rwanda, Armed conflict 671–2
School leaving 674
Sinn Fein, Northern Ireland government 577–8w
Thatcher, Margaret, Malaysia 401–2w
UK membership of EC 468w
UN Security Council 221w
Unemployment 954–5
VAT 672
War widows' pensions 672
Woodspring 221w
Young offenders 953

Maladministration
Health service staff 219w

Malaysia
Overseas trade 192–3w, 313–4
Thatcher, Margaret 401–2w

Management consultants
Dept of Social Security 352–3w

Managers
Health service staff 217–8w
Northern Ireland health and social services boards 473w
Women 445–6w, 666–7

Mandatory student grants
258w

Mandelson, Mr Peter
Questions
Business questions 962
PAYE 397w

Mann, Ian
Departmental correspondence 585w

Mans, Mr Keith
Debates etc.
Post Office, Privatisation (19.05.94) 969
Questions
Employment, North West region 663–4
Uruguay round, World Trade Organisation 461w
Water pollution, Beaches 794–5

Manufactured goods
Balance of trade 20w

Manufacturing industries
Labour costs 178w, 311–2
Productivity 149–50
Trade competitiveness 178w

Marek, Dr John
Questions
Attorney General, Repetitive strain injury 173w
Low flying, Wales 303w
Military bands, Finance 606w
Repetitive strain injury, Dept for Education 583w
Repetitive strain injury, Welsh Office 186w

Marine Safety Agency
Relocation of employees 322w

Market Access International
Consultants 82w

Market overt
303w

Marland, Mr Paul
Questions
Lloyd's of London 955–6

Marlow, Mr Tony
Questions
EC enlargement 431w

Marriage
Transsexuals 379–80w

Marriage (Amendment) Bill 1993/94
Debates etc.
2R order read (20.05.94) 1102

Marshall, Mr David
Questions
Anton Piller orders, Scotland 288w
Lorries, Motor vehicle registration 120w
Motor industry, Scotland 370w
Working mothers, Lone parents 445w

Marshall, Mr Jim
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 253
Questions
Bosnia-Herzegovina, Armed conflict 147
Western European Union 127w

Marshall, Mr John
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 457, 462–3, 481
Questions
Council housing, Empty housing 796
London Underground, Safety measures 4–5
Shipbuilding 308–9
Unemployment 665

Martin, Mr Michael J
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 271–3
Questions
Day care of children, Palace of Westminster 414w
Members, Photo identity passes 308w

Martin, Paul
286w

Martin, Paul—continued
Civil service recruitment 272w, 285–6w, 606w

Martlew, Mr Eric
Questions
RAF Carlisle 146–7

Mass media
Codes of practice 468w

Maternity services
Victoria Hospital Accrington (20.05.94) 1103–10

Mawhinney, Rt Hon Brian, Minister for Health
Questions
Audiology technicians, Greater London 316–7w
Dental technicians 2w
Dentures 2w
Dept of Health, Research finance 593w
Doctors' list of patients 87w
Eye tests 421w
Eye tests, Optical charges 1w
Family doctors 421–2w
Family doctors, Conditions of employment 555w
Family doctors, Contraceptives 588w
Family doctors, Pay 559–60w
Family doctors, Training 587–8w
Family doctors, Urban areas 157w
GP fundholders 84w, 90w, 590w
GP fundholders, Doctors' list of patients 215w
GP fundholders, Prescriptions 421w
Great Ormond Street Hospital, Income 269w
Guy's Hospital 3w
Health authorities, Operating costs 218w
Health service staff, Fringe benefits 417w
Health service staff, Labour costs 219–20w
Health service staff, Maladministration 219w
Health service staff, Managers 217–8w
Health service staff, Redundancy 216w
Health service staff, Temporary employment 416w
Health service staff, West Midlands 153w
Health services 271w
Heart diseases, Surgery 557w
Hospital closures, Greater London 213w
Hospital consultants, Vacancies 2w
Hospital waiting lists, Finance 422w
Hospital waiting lists, Heart diseases 158w
Hospitals, Children 160w, 557w
Junior hospital doctors, Greater London 85–6w, 154w
Junior hospital doctors, Working hours 1w, 518w
Medical treatments, Greater London 517w
NHS, Negligence 84–6w
NHS reform 559w
NHS trusts 220w, 590w
NHS trusts, Executives 556w, 594w
NHS trusts, Expenditure 272w
NHS trusts, Greater London 212w
NHS trusts, Nottinghamshire 160w
NHS trusts, Sheffield 322w
NHS trusts, Travelling expenses 590w
Paediatrics, Hospitals 157w
Patient's Charter, Costs 587w
Prescription charges 3w
Prescription drugs, Date marking 318w
Prescriptions, Expenditure 555w
Primary health care 215w
Regional health authorities, Manpower 217w
Tagamet, Expenditure 519w
Wandsworth Health Authority, Executives 517–8w
Wandsworth Health Authority, Speech therapists 316w
West Lindsey NHS Trust 271w
"Your Pocket Guide to Sex" 160–1w

Maxton, Mr John
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 263, 270–1

Maxwell Pensions Unit
349–50w

Mayhew, Rt Hon Sir Patrick, Secretary of State for Northern Ireland
Questions
Independent Commission for Police Complaints for Northern Ireland, Annual reports 473w
Northern Ireland (Emergency Provisions) Act 1991 312w
Northern Ireland government 47w

Meacher, Mr Michael
Questions
Dept of Transport, Government contracts 432–4w
Driver and Vehicle Licensing Agency, Teledata 278w
Government research establishments, Contracts for services 15w
Parliamentary questions, Chancellor of the Duchy of Lancaster 167w
Parliamentary questions, Dept of National Heritage 537–8w
Parliamentary questions, Dept of Trade and Industry 609w
Parliamentary questions, Foreign and Commonwealth Office 430w
Parliamentary questions, Lord Chancellor's Dept 452w
Parliamentary questions, Ministry of Agriculture Fisheries and Food 295w
Parliamentary questions, Ministry of Defence 499w
Parliamentary questions, Northern Ireland Office 178w
Parliamentary questions, Scottish Office 402–3w
Parliamentary questions, Treasury 253w
Parliamentary questions, Welsh Office 476w
Public service, Cost effectiveness 15
Road construction, Assisted areas 432w
Teledata, Driver and Vehicle Licensing Agency 281w

Measurement
Spirits 76–7w, 541w

Meat
Wales 22w

Mechtric Engineering
664

Medical equipment
Iraq 247w

Medical examinations
Immigration controls 516w
Incapacity benefit 172–3w

Medical research
Congenital abnormalities 212w
Foetal tissue 556w

Medical treatments
Greater London 517w
Hospital waiting lists 157w
Mental illness 419w
Ulcers 519w

Meirionnydd
Local government reform 349w

Members
Photo identity passes 308w

Members' correspondence
439w

Members' deaths
Smith, John (12.05.94) 429–38

Members' facilities
House of Commons staff 81w
Office furniture 210w
Opening hours 81w

Members' oath and affirmation
MacShane, Denis (10.05.94) 154

Members' personal statements
Civil Rights (Disabled Persons) Bill 1993/94 (10.05.94) 155
Dept of Social Security (10.05.94) 155

Mental health community care
417–8w

Mental health services
418w
Advisory bodies 418w
Finance 554–5w
Greater Glasgow Health Board 164–5w
Hospitals 160w

Mental illness
516w
Medical treatments 419w

Mentally disturbed offenders
256–7w

Mentally handicapped
Disability living allowance 537w

Mentally ill
Disability living allowance 537w

Merchant, Mr Piers
Questions
Strikes 448w

Merchant seamen
57w

Merchant Shipping (Ro-Ro Passenger Ship Survivability) (No 2) Regulations 1994
Debates etc.
(09.05.94) 60–4

Merchant ships
Military exercises 603–4w

Meteorological Research Sub-Committee
Public appointments 572w

Metropolitan Police
339w, 569w
Deportation 584w
Police firearms 670

Michael, Mr Alun
Questions
Motor vehicle theft 454–8w
Police cautions 947
Somalia, Overseas aid 27–8w
Victim support schemes 71–2w

Michie, Mr Bill
Questions
Child Support Agency, Departmental publications 351–2w
Civil defence, Warnings 336–7w
Nuclear fuels, Transport of radioactive materials 603w
Tax allowances, Maintenance 578w

Michie, Mrs Ray
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 277–8
Local Government Etc (Scotland) Bill, Rep (18.05.94) 883–7

Mid Glamorgan Health Authority
Asthma 104w

Midland Metro
55w

Midwives
Manpower 587w

Milburn, Mr Alan
Questions
Civil servants' business appointments, Chancellor of the Duchy of Lancaster 293w
Civil servants' business appointments, Dept of Employment 166–7w
Civil servants' business appointments, Dept of Trade and Industry 20–2w
Consultants, Dept of Employment 567w
Consultants, Dept of National Heritage 14w
Consultants, Dept of the Environment 70w
Consultants, Dept of Trade and Industry 300–2w
Consultants, Dept of Transport 122w
Consultants, Foreign and Commonwealth Office 554w
Consultants, Home Office 342w

Milburn, Mr Alan—continued
Consultants, Market Access International 82w
Consultants, Ministry of Agriculture Fisheries and Food 152w
Consultants, Prime Minister 78w
Consultants, Scottish Office 99w
Consultants, Treasury 7–8w, 400w
Dept of Social Security, Management consultants 352–3w
Firearms 141w
Health authorities, Consultants 268w
Hospital consultants, Vacancies 2w
Import controls, Firearms 229w
NHS, Negligence 84–6w
NHS trusts, Consultants 268–9w
NHS trusts, Finance 315–6w, 414–5w, 515w
Regional selective assistance, North East region 311
Self-employed 118–9w
Training and enterprise councils, Finance 447–8w

Military bands
139, 145, 576w
Armed forces deployment 575w
Finance 606w

Military exercises
Clyde submarine base 500w
Merchant ships 603–4w

Milk Marketing Board for Northern Ireland
236w

Milk marketing scheme
295w

Millennium Commission
413w

Miller, Mr Andrew
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 204–5, 226–7, 234, 249
Tobacco Advertising Bill, Rep (13.05.94) 502, 510
Tobacco advertising (13.05.94) 524
Questions
Benzene, Exhaust emissions 514w
Crime prevention, Ellesmere Port 949–50
Electricity tariffs 317

Mineral waters
EC law 262w

Mines
286w, 572w
Falkland Islands 82w
Horseshoe Barracks Shoeburyness 201w

Minimum wage
668

Ministerial statements
MV Braer Inquiry (17.05.94) 675–87
Post Office (19.05.94) 966–81
Speaker's rulings and statements (09.05.94) 21, 126
Tobacco advertising (13.05.94) 517–25

Ministers' domestic visits
Easington 15w
Health services 219w
Hospitals 2w
Journalists 2w
North Devon 304w
Northern Ireland 310–1w

Ministry of Agriculture Fisheries and Food
Cellular phones 199w
Consultants 152w
Departmental publications 606w
Internet 288–9w
Non-departmental public bodies 152w
Parliamentary questions 295w
Private detectives 150w

Ministry of Defence
Arms to Iraq Inquiry 285w
Cellular phones 133w
Civil servants 148
Civil service manpower 146
Civil service recruitment 573w

Ministry of Defence—continued
Government buildings 132w
Internet 133w
Parliamentary questions 499w
Subsistence allowances 132w

Ministry of Defence Police Committee of Inquiry
United Kingdom Atomic Energy Authority Constabulary 77w

Misuse of Drugs Act 1971
Questions
459–60w

Mitchell, Mr Austin
Questions
Common fisheries policy, Spain 145–6w
Company investigations 609–12w
Consultants, Attorney General 440w
Fishery agreements, Spain 40w
Local government reform 169w
Merchant seamen 57w
UK membership of EC 468w

Mitchell, Sir David
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 505–8
Questions
MV Braer Inquiry 322w

Molyneaux, Rt Hon James
Debates etc.
Smith, John, Members' deaths (12.05.94) 432

Monklands District Council
Local government corruption 95w

Monro, Sir Hector, Parliamentary Under-Secretary of State, Scottish Office
Questions
Arable area payments scheme, Scotland 51w
Butterflies, Nature conservation 49w
Cereals, Scotland 51w
Deer, Bovine tuberculosis 52w
Fishing gear, Scotland 408w
Forestry Commission 463w
Forestry Review Group 48w
Glenfeshie Estate 164w
Ramsar Convention, Scotland 197w
Water treatment, Scotland 463–4w

Montgomery, Sir Fergus
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 186–8
Questions
Drugs and crime 153–4
EC Social Charter 445w
Mortgages, Interest rates 223w

Montgomeryshire
Local government reform 349w
Water abstraction 202w

Monuments
ANZAC landings 308w
Palace of Westminster 308w

Morgan, Mr Rhodri
Questions
Cardiff Bay barrage 204w
Cardiff Bay barrage, Environment protection 532w
Cardiff Bay Development Corporation, Sports sponsorship 608–9w
Civil servants' secondment, Early retirement 407–8w
Civil service recruitment, Candidates 272–4w
Fish conservation, EC law 378w
Health Promotion Authority for Wales, Catford, John 584w, 608w
Health Promotion Authority for Wales, Finance 608w
Health Promotion Authority for Wales, Griffiths, David 608w
Local government reform, Wales 608w
Manufacturing industries, Trade competitiveness 178w

Morgan, Mr Rhodri—continued
Martin, Paul 286w
Martin, Paul, Civil service recruitment 285–6w, 606w
Nature conservation, Seas and oceans 289w
Parliamentary Counsel, Amendments and new clauses 581w
River Tawe, Fish conservation 204w
Sea fisheries committees, Wales 203w
Training and enterprise councils, Civil servants' secondment 263w, 360–2w, 503w
VAT 225w
Welsh Office, Departmental reorganisation 204–5w
West Wales Training and Enterprise Council, Civil servants' secondment 579w

Morley, Mr Elliot
Debates etc.
BC environmental policy (11.05.94) 349, 353
Iron and steel industry, Italy (09.05.94) 88–9, 95
Questions
Butterflies, Nature conservation 49w
Deer, Bovine tuberculosis 52w
Export of live animals, Republic of Ireland 47w
Forestry Commission 463w
Forestry Review Group 48w
Legislation, EC law 441w
Race Bank, Extractive industries 607w
Sheep, Poland 146w
Sheep, Transport of animals 42w
Transport of animals, Animal welfare 295–6w

Morris, Rt Hon Alfred
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (09.05.94) 23, (11.05.94) 322, (18.05.94) 811, (19.05.94) 981, (20.05.94) 1033–4
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1079–80, 1084, 1086, 1093, 1100
Private Members' bills, Points of order (13.05.94) 440
Sale and Supply of Goods Bill, Rep (20.05.94) 1058
Special education, Codes of practice (09.05.94) 40–3
Questions
Amendments and new clauses, Opposition parties 6w
Civil Rights (Disabled Persons) Bill 1993/94 523w, 566w
Civil Rights (Disabled Persons) Bill 1993/94, Amendments and new clauses 211w
Parliamentary Counsel, Civil Rights (Disabled Persons) Bill 1993/94 210–1w
Private Members' bills, Legislative drafting 211w
Tobacco Advertising Bill 1993/94, Amendments and new clauses 257w

Morris, Ms Estelle
Debates etc.
Post Office, Privatisation (19.05.94) 980–1

Morris, Rt Hon John
Debates etc.
Iron and steel industry, Italy (09.05.94) 80–2
Questions
EC Industry Council, Iron and steel industry 76w

Mortgages
Income support 24w
Interest rates 223w

Moss, Mr Malcolm
Questions
Nuclear Electric, Privatisation 316

Motor industry
Restrictive trade practices 613–4w
Scotland 370w

Motor vehicle registration
Lorries 120w

Motor vehicle safety
School transport 241w

Motor vehicle testing
Exhaust emission controls 379w

Motor vehicle theft
382–3w, 454–8w

Motorway service areas
M25 505w

Motorways
54w
Road traffic 240w, 594–5w

Mount Oriel Clinic Belfast
Parking 565w

Mowlam, Ms Marjorie
Questions
AIDS, Voluntary organisations 515–6w
Dept of National Heritage, Administrative costs 13w, 600w
English Heritage, Civil service manpower 413–4w
English Heritage, Employment protection 343–4w
English Heritage, Listed buildings 413w, 461–2w
English Heritage, Property transfer 343w
Festivals and special occasions, Government departments 560w
Historic Royal Palaces Agency, Expenditure 344w
Local government reform, Cleveland 531–2w
Millennium Commission 413w
Museums and galleries, EC action 345w
Office of the National Lottery 13w
Public libraries, Local government reform 13w
Royal Parks Agency, Expenditure 538w
Royal residences, Expenditure 344–5w

Mudie, Mr George
Questions
Civil Rights (Disabled Persons) Bill 1993/94 153
Civil service dispersal, House purchase 75w
Company liquidations, Expenditure 540–1w
Day care of children, Palace of Westminster 414w
Dept of Employment, Computers in government departments 262–3w
Financial institutions, City of London 226w
Immigrant detainees, Costs 10w
National Criminal Intelligence Service, Computers 11w
Renewable Energy Advisory Committee, Public appointments 296–8w
Single regeneration budget 802–3
Trade promotion, Expenditure 540w

Mullin, Mr Chris
Questions
Child Support Agency 351w
Coal mine closures, Water pollution 179w

Museums and galleries
171–2w
EC action 345w

MV Braer Inquiry
322w
Ministerial statements (17.05.94) 675–87

MV Playa
248w

Myalgic encephalomyelitis
Social security benefits rules 135w

Narmada dam
28–9w

National Criminal Intelligence Service
Computers 11w

National Employer Liaison Committee
Public appointments 500w

National Finance
see Treasury

National House Building Council
Wales 100w

National insurance contributions
223–4w, 396w

National lottery
91w
Public appointments 90–1w

National Lottery Charities Board
Public appointments 342w

National Parks Bill 1993/94
Debates etc.
2R order read (13.05.94) 515

National vocational qualifications
JHP Training 661
Sports 343w

NATO
Weapons 573w

NATO bases
(09.05.94) 53–60

Nature conservation
Birds of prey 168w
Butterflies 49w
China 282w
EC law 394w
Seas and oceans 289w
Skye bridge 50–1w
Wales 103w
Whales 150–1w

Naval bases
141–2

Navy
Fishery protection 440w

Needham, Mr Richard, Minister for Trade
Questions
Arms to Iraq Inquiry, Dept of Trade and Industry 21w, 191w, 389w
Arms trade, Indonesia 307–8
Balance of trade 313
Biological weapons, Iraq 387w
Company liquidations, Expenditure 540–1w
Export licensing, Iraq 182w
Export promotion 313, 315
Export promotion, Aerospace industry 313
Export promotion, Ceramic industries 314
Export promotion, Machine tools industry 314
Exports 180w
Import controls, China 611w
Manufactured goods, Balance of trade 20w
Nuclear weapons, Arms trade 386w
Overseas trade, Kuwait 387w
Overseas trade, Malaysia 192–3w, 313–4
Overseas trade, South Africa 315
Trade promotion, Expenditure 540w

Negligence
NHS 84–6w

Neighbourhood watch schemes
8w

Nelson, Mr Anthony, Economic Secretary to the Treasury
Questions
Balance of trade 294w
Certificates of tax deposit 254w
Company disclosure of information, Investment 7w
Consultants, Treasury 7–8w
Council tax, Valuation 480–1w, 529w
Employment by sector 229w
Financial institutions, City of London 226w
Group of Ten 6w
Inflation 143w, 224–5w
International Monetary Fund, Russia 227w
International Monetary Fund, Sudan 253–4w
Internet, Treasury 6–7w
Parliamentary questions, Treasury 253w
Press releases, Treasury 294w

Netherlands
Identity cards 336w

Network SouthEast
Railway travel 464–5w

Neubert, Sir Michael
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (18.05.94) 814
Deregulation and Contracting Out Bill, Rep (10.05.94) 240–5, 253–4
Questions
Roads, Greater London 122w

Neurology
Northern Ireland 471w
Royal Victoria Hospital Belfast 471w

New businesses
North Yorkshire 385w

Newham North-East
By election writs (17.05.94) 657

Newspaper press
Wholesale trade 77w

Newton, Rt Hon Tony, Lord President of the Council and Leader of the House of Commons
Debates etc.
Business motions (19.05.94) 1018–9, 1020–1
Business statements (16.05.94) 553–4
Deregulation initiative, Orders and regulations (11.05.94) 386–90, 392, 394, 398, 412–3, 415, 418–9
Tobacco Advertising Bill, Rep (13.05.94) 504
Questions
Amendments and new clauses, Opposition parties 6w
Business questions 959–65
Business statements 257–8w, 957–9
Cellular phones, Lord President of the Council 308w
Civil Rights (Disabled Persons) Bill 1993/94, Amendments and new clauses 211w
Civil Rights (Disabled Persons) Bill 1993/94, Legislative drafting 560w
HC procedure 307–8w
Internet, Lord President of the Council 211w
Orders and regulations 75w
Parliamentary Counsel, Amendments and new clauses 581w
Parliamentary Counsel, Civil Rights (Disabled Persons) Bill 1993/94 210–1w
Parliamentary Counsel, Private Members' bills 257w, 308w
Private Members' bills, Legislative drafting 211w
"Procedure Select Committee Report on Scrutiny of Deregulation Orders" 6w
Tobacco Advertising Bill 1993/94, Amendments and new clauses 257w
Written questions, Electronic mail 6w

NHS
Estate management 83w
Expenditure 536w
Information technology 153w
Negligence 84–6w
Private investment 557w
Valuation 419w
Wales 266w, 536w

NHS and private practice
NHS trusts 159w

NHS charges
Hearing aids 419w

NHS Executive
Scotland 52–3w

NHS finance
Counselling 84w

NHS Management Executive
Civil service manpower 589w

NHS numbers
321–2w

NHS Pensions Agency
Performance standards 86–7w

NHS reform
559w

NHS trusts
220w, 590w
Collective bargaining 367w
Consultants 268–9w
Contracts for services 367–8w
Executives 556w, 594w
Expenditure 272w
Finance 315–6w, 414–5w, 515w
Financial targets 415–6w
Greater London 212w
NHS and private practice 159w
Nottinghamshire 160w
Nurses 265–6w
Official cars 367w
Pay 367w
Repairs and maintenance 593–4w
Scotland 367–8w, 404w
Scottish Ambulance Service 404–5w, 464w
Sheffield 322w
Travelling expenses 590w
Wales 265–6w

Nicaragua
Overseas aid 189–90w

Nicholls, Mr Patrick
Debates etc.
EC environmental policy (11.05.94) 361–3, 374
Questions
Homicide, Life imprisonment 140w
Maintenance, Children 544
Nature conservation, Wales 103w
Ramsar Convention, Scotland 197w
Special protection areas 373–4w
Spirits, Measurement 76–7w
Water charges, West country 808

Nicholson, Mr David
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 242
Questions
Company disclosure of information, Investment 7w
Fishing vessels, Shipping registration 290–1w
Hazardous materials, Import controls 390w
Mineral waters, EC law 262w
Motorways, Road traffic 240w
Unemployment, South West region 666
VAT, Company cars 124–5w
Veterinary medicine, Horses 150w

Nicholson, Miss Emma
Questions
Terrorism 567–8w

Nigeria
Cameroon 80w

Night flying
436w
Coventry Airport 547w

NIREX
see United Kingdom NIREX

Nitrate sensitive areas
513–4w

Noise
Defence research establishments 605w

Non-departmental public bodies
Ministry of Agriculture Fisheries and Food 152w
Wales 264–5w

Norris, Mr Steve, Parliamentary Under-Secretary of State, Dept of Transport
Debates etc.
Merchant Shipping (Ro-Ro Passenger Ship Survivability) (No 2) Regulations 1994 (09.05.94) 61, 64
Questions
Air routes, USA 54w

Norris, Mr Steve—continued
Carlisle Airport, British Nuclear Fuels 324w
Cellular phones, Dept of Transport 119–20w
Consultants, Dept of Transport 122w, 549w
Coventry Airport, Night flying 547w
Crossrail 596w
Crossrail, Expenditure 323w
Dept of Transport, Government contracts 432–4w
Dept of Transport, Private detectives 547w
East London railway line 12
Fares, Children 273–6w
Fares, Greater London 274w
Ferries, Spain 548w
Hayes bypass 122–3w
Internet, Dept of Transport 58w
Leeds-Bradford Airport, Air traffic control 323w, 547w
London Transport, Crimes of violence 121–2w, 325w
London Underground 11–2, 55w
London Underground, Capital investment 5
London Underground, Safety measures 4–5
Lorries, Greater London 54–5w
M11, Environmental impact assessment 119w
Marine Safety Agency, Relocation of employees 322w
Merchant seamen 57w
Night flying 436w
Northern line 11
Public transport, East London 55–6w
River crossings, Blackwall 120–1w
Road construction, Greater London 121w
Roads, Greater London 122w
Shipping, Contracts for services 324w
Shipping accidents, Irish Sea 322–3w
Taxis 61w

North Atlantic Treaty Organisation
see NATO

North Devon
Ministers' domestic visits 304w

North East region
Regional selective assistance 310–1
Residential care 211–2w

North Staffordshire
Pathology 154w

North Wales
Police custody 74w
Railway transport 549w
Secure training centres 73w

North West region
Employment 663–4

North Yorkshire
Assaults on police 586w
Drug abuse 555w
Drug crimes 586w
Electric cables 191–2w
New businesses 385w
Old people's homes 83–4w

North Yorkshire Training and Enterprise Council
360w
Finance 579w

Northern Ireland
Arable area payments scheme 48w
Cereals 48w, 582–3w
Detection rates 239w
Disability living allowance 44w
District rates 472w
Electricity tariffs 317
Environment Agency 44w
Environment protection 807
Fisheries 125w
Further education 471–2w
Higher education 472w
Industrial health and safety 237–8w
Invalidity benefits 46–7w
Job training programme 44–6w
Junior hospital doctors 43–4w
Ministers' domestic visits 310–1w
Neurology 471w
Police 267–8w, 469w

Northern Ireland—continued
Primary education 175w
Prison population 267w
Radioactivity 266w
Regional rates 472w
Right of silence 944
Road works 177–8w
Roads 175w
Schools 175w
Sheep 126–7w
Social security abuse 471w
Students 564w
Tree planting 43w
Youth training programme 44–6w

Northern Ireland (Emergency and Prevention of Terrorism Provisions) (Continuance) Order 1994
Debates etc.
(19.05.94) 1017–9

Northern Ireland (Emergency Provisions) Act 1991
Questions
312w

Northern Ireland government
47w
Sinn Fein 577–8w

Northern Ireland health and social services boards
Community care 45–6w
Labour costs 582w
Managers 473w
Nurses 472–4w

Northern Ireland Office
Cellular phones 126w
Internet 125–6w
Parliamentary questions 178w, 312–3w
Private detectives 43w, 266w
Public appointments 43w
Security industry 43w

Northern Ireland Termination of Jurisdiction Bill 1993/94
Debates etc.
2R order read (20.05.94) 1101

Northern line
11

Northern region
Grant maintained schools 108–10w

Northolt
Road traffic 122–3w

Norway
EC accession 442–3w
Fisheries 442–3w

Nottingham
Crime prevention 945

Nottinghamshire
Benefits Agency district offices 580–2w
Council house sales 65w
Local government reform 806
NHS trusts 160w

Nuclear accidents
Emergency planning 601–2w
Scotland 601–2w

Nuclear disarmament
Russia 128w

Nuclear Electric
Privatisation 316

Nuclear fuel reprocessing
Conferences 612w
Dounreay 611–2w
Nuclear submarines 303w
Sellafield 387w

Nuclear fuels
Transport of radioactive materials 602–3w

Nuclear Industry Radioactive Waste Executive
see United Kingdom NIREX

Nuclear non proliferation
Conferences 283w, 383–4w

Nuclear Non Proliferation Treaty
246w

Nuclear Non Proliferation Treaty—continued
Conferences 282w

Nuclear power
Nuclear review 306

Nuclear review
306–7, 543–4w
Nuclear power 306

Nuclear safeguards
THORP 572–3w

Nuclear submarines
Clyde submarine base 602w
Emergency planning 601–2w
Nuclear fuel reprocessing 303w
Scotland 601w

Nuclear weapons
130w
Arms trade 162w, 386w

Nursery Education (Assessment of Need) Bill 1993/94
Debates etc.
Order for resuming adjourned 2R read (13.05.94) 515

Nurses
270–1w
Birmingham 86w
Manpower 268w, 422w, 472–4w, 587w
NHS trusts 265–6w
Northern Ireland health and social services boards 472–4w
Tuberculosis 590–1w

Nurses' training
517w, 593w

Nutrition and health
420w

O'Brien, Mr Mike
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (10.05.94) 157–8
Questions
Child Support Agency 350w
Open government 18–9
Opencast mining, Planning permission 505–6w
Police and Magistrates' Courts Bill 1993/94 306w
Pornography, Computers 946
Road construction, West Midlands 6–7

O'Brien, Mr William
Debates etc.
Revenue support grant (18.05.94) 931–2, 935
Questions
Construction materials, Imports 115w
East Midlands Electricity 298w
East Midlands Electricity, Yorkshire Electricity Board 298w
Halls Electrical Contracting, Factory closures 451–2w
Northern Ireland health and social services boards, Labour costs 582w
Northern Ireland health and social services boards, Managers 473w
Nurses, Manpower 472–4w
Water storage 67–8w
World War II, Festivals and special occasions 127w

Occupational pensions
353–6w, 539–40
Invalidity benefits 259w
Pensioners 539

Offensive weapons
Import controls 228w

Office furniture
Members' facilities 210w

Office of Electricity Regulation
Public appointments 298w

Office of Passenger Rail Franchising
435w
Consultants 597–8w
Shandwick 597–8w

Office of the National Lottery
13w

Office of Water Services
Civil service recruitment 252w
Consumer protection 261w
Public appointments 386w, 393w

Offices
Church Commissioners 307w
Railtrack 436–7w

Official cars
NHS trusts 367w

Official engagements
78w, 221w, 401w, 565w

Official visits
Police 163w

Offshore fixed platforms
Overseas workers 388w, 566–7w
Recruitment 566w

Oil industry
Licensing 19w

Old people's homes
North Yorkshire 83–4w

Olner, Mr Bill
Questions
Air Training Corps 142–3
Council tax capping 504w
Employment, Warwickshire 658
Occupational pensions 539
Regional airports 3

O'Neill, Mr Martin
Debates etc.
Coal Industry (Restructuring Grants) Order 1994 (19.05.94) 985–7, 999
Deregulation and Contracting Out Bill, Rep (10.05.94) 275–6
Local Government Etc (Scotland) Bill, Rep (17.05.94) 756–9, 778
Written questions, Points of order (09.05.94) 21
Questions
Gas tariffs 304

Onslow, Rt Hon Sir Cranley
Debates etc.
Post Office, Privatisation (19.05.94) 971
Questions
Environment Agency 377w
Waste management 375–6w

Open government
16, 18–9, 61w
Telephone services 474w

Opencast mining
Planning permission 505–6w, 801–2

Opening hours
Members' facilities 81w

Operation Elgar
570w

Oppenheim, Mr Phillip
Questions
Electricity tariffs 317
Opencast mining, Planning permission 801–2

Opposition days
EC environmental policy (11.05.94) 332–79
Environment protection (11.05.94) 332–79

Opposition parties
Amendments and new clauses 6w

Optical charges
Eye tests 1w

Oral questions
Speaker's rulings and statements (19.05.94) 957–8

Orders and regulations
75w
Deregulation initiative (11.05.94) 380–419

Organisation of African Unity
Rwanda 4–5w

Orkney
Wind power 544w

Ottaway, Mr Richard
Debates etc.
MV Braer Inquiry (17.05.94) 686
Questions
Economic growth 224w
Managers, Women 445–6w
Pornography, Computers 946

Outdoor education
Sports Council 309w, 345w, 462w

Overseas aid
411w
China 30w
Family planning 305w
Kenya 184w
Nicaragua 189–90w
Russia 25–6w
Rwanda 252w
Somalia 27–8w, 80w
Sudan 251–2w
Zimbabwe 497w

Overseas Development
see Foreign and Commonwealth Office

Overseas trade
Kuwait 387w
Malaysia 192–3w, 313–4
South Africa 315

Overseas workers
Offshore fixed platforms 388w, 566–7w

Paediatrics
East Sussex Health Authority 317w
Hospitals 157w

Page, Mr Richard
Questions
Right of silence 943–4

Paice, Mr James
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 163, 170–4, 177, 182, 197
Inshore Fishing (Scotland) Bill (HL), Rep (20.05.94) 1038, 1042–3, 1047, 1050
Sale and Supply of Goods Bill, Rep (20.05.94) 1054–7
Questions
Labour costs, Manufacturing industries 178w, 311–2

Paisley, Rev Ian
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 188–9

Palace of Westminster
Day care of children 414w
Monuments 308w

Paracetamol
Death 587w

Pardon for Soldiers of the Great War Bill 1993/94
Debates etc.
1R (18.05.94) 815

Parking
Mount Oriel Clinic Belfast 565w

Parliamentary Elections (No 2) Bill 1993/94
Debates etc.
1R (20.05.94) 1033

Parliamentary Counsel
Amendments and new clauses 581w
Civil Rights (Disabled Persons) Bill 1993/94 210–1w
Dept of Social Security 260–1w
Energy Conservation Bill 1993/94 512w
Private Members' bills 257w, 308w

Parliamentary privilege
Civil Rights (Disabled Persons) Bill 1993/94 (10.05.94) 156–8, (11.05.94) 321–6
Speaker's rulings and statements (10.05.94) 156–8, (11.05.94) 321–6

Parliamentary questions
Chancellor of the Duchy of Lancaster 62w, 167w
Dept of National Heritage 537–8w
Dept of Trade and Industry 609w
Foreign and Commonwealth Office 430w
Lord Chancellor's Dept 452w
Ministry of Agriculture Fisheries and Food 295w
Ministry of Defence 499w
Northern Ireland Office 178w, 312–3w
Scottish Office 402–3w
Treasury 253w
Welsh Office 476w

Parole
Life imprisonment 336w

Parry, Mr Robert
Questions
Iraq, Medical equipment 247w
Iraq, Sanctions 247–8w
Nicaragua, Overseas aid 189–90w

Part-time employment
446w
Employment protection 448w
Gwynedd 184–5w

Patchett, Mr Terry
Questions
Housing, Rural areas 64w

Pathology
North Staffordshire 154w
Professional qualifications 212–3w

Patients
Ulcers 518–9w

Patient's Charter
Costs 587w

Patten, Rt Hon John, Secretary of State for Education
Questions
Teacher training, Civil service agencies 412w

Pawsey, Mr James
Debates etc.
Water pollution, Worcester (09.05.94) 128
Questions
Employment, Warwickshire 657–8
Employment by sector 229w
Inflation 224w
Maintenance, Children 351w
Social security benefits 537

PAYE
396–7w

Peace keeping operations
Armed forces deployment 147–8, 574w
Bosnia-Herzegovina 201w
Rwanda 161–2w
United Nations 553w

Peace negotiations
Angola 5–6w

Peacock, Mrs Elizabeth
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 449, 452–3, 463
Questions
Employment, Yorkshire and Humberside 447w

Pendry, Mr Tom
Debates etc.
Boxing, Injuries (10.05.94) 298
Questions
Holiday accommodation 12w
Holiday accommodation, Fire regulations 11–2w
Lake Windermere, Bye laws 8w
Physical education 207–8w
Sports, National vocational qualifications 343w
Sports Council, Outdoor education 462w
Sports Council, Physical education 342w
Tourism 538w
Tourism, Research 12–3w
Tourist boards 171w

Pendry, Mr Tom—continued
Tourist boards, Local government reform 12w
Tourist industry, Government assistance 12w

Pensioners
Concessionary fares 279w
Health services 152
Occupational pensions 539

Pensions
352w

Performance related pay
Police 365w
Prison Service Agency 75w

Perinatal mortality
Greater London 158–9w

Personal income
Handicapped 538

Personal pensions
537, 540

Personal savings
Republic of Ireland 125w

Pest control
Rabbits 441w

Pesticides
Exservicemen 317w

Peterlee
Police 9w
Special constables 73–4w

Petrol
Prices 183w

Petroleum exploration licences
179w, 388w
Joint Nature Conservation Committee 468w

Photo identity passes
Members 308w

Photographs
Driving licences 323w

Physical education
207–8w
Special education 544–5w
Sports Council 342w

Pickthall, Mr Colin
Questions
Armed forces housing, Property transfer 130w
Further education colleges, Educational catering 545w

Pigmeat
Agricultural subsidies 288w, 296w

Pike, Mr Peter L
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 244
Questions
Educational finance, Lancashire 583w
Private rented housing 798
Road traffic control 10
Social security claims 580w

Pindar project
132w

Pipelines
Law of the sea 541w

Planning compensation
208w

Planning inquiries
Llanelli 104w

Planning permission
115w
Ambleside (19.05.94) 1022–32
Change of use (19.05.94) 1021
Demolition 66w
Killinchy 174w
Opencast mining 505–6w, 801–2
Safeway 209w
Telecommunications technology 66w
Wales 477–8w

Planning permission—continued
Wind power 264w

Plastic surgery
416w
Professional qualifications 316w

Plutonium
468w

Poland
Political refugees 72w
Sheep 146w

Police
94w
Chester 949
Lost working days 267–8w, 338–40w, 404w
Manpower 338w
Northern Ireland 267–8w, 469w
Official visits 163w
Pay 143w
Performance related pay 365w
Peterlee 9w
Scotland 163w, 365w, 404w
THORP 77w
United Kingdom NIREX 77w

Police and Magistrates' Courts Bill 1993/94
Questions
306w

Police authorities
Local government reform 94w

Police cautions
947

Police Complaints Authority
Evidence 458–9w
Public appointments 11w

Police custody
948
North Wales 74w

Police firearms
Metropolitan Police 670

Police powers
945

Police training
72w

Political parties
Magistrates 140w

Political refugees
569–70w
Immigration rules 335w
Poland 72w

Pollution control
Beaches 506w
Lighting 116–7w
Shipping (17.05.94) 675–87

Pollution monitoring
Radioactivity 266w

Pope, Mr Greg
Debates etc.
Victoria Hospital Accrington, Maternity hospitals (20.05.94) 1103–6

Pornography
941
Computers 946
Data networks 585w

Porter, Mr Barry
Debates etc.
Post Office, Privatisation (19.05.94) 979–80
Tobacco Advertising Bill, Rep (13.05.94) 487

Porter, Mr David
Questions
Curriculum, Educational assessment 411–2w
Fisheries, Norway 442–3w
Fishing quotas 442w
Lighting, Pollution control 116–7w

Portillo, Rt Hon Michael, Chief Secretary to the Treasury
Questions
Debts 226w, 397w
Economic growth 224w, 227w
Economic situation 226w
Family income 222w
Inflation 225w
Local government finance 398w
Local government finance, Taxation 388w
Local government reform, Costs 254–5w
Public expenditure 230–2w
Public expenditure, Treasury 578–9w
Tax burden 225w
Unemployment, Costs 227w

Portugal
Common fisheries policy 146w

Post Office
387w
Ministerial statements (19.05.94) 966–81
Performance standards 183w
Privatisation 305–6, 309–10, 952–3, (19.05.94) 966–81

Post offices
South Yorkshire 386w

Postal services
Barnsley 539–40w

Postgraduate education
Student grants 412w

Post-mortems
Disclosure of information 588w

Poverty
Health 213w, 589–90w

Powell, Mr Ray
Debates etc.
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1089
Civil Rights (Disabled Persons) Bill, Points of order (20.05.94) 1102
Questions
ANZAC landings, Monuments 308w
Members' facilities, Office furniture 210w

Powell, Mr William
Questions
Bishops 37–9w

Powys
Local government reform 430w

Pregnancy
Carcinogens 420w

Pregnant women
Armed forces discharges 287–8w

Prentice, Mrs Bridget
Questions
Heart pacemakers 269–70w
Infant mortality, Greater London 153w
Junior hospital doctors, Greater London 85–6w, 154w
Junior hospital doctors, Working hours 1w
NHS trusts, Greater London 212w

Prentice, Mr Gordon
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 207–9, 220
Deregulation initiative, Orders and regulations (11.05.94) 383, 405–7
Questions
Local government, Referenda 808–9
NHS, Estate management 83w
NHS, Valuation 419w
Post Office 387w
Science and technology, Degrees 189w

Pre-school education
Scotland 163w, 368w

Prescott, Mr John
Debates etc.
Equal opportunities, EC action (09.05.94) 101–3, 106
Questions
Apprentices 662
Unemployment 666

Prescription charges
3w

Prescription charges exemptions
Wales 103w, 424w

Prescription drugs
Date marking 318w

Prescriptions
Expenditure 535w
GP fundholders 421w
Wales 103w, 424w

Press
Prisoners 953–4

Press releases
Dept of Health 159w
Information technology 474–5w
Treasury 294w

Preston, Peter
Departmental correspondence 469w

Primarolo, Ms Dawn
Questions
Cervical cancer, Screening 215w
Children in care 269w
Civil service manpower, Greater London 588w
Consultants, Dept of National Heritage 599w
Consultants, Dept of Trade and Industry 611w
Consultants, Dept of Transport 549w
Consultants, Treasury 528w
Dept of Health, Civil service manpower 589w
Dept of Health, Press releases 159w
Family doctors, Contraceptives 588w
Family doctors, Training 587–8w
Family doctors, Urban areas 157w
Family planning, Family doctors 216w
Family planning clinics 588w
GP fundholders 84w, 590w
GP fundholders, Doctors' list of patients 215w
Great Ormond Street Hospital, Income 269w
Health, Poverty 213w
Health service staff, Redundancy 216w
Health services, Ministers' domestic visits 219w
Health visitors 270w
Health visitors, Training 270w
Heart diseases, Surgery 557w
Hospital closures, Greater London 213w
Hospital length of stay 216w
Hospital waiting lists, Heart diseases 158w
Hospital waiting lists, Medical treatments 157w
Hospitals, Ministers' domestic visits 2w
Junior hospital doctors, Working hours 518w, 535–6w, 561w
Mental health services, Hospitals 160w
NHS trusts 220w
NHS trusts, NHS and private practice 159w
Nurses 270–1w
Nurses, Birmingham 86w
Nurses, Manpower 422w
Paediatrics, Hospitals 157w
Paracetamol, Death 587w
Patient's Charter, Costs 587w
Perinatal mortality, Greater London 158–9w
Post-mortems, Disclosure of information 588w
Poverty, Health 589–90w
Primary health care 215w
Tuberculosis 213–4w
Tuberculosis, Wales 535w
Vaccination, Children 589w
Water supply, Health 589w
West Lindsey NHS Trust 271w

Primary education
Northern Ireland 175w
School population 163w
Scotland 163w

Primary health care
215w

Primates
462w

Prime Minister
Arms to Iraq Inquiry 78w, 222w, 268w
Civil service manpower 565–6w
Consultants 78w
Departmental correspondence 39w
Disabled workers 565–6w
Internet 39w

Prime Minister's questions
953

Prison accommodation
380–1w

Prison overcrowding
Cardiff Prison 74w

Prison population
569w
Immigrant detainees 570–2w
Northern Ireland 267w
Scotland 402w
South Yorkshire 267w, 339–41w, 402w

Prison Service Agency
Performance related pay 75w
Performance standards 142w

Prison visiting committees
Scotland 405–7w

Prisoners
381w
AIDS 141w, 161w
Childbirth 73w
Drug abuse 339w
Hospital admissions 196–8w
Iraq 431w
Press 953–4
Republic of Ireland 460–1w
Scotland 95–7w
Transsexuals 460w

Prisoners of war
Iraq-Kuwait conflict 430–1w

Prisoners' transfers
Immigrant detainees 142w

Prisons
Ships 949
Yorkshire and Humberside 196–8w

Prisons Ombudsman
Coopers and Lybrand Deloitte 381w
Public appointments 72w

Private detectives
Dept of Employment 165–6w, 263w
Dept of National Heritage 14w
Dept of Social Security 232–3w
Dept of the Environment 65w, 170w
Dept of Transport 547–8w
Ministry of Agriculture Fisheries and Food 150w
Northern Ireland Office 43w, 266w

Private education
Inspections 113–4w
Scotland 368w

Private investment
NHS 557w

Private Members' bills
Legislative drafting 211w
Parliamentary Counsel 257w, 308w

Private Members' motions
(18.05.94) 815

Private rented housing
798
Harborough 797

Privatisation
British Coal Corporation 253w
British Rail 8, 549w
Common Services Agency 99w
Freightliner 186w
Nuclear Electric 316
Post Office 305–6, 309–10, 952–3, (19.05.94) 966–81
Railway transport 7, 56w
Transport Research Laboratory 58w, 548–9w
Water supply industry 392w

Probation hostels
380w

"Procedure Select Committee Report on Scrutiny of Deregulation Orders"
6w, (11.05.94) 380–419
Productivity
Manufacturing industries 149–50

Professional qualifications
Pathology 212–3w
Plastic surgery 316w

Property development
Stormont 238w

Property Services Agency
Contracts for services 508w

Property transfer
Armed forces housing 130w, 139–40
Commission for the New Towns 208w
English Heritage 343w
Redditch 208w

Property values
Buckley 424w

Public appointments
Defence costs study 129w
Defence Scientific Advisory Council 500–2w
Eastwood District Council 51–2w
Flood defence committees 39–40w
Judiciary 527w
Meteorological Research Sub-Committee 572w
National Employer Liaison Committee 500w
National lottery 90–1w
National Lottery Charities Board 342w
Northern Ireland Office 43w
Office of Electricity Regulation 298w
Office of Water Services 386w, 393w
Police Complaints Authority 11w
Prisons Ombudsman 72w
Renewable Energy Advisory Committee 296–8w
UK Polar Medal Assessment Committee 500w

Public bodies
Cross border cooperation in Ireland 176–7w

Public contracts
Single Market Compliance Unit 14–5w

Public expenditure
226w, 230–2w
Civil Rights (Disabled Persons) Bill 1993/94 580w
Dept of Health 592–3w
Dept of Social Security 580w
Dept of Trade and Industry 614w
Dept of Transport 597w
Treasury 578–9w

Public houses
302
Theatres 93w

Public inquiries
Road construction 280–1w

Public libraries
Local government reform 13w

Public meetings
Funding Agency for Schools 495–6w

Public order policing
British National Party 194w

Public petitions
Change of use (19.05.94) 1021
Child Support Agency (16.05.94) 648
Ethnic minorities (11.05.94) 420
Goodwood House (11.05.94) 420

Public records
Disclosure of information (11.05.94) 329–31

Public Records (Amendment) Bill 1993/94
Debates etc.
1R (11.05.94) 329–31

Public relations
Expenditure 401w

Public sector housing
Government buildings 796
Liverpool 210w

Public service
Cost effectiveness 14–5

Public transport
54w
East London 55–6w
Greater London 122w
Urban areas 54w

Public utilities
Redundancy 166w

Publications
Health Education Authority 516w
Welsh Development Agency 202w

Publicity
Citizen's Charter 61–2w

Pupil-teacher ratios
Harrogate 484w

Purchase, Mr Ken
Questions
Black Country Development Corporation 673–4
Labour costs, Manufacturing industries 312

Quarrying
Scotland 53w

"Quest for Quality"
546w

Quin, Ms Joyce
Debates etc
European Communities (16.05.94) 562–9, 638–44
Questions
Railway transport 56w
Railway transport, Privatisation 56w
Railway transport, Tickets 57w
Working hours, Industrial health and safety 167w

Rabbits
Pest control 441w

Race Bank
Extractive industries 607w

Race relations
Administration of justice 244–5w

Radiation hazards
Chernobyl 300w

Radice, Mr Giles
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 324
European Communities (16.05.94) 601, 608–12, 646

Radio reception
Llanbrynmair 414w

Radioactive waste disposal
533–4w
United Kingdom Atomic Energy Authority 612w

Radioactivity
Northern Ireland 266w
Pollution monitoring 266w

RAF Carlisle
146–7

RAF Dishforth
Defence expenditure 187w

RAF Quedegley
146–7

RAF Valley
Rescue services 130w

Rail Regulator
Pay 435w

Railtrack
Company cars 436w
Directors 56–7w
Offices 436–7w
Pay 434–5w, 437w
Railway safety 325w
Railway stations 280w

Railway accidents
120w
Death 278w

Railway network
Dorchester 59w

Railway Pensions (Protection and Designation of Schemes) Order 1994
Debates etc.
(19.05.94) 1017–9

Railway safety
1–3
Railtrack 325w

Railway signals
Repairs and maintenance 12

Railway stations
Railtrack 280w

Railway transport
56w
Barking 57w
Channel tunnel 550w
North Wales 549w
Privatisation 7, 56w
Tickets 57w

Railway travel
598–9w
Network SouthEast 464–5w

Railways Pension Scheme Order 1994
Debates etc.
(19.05.94) 1017–9

Ramsar Convention
Scotland 197w

Rates and rating
Killinchy School 174–5w
Schools 175w

Rathbone, Mr Tim
Questions
Environment Agency 506w
Territorial Army 149

Raynsford, Mr Nick
Questions
Child workers 159w
Fares, Children 273–6w
Fares, Greater London 274w
London Underground, Safety measures 5
Royal Naval College 201w

RECHAR
Widdrington 210w

Recreation spaces
London docklands 64w

Recruitment
Insolvency Service 181w
Judges 306w
Offshore fixed platforms 566w

Recycling
Government departments 64w

Red Crescent
Iraq 184w

Red Cross
see International Red Cross

Redditch
Property transfer 208w

Redmond, Mr Martin
Questions
Barnsley and Doncaster Training and Enterprise Council, Directors 358–60w
Barnsley and Doncaster Training and Enterprise Council, Expenditure 360w
Doncaster College 258w
Food prices, USA 151w
Immigrant detainees, Prison population 570–2w
Leeds-Bradford Airport, Air traffic control 323w, 547w
Magistrates, Political parties 140w
Magistrates' courts, Closures 451–2w
Nurses, Manpower 268w, 587w
Police, Lost working days 267–8w, 338–40w, 404w
Post offices, South Yorkshire 386w

Redmond, Mr Martin—continued
Prison population, South Yorkshire 267w, 339–41w, 402w
Prisoners, Hospital admissions 196–8w
Railway accidents, Death 278w
Remand in custody, South Yorkshire 339–40w
School population 583w
Teacher training, South Yorkshire 483w
Trials, Administrative delays 452–3w

Redundancy
Armed forces 145–6, 200w, 286–7w
Armed forces civilians 145
Banks 117–8w
Coal mining 180w, 298–9w
Health service staff 216w
Local government reform 366w
Public utilities 166w
Teachers 206w

Redundancy pay
British Coal Corporation 20w
Coal mining 181–2w
Welsh Development Agency 203–4w

Redundant churches
552

Redwood, Rt Hon John, Secretary of State for Wales
Questions
Agricultural subsidies, Wales 429w
Agricultural workers, Wales 22w
Arable area payments scheme, Wales 23w
Arable farming, Wales 23w
Asthma, Mid Glamorgan Health Authority 104w
Building industry, Training 607w
Cardiff Bay barrage 204w
Cardiff Bay Development Corporation, Sports sponsorship 608–9w
Cellular phones, Welsh Office 101w
Cereals, Wales 23–4w
Christmas cards, Welsh Office 479w
Employment, Gwynedd 185w
European Agricultural Guidance and Guarantee Fund, Wales 476–7w
European Regional Development Fund, Wales 21w
Health Promotion Authority for Wales, Catford, John 608w
Health Promotion Authority for Wales, Finance 608w
Health Promotion Authority for Wales, Griffiths, David 608w
Hospital admissions, Wales 104–5w
Housing acquisition initiative, Wales 476w
Iron and steel industry, Wales 607w
Land Authority for Wales, Compulsory purchase 101–2w, 185w
"Local Government in Wales - a Charter for the Future White Paper" 107w
Local government reform, Meirionnydd 349w
Local government reform, Vale of Glamorgan 429–30w
Local government reform, Wales 608w
Meat, Wales 22w
Non-departmental public bodies, Wales 264–5w
Parliamentary questions, Welsh Office 476w
Part-time employment, Gwynedd 184–5w
River Tawe, Fish conservation 204w
Sea fisheries committees, Wales 203w
Sheep, Wales 102w
Sheep scab, Wales 429w
Strategic development scheme, Wales 346–50w
Unemployment, Wales 186w
Water abstraction, Montgomeryshire 202w
Welsh Development Agency, Car leasing 203w
Welsh Development Agency, Publications 202w
Welsh Development Agency, Redundancy pay 203–4w
Welsh Office, Departmental reorganisation 202w, 204–5w
Welsh Office, Disciplinary proceedings 204w

Referenda
Local government 808–9

Refugees
10w
Rwanda 80–1w, 252w

Regional airports
3–4

Regional development grants
London First Centre 389w

Regional enterprise grants
East Midlands 465–7w

Regional health authorities
Finance 218w, 271–2w
Manpower 217w

Regional rates
Northern Ireland 472w

Regional selective assistance
East Midlands 465–7w
North East region 310–1

Registered homes
3w

Registered homes tribunals
90w

Reid, Dr John
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 323–4
Local Government Etc (Scotland) Bill, Rep (18.05.94) 826–7
Questions
Defence expenditure 35–6w
Naval bases 141

Relocation of employees
Marine Safety Agency 322w
United Kingdom Atomic Energy Authority 611w
Warren Spring Laboratory 611w

Remand in custody
South Yorkshire 339–40w

Rendel, Mr David
Questions
Council tax, Handicapped 514w

Renewable Energy Advisory Committee
Public appointments 296–8w

Rent assessment panels
115–6w, 510w

Rented housing
Housing benefits 357w

Rents
Housing associations 529–30w

Repatriation
Somalia 26–7w

Repetitive strain injury
Attorney General 173w
Dept for Education 583w
Welsh Office 186w

Republic of Ireland
Export of live animals 47w
Fisheries 150w
Personal savings 125w
Prisoners 460–1w
Student grants 563–4w

Rescue services
RAF Valley 130w

Research councils
Finance 13

Research facilities
Defence research 605w

Research finance
Alzheimer's disease 439w
Dept of Health 593w
Transport Research Laboratory 324w
Tuberculosis 592w

Reservoirs Act 1975
Questions
67–8w

Residential care
88–90w
Departmental correspondence 88w
Income support 349w
North East region 211–2w
Scotland 364w

Resignations
Teachers 206w

Restraint equipment
Deportation 379w

Restrictive trade practices
Motor industry 613–4w

Retail trade
Cars 121w

Retirement age
536

Revenue support grant
St Helens Borough Council (18.05.94) 930–8
Westminster City Council (18.05.94) 930–8

Rhinoceros
Animal products 4w

Richards, Mr Rod
Questions
Army Base Repair Organisation, Contracts for services 128–9w
Disability living allowance, Back pain 232w
European works councils 446w
Family credit, Child care 352w
Judiciary, Public appointments 527w
School leaving 674
Water supply industry, Capital investment 807–8

Richmond-upon-Thames
Council tax 795

Riddick, Mr Graham
Debates etc.
Alcoholic drinks, EC internal trade (11.05.94) 423–4, 428
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 324
European Communities (16.05.94) 565
Questions
Business questions 963–4
EC Social Charter 445w
Spirits, Measurement 541w
Young offenders 951–2

Rifkind, Rt Hon Malcolm, Secretary of State for Defence
Questions
Armed forces deployment, Peace keeping operations 147–8
Bosnia-Herzegovina, Armed conflict 137–8, 147
Defence 148–9
Defence review 146
Front line initiative 143–4, 148
Ministry of Defence, Civil servants 148
Ministry of Defence, Civil service manpower 146
RAF Carlisle 146–7
Western European Union 127w
Yugoslavia, Armed forces deployment 137

Right of silence
943–4
Northern Ireland 944

"Rising Tide"
666–7
River crossings
Blackwall 120–1w

River Doe Lea
River pollution 507w

River pollution
River Doe Lea 507w

River Tamar
Bridges 464w

River Tawe
Fish conservation 204w

RNSD Copernacre
187w

Road accidents
596w
A64 240–1w
School transport 595w

Road closures
Whitehall 78w

Road construction
53w
A40 547–8w
Assisted areas 432w
Buckley 423–4w
Compulsory purchase 425–6w
Greater London 121w
Public inquiries 280–1w
Scotland 562–3w
Swainswick bypass 280w
West Midlands 6–7

Road safety
6
A12 5–6
Research 239–40w
Roundabouts 58–9w
Summertime 596w

Road signs
550w

Road traffic
240w
Asthma 279w
Exhaust emission controls 392w
M25 534w
Motorways 240w, 594–5w
Northolt 122–3w

Road traffic control
9–10, 55w

Road traffic offences
324–5w

Road transport
Air pollution 599w

Road works
A26 241–3w
A27 241–3w
A64 546–7w
A66 8–9
Castlereagh 126w
Northern Ireland 177–8w

Roads
EC action 175w
Greater London 122w
Northern Ireland 175w

Robathan, Mr Andrew
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 247
Questions
Security Facilities Executive, Performance standards 534w

Roberts, Rt Hon Sir Wyn, Minister of State for Wales
Questions
Access funds, Wales 22–3w
Curriculum, Wales 536w
Dyslexia, Wales 422–3w
Further education, Student numbers 107–8w
General certificate of secondary education, Wales 607–8w
Grant maintained schools, Wales 107w, 477–8w, 609w
Jazz, Wales 105w
Libraries, Wales 264w
Road construction, Buckley 423w
Special education, Wales 100–2w

Robertson, Mr George
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 264–9, 271, 283–4
Local Government Etc (Scotland) Bill, Rep (17.05.94) 694, 700–5, 715, 752, (18.05.94) 830–1

Robertson, Mr Raymond S
Questions
Scottish Court Service, Civil service agencies 93–4w
"Tackling Homelessness (Scotland) Consultation Paper" 197–9w

Robinson, Mr Geoffrey
Questions
Fire prevention, Departmental coordination 387–8w

Robinson, Mr Mark
Questions
Pensions 352w

Roche, Mrs Barbara
Questions
Charterline, Costs 440w
Citizen's Charter 61w
Civil service recruitment, Consultants 134–5w, 439–40w
Court Service 547–8
Dept of the Serjeant at Arms, Manpower 498w
Home Office, Security industry 71w, 381w
London Underground, Safety measures 4
Metropolitan Police, Deportation 584w
Political refugees, Poland 72w
Preston, Peter, Departmental correspondence 469w
Prison accommodation 380–1w
Prisoners 381w
Prisons Ombudsman, Coopers and Lybrand Deloitte 381w
Prisons Ombudsman, Public appointments 72w
Tax rates and bands 223w

Roll-on roll-off ships
Safety standards (09.05.94) 60–4

Rooker, Mr Jeff
Debates etc.
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1077, 1083, 1087–8, 1091–2, 1097
Education (Admission to Higher Education) Bill, 1R (18.05.94) 816–8
Parliamentary Elections (No 2) Bill, 1R (20.05.94) 1033
Post Office, Privatisation (19.05.94) 975–6
Questions
Driving licences, Photographs 323w
Identity cards, Costs 335–6w
Identity cards, Netherlands 336w
Members, Photo identity passes 308w
NHS numbers 321–2w
Nuclear power, Nuclear review 306
Social security benefits, Students 535

Rooney, Mr Terry
Questions
Life imprisonment 195w

Ross, Mr Ernie
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 750–1, 763–5, 778

Ross, Mr William
Debates etc.
Deregulation initiative, Orders and regulations (11.05.94) 399, 402, 411, 414
Questions
Anglo-Irish Intergovernmental Conference, Civil service manpower 174w
Armed forces housing, Property transfer 139–40
Northern Ireland government 47w
Road works, Northern Ireland 177–8w
Sheep, Northern Ireland 126–7w
Student grants, Republic of Ireland 563–4w

Rosyth Dockyard
140–1

Roundabouts
Road safety 58–9w

Rowe, Mr Andrew
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 323
EC environmental policy (11.05.94) 354, 357, 369–70
Questions
Departmental publications, Ministry of Agriculture Fisheries and Food 606w

Rowlands, Mr Ted
Questions
General certificate of secondary education, Wales 607–8w
Import controls, China 611w

Royal Military School of Music
(13.05.94) 526–34

Royal Naval College
201w

Royal Orthopaedic Hospital Birmingham
Hospital closures 87–8w

Royal Parks Agency
Expenditure 538w

Royal residences
Expenditure 344–5w

Royal Victoria Hospital Belfast
Neurology 471w

Ruddock, Ms Joan
Questions
London Transport, Crimes of violence 121–2w, 325w
Police custody 948

Ruppert, Bryan
333–4w

Rural areas
Housing 64w

Russia
Foreign relations 313w
International Monetary Fund 227w
Know-how Fund 25w
Nuclear disarmament 128w
Overseas aid 25–6w

Rwanda
Aid workers 184w
Armed conflict 28w, 281w, 671–2
Human rights 553w
International aid from international bodies 27–8w
Organisation of African Unity 4–5w
Overseas aid 252w
Peace keeping operations 161–2w
Refugees 80–1w, 252w
Tanzania 80–1w
UN Commission on Human Rights 600w
UN Security Council 600w
United Nations 4w

Sackville, Mr Tom, Parliamentary Under-Secretary of State, Dept of Health
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 489–90, 492, 495
Tobacco advertising, Ministerial statements (13.05.94) 517–25
Questions
AIDS, Abortion 320w
AIDS, Departmental coordination 557–8w
AIDS, Voluntary organisations 515–6w
Ambulance services 594w
Ambulance services, Emergency calls 559w
Ambulance services, Manpower 558–9w
Breast feeding, Health education 516w
Caesarian sections 517w
Carcinogens, Pregnancy 420w
Cellular phones, Dept of Health 590w
Cervical cancer, Screening 215w
Children Act 1989, Disabled facilities grants 420–1w
Civil service manpower, Greater London 588w
Community health services, Expenditure 593w

Sackville, Mr Tom—continued
Congenital abnormalities, Medical research 212w
Cosmetic surgery 515w
Creutzfeldt-Jakob dementia, Blood donors 320w
Death rate, Constituencies 84w
Dept of Health, Civil service manpower 589w
Dept of Health, Contracts for services 519–20w
Dept of Health, Press releases 159w
Diethylstilbestrol 419–20w
Disabled facilities grants 321w
Drug abuse 321w
East Gloucestershire NHS Trust 213w
Family doctors, Testing 317–8w
Family planning, Family doctors 216w
Family planning clinics 588w
Foetal tissue, Medical research 556w
Food poisoning, Death 158w
Harlow Wood Orthopaedic Hospital, Hospital closures 556w
Health, Poverty 213w
Health authorities, Consultants 268w
Health Education Authority, Publications 516w
Health hazards, Exservicemen 317w
Health services 215–6w
Health services, Ministers' domestic visits 219w
Health surveys 84w
Health visitors 270w
Health visitors, Training 270w
Heart pacemakers 269–70w
Hospital length of stay 216w
Hospital waiting lists, Medical treatments 157w
Hospitals, Ministers' domestic visits 2w
In vitro fertilisation 518w
Infant mortality, Greater London 153w
Internet, Dept of Health 1w
Medical examinations, Immigration controls 516w
NHS, Estate management 83w
NHS, Private investment 557w
NHS, Valuation 419w
NHS numbers 321–2w
NHS Pensions Agency, Performance standards 86–7w
NHS trusts, Consultants 268–9w
NHS trusts, Finance 315–6w, 414–5w, 515w
NHS trusts, Financial targets 415–6w
NHS trusts, NHS and private practice 159w
NHS trusts, Repairs and maintenance 593–4w
Nurses 270–1w
Nurses, Birmingham 86w
Nurses, Manpower 268w, 422w, 587w
Nurses' training 517w, 593w
Nutrition and health 420w
Paediatrics, East Sussex Health Authority 317w
Paracetamol, Death 587w
Pathology, North Staffordshire 154w
Pathology, Professional qualifications 212–3w
Perinatal mortality, Greater London 158–9w
Plastic surgery 416w
Plastic surgery, Professional qualifications 316w
Post-mortems, Disclosure of information 588w
Poverty, Health 589–90w
Public expenditure, Dept of Health 592–3w
Regional health authorities, Finance 218w, 271–2w
Royal Orthopaedic Hospital Birmingham, Hospital closures 87–8w
Smoking, Death 421w
Steroid drugs, Drug side effects 214–5w
Surgery 85w
Surgery, Costs 593w
Transplant surgery, Transgenic animals 420w
Tuberculosis 213–4w, 592w

Sackville, Mr Tom—continued
Tuberculosis, Nurses 590–1w
Tuberculosis, Research finance 592w
Tuberculosis, Vaccination 591–2w
Ulcers, Medical treatments 519w
Ulcers, Patients 518–9w
Vaccination, Children 589w
Water supply, Health 589w

"Safer Ships Cleaner Seas"
(17.05.94) 675–87

Safety belts
Buses 669–70
School transport 594w

Safety equipment
Buses 594w

Safety measures
London Underground 4–5

Safety standards
Ferries (09.05.94) 60–4
Roll-on roll-off ships (09.05.94) 60–4

Safeway
Planning permission 209w

Sainsbury, Rt Hon Tim, Minister for Industry
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 161–3, 247–51, 261–2
Deregulation initiative, Orders and regulations (11.05.94) 404
Iron and steel industry, Italy (09.05.94) 75–80, 93–5
Questions
Aerospace industry, International cooperation 298w
Company liquidations, Expenditure 540w
EC Industry Council, Iron and steel industry 76w
Foreign investment in UK, Employment opportunities 183w
GATT 180w
Konver programme, Cotswold 467w
London First Centre, Regional development grants 389w
Regional enterprise grants, East Midlands 465–7w
Regional selective assistance, East Midlands 465–7w
Regional selective assistance, North East region 310–1
Shipbuilding 308–9
Swan Hunter Shipbuilders 308

St Ethelburgas Church
Bombings 93w, 172w

St Helens Borough Council
Revenue support grant (18.05.94) 930–8

Sale and Supply of Goods Bill 1993/94
Debates etc.
Rep adjourned (20.05.94) 1054–76

Sale of Goods (Amendment) Bill (HL) 1993/94
Debates etc.
Order for consideration read (20.05.94) 1076

Salmond, Mr Alex
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 714–5, 730–3, 747, 759–63, 779, (18.05.94) 850, 885
Post Office, Privatisation (19.05.94) 978
Questions
Rosyth Dockyard 140

Sanctions
Iraq 162w, 247–8w, 576w
Libyan Arab Republic 576w
South Africa 432w

Sarajevo
UN Protection Force 574–5w

Satellite communications
United Nations 554w

Schedule D income tax
395–6w

School Curriculum and Assessment Authority
Government grants 34w

School leaving
674

School population
583w
Grant maintained schools 143–4w
Primary education 163w
Special education 34w

School transport
Death 595w
Injuries 437w
Motor vehicle safety 241w
Road accidents 595w
Safety belts 594w

Schools
Northern Ireland 175w
Rates and rating 175w

Science and technology
Crime prevention 568w
Degrees 189w
South Korea 189w

Science and technology policy
62w, 581w

Science and technology research
Wales 18

Science education
13, 112–3w

Scotland
Ambulance services 98w
Anton Piller orders 288w
Arable area payments scheme 51w
Bovine tuberculosis 52w
Butterflies 49w
Cereals 51w
Child minding 364w
Civil servants' secondment 407–8w
Coastal fishing (20.05.94) 1036–53
Community care 364w
Community charge register 561w
Computers in National Health Service 98w
Emergency planning 366w
Employment schemes 561w
Entertainment licensing 560–1w
Fishing gear 408w
Foreign investment in UK 370–1w
Further education colleges 403w
Gifted children 364w
Homelessness 197–9w
Hospital consultants 97–8w
Industrial development 369–70w
Junior hospital doctors 561w
Local government 366w
Local government finance 52w
Local government reform 94w, 165w, 365–6w, (17.05.94) 691–784, (18.05.94) 819–929
Local government social services 364w
Maintenance 233–5w
Motor industry 370w
NHS Executive 52–3w
NHS trusts 367–8w, 404w
Nuclear accidents 601–2w
Nuclear submarines 601w
Police 163w, 365w, 404w
Pre-school education 163w, 368w
Primary education 163w
Prison population 402w
Prison visiting committees 405–7w
Prisoners 95–7w
Private education 368w
Quarrying 53w
Ramsar Convention 197w
Residential care 364w
Road construction 562–3w
Water treatment 463–4w

Scott, Rt Hon Nicholas, Minister for Social Security and Disabled People
Debates etc.
Civil Rights (Disabled Persons) Bill 1993/94, Members' personal statements (10.05.94) 155
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1081–98

Scott, Rt Hon Nicholas—continued
Questions
Benefits Agency district offices, Management 357w
Benefits Agency district offices, Nottinghamshire 580–2w
Civil Rights (Disabled Persons) Bill 1993/94 358w, 523w
Civil Rights (Disabled Persons) Bill 1993/94, Public expenditure 580w
Dept of Social Security, Management consultants 352–3w
Disability living allowance, Back pain 232w
Disability living allowance, Mentally handicapped 537w
Disability living allowance, Social security appeal tribunals 537w
Disability working allowance 233w
Handicapped, Discrimination 136w
Incapacity benefit 260w
Incapacity benefit, Medical examinations 172–3w
Incapacity benefit, Social security benefits rules 357w
Income support, Residential care 349w
Independent Living 1993 Fund 135–6w
Invalid care allowances, Administrative delays 260w
Invalidity benefits, Health insurance 438w
Invalidity benefits, Investment income 259–60w
Invalidity benefits, Occupational pensions 259w
Myalgic encephalomyelitis, Social security benefits rules 135w
Social Fund 544–5

Scott Inquiry
see Arms to Iraq Inquiry

Scottish Ambulance Service
NHS trusts 404–5w, 464w

Scottish Court Service
Civil service agencies 93–4w

Scottish courts
164w

Scottish Grand Committee
(11.05.94) 328

Scottish Office
Advertising 97w
Billing 94w
Cellular phones 368–9w
Consultants 99w
Internet 94–5w
Parliamentary questions 402–3w

Scottish Office Education Dept
Departmental leaflets 562w

Scrapie
443–4w

Screening
Cervical cancer 215w

Sea Fish (Conservation) Act 1992
Questions
Computers 151–2w
Expenditure 151w
Manpower 151w

Sea fisheries committees
Wales 203w

Seas and oceans
Nature conservation 289w

Secure tenancies
Housing benefits 510w

Secure training centres
942–3
North Wales 73w
Young offenders 9w, 568w

Security
Campsfield House Detention Centre 257w
Channel tunnel 549–50w
EC countries 499w

Security Facilities Executive
Performance standards 534w

Security industry
Dept of Employment 165–6w
Dept of National Heritage 14w
Dept of Social Security 232–3w
Dept of the Environment 65w
Home Office 71w, 381w
Northern Ireland Office 43w

Security Industry (Licensing) Bill 1993/94
Debates etc.
1R (10.05.94) 159–60

"Self-assessment Consultation Paper"
7w

Self-employed
118–9w

Sellafield
Nuclear fuel reprocessing 387w

Sentencing
568–9w
Crime 570w

Serious Fraud Office
Annual reports 173–4w

Serjeant at Arms Dept
see Dept of the Serjeant at Arms

Severe disability premium
Social security appeals 135w

Severn Trent Water
Water supply disconnections 810
Water supply industry 535w

Sewers
530w

Sex discrimination
Equal opportunities (09.05.94) 100–26

Shandwick
Office of Passenger Rail Franchising 597–8w

Shaw, Mr David
Debates etc.
MV Braer Inquiry (17.05.94) 681
Royal Military School of Music, Kneller Hall (13.05.94) 528, 532
Questions
Beaches, Pollution control 506w
Business questions 961–2
Coal mining, Subsidence 301–2
Council housing management, Contracts for services 512–3w
Defence costs study 129w
Electronic mail, Government departments 401w
Information technology, Press releases 475w
Internet, Attorney General 173w
Internet, Chancellor of the Duchy of Lancaster 63w
Internet, Dept for Education 113w
Internet, Dept of Employment 166w
Internet, Dept of Health 1w
Internet, Dept of National Heritage 14w
Internet, Dept of Social Security 24w
Internet, Dept of the Environment 67w
Internet, Dept of Trade and Industry 75w
Internet, Dept of Transport 58w
Internet, Home Office 10w
Internet, Lord Chancellor's Dept 139w
Internet, Lord President of the Council 211w
Internet, Ministry of Agriculture Fisheries and Food 288–9w
Internet, Ministry of Defence 133w
Internet, Northern Ireland Office 125–6w
Internet, Prime Minister 39w
Internet, Scottish Office 94–5w
Internet, Treasury 6–7w
Military bands 139
NHS, Information technology 153w
Press releases, Information technology 474–5w
Press releases, Treasury 294w
Public expenditure 226w
Written questions, Electronic mail 6w

Shaw, Sir Giles
Debates etc.
Post Office, Privatisation (19.05.94) 975

Sheep
Export of live animals 444–5w
Northern Ireland 126–7w
Poland 146w
Transport of animals 42w
Wales 102w

Sheep scab
Wales 429w

Sheerman, Mr Barry
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (10.05.94) 156, (11.05.94) 321, (20.05.94) 1033
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1078, 1086–8, 1090, 1092, 1094, 1097, 1099–100
Inshore Fishing (Scotland) Bill (HL), Rep (20.05.94) 1039–40, 1044, 1053
Private Members' bills, Points of order (13.05.94) 439, (16.05.94) 554
Sale and Supply of Goods Bill, Rep (20.05.94) 1066–7, 1074
Questions
Air pollution control 504w
Arts, Handicapped 343w
Civil Rights (Disabled Persons) Bill 1993/94 358w, 438w
Civil Rights (Disabled Persons) Bill 1993/94, Legislative drafting 560w
Handicapped, Personal income 538
London docklands, Recreation spaces 64w
Science education 112–3w
Universities, Higher education admission 113w

Sheffield
NHS trusts 322w

Shells
Uranium 132–3w

Sheltered housing
117w

Shephard, Rt Hon Gillian, Minister of Agriculture, Fisheries & Food
Questions
Agricultural land, Inheritance tax 550w
Arable area payments scheme 40–2w
Cereals, Agricultural land 40w, 42w
Forestry 550–1w
Thetford Forest Park 550–1w

Shepherd, Mr Colin
Debates etc.
Smith, John, Members' deaths (12.05.94) 436
Questions
Apprentices 659
Armed forces strength 129–30w
Drug crimes, Confiscation orders 459–60w
Manufacturing industries, Productivity 149–50
Members' facilities, Opening hours 81w

Shersby, Mr Michael
Debates etc.
Firearms (Amendment) Bill, 1R (13.05.94) 444
Questions
Falkland Islands, Mines 82w
M25, Motorway service areas 505w
Police powers 945
United Airlines, Industrial disputes 362w

Shipbuilding
308–9

Shipping
Contracts for services 324w
Pollution control (17.05.94) 675–87

Shipping accidents
English Channel 322–3w
Irish Sea 322–3w

Shipping registration
Fishing vessels 290–1w

Ships
Prisons 949

Shore, Rt Hon Peter
Debates etc.
European Communities (16.05.94) 571, 574–8, 611

Sierra Leone
Family planning 497w

Simpson, Mr Alan
Questions
British Coal Corporation, Privatisation 253w
Channel tunnel, Transport of radioactive materials 241w
Civil service, Disclosure of information 303–4w
Crime prevention, Nottingham 945
Dounreay 467w
Mines 572w
Nature conservation, EC law 394w
Sellafield, Nuclear fuel reprocessing 387w
Single regeneration budget, East Midlands 504w

Sims, Mr Roger
Debates etc.
Tobacco advertising (13.05.94) 520

Single Market Compliance Unit
Public contracts 14–5w

Single regeneration budget
208–9w, 802–3
East Midlands 504w
Ethnic minorities 255w

Sinn Fein
Northern Ireland government 577–8w

Skeet, Sir Trevor
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 445–54
Tobacco advertising (13.05.94) 522

Skinner, Mr Dennis
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (09.05.94) 22, 126, (10.05.94) 156–7, (11.05.94) 322, (20.05.94) 1034
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 182, 1099
Coal Industry (Restructuring Grants) Order 1994 (19.05.94) 996–1000
EC environmental policy (11.05.94) 333
Employment Protection (Government Communications Headquarters) Bill, 2R order read (20.05.94) 1101
Opencast mining, Points of order (11.05.94) 328
Oral question time intervention (18.05.94) 794, (19.05.94) 940
Post Office, Privatisation (19.05.94) 979
Private Members' bills, Points of order (13.05.94) 442
Smith, John, Members' deaths (12.05.94) 437–8
Questions
Benefits Agency district offices, Management 357w
Business questions 962
Coal mine closures 318–20
EC institutions, Civil service manpower 14
Judges, Recruitment 306w
River Doe Lea, River pollution 507w
Unemployment 665

Skye bridge
Nature conservation 50–1w

Small businesses
302–3
Compliance cost assessments 385w
East Anglia 180w

Smart awards
542w
Isle of Wight 183w

Smith, Mr Andrew
Debates etc.
Value Added Tax (Education) Order 1994 (19.05.94) 1002, 1004–8, 1015

Smith, Mr Andrew—continued
Questions
Alcoholic drinks duties 294w
Campsfield House Detention Centre, Security 257w
Grant maintained schools, Voluntary schools 144w
Immigrant detainees, Prisoners' transfers 142w
Indonesia, East Timor 283–4w
Invalid care allowances, Administrative delays 260w
Mines 286w
Value Added Tax (Education) Order 1994 528–9w

Smith, Mr Chris
Debates etc.
EC environmental policy (11.05.94) 332–40, 343, 349, 374
Questions
A40, Road construction 547–8w
Climate Change Convention, Air pollution 391w
Greenhouse effect 374w
Warren Spring Laboratory, Relocation of employees 611w
Water supply disconnections 799

Smith, Sir Dudley
Questions
Bulgaria, Foreign relations 431w
Child Support Agency, Complaints 437–8w
Coventry Airport, Night flying 547w
Night flying 436w
Surgery 85w

Smith, John
Members' deaths (12.05.94) 429–38

Smith, Rt Hon John
Questions
Conservative Party 150
Economic situation 150

Smith, Mr Llew
Debates etc.
EC environmental policy (11.05.94) 334, 344–5
Iron and steel industry, Italy (09.05.94) 87, 90, 93–4
Questions
Aid financed trade, Arms trade 305w
Biological weapons, Iraq 387w
Council of Ministers, Documents 552w
Dounreay, Nuclear fuel reprocessing 611–2w
EC accession, Environment protection 284w
Economist, Environment protection 391w
Energy analysis, Data banks 612w
Environment protection, EC action 391w
European Environment Agency 375w
Exercise Green Amanita, Costs 566w
Indonesia, East Timor 283–4w
Integrated pollution control 374w
Integrated pollution control, Departmental publications 423–4w
Iron and steel industry, Wales 607w
Lennox-Boyd, Mark, Interviews 282w
Low flying, Disclosure of information 384w
Nuclear fuel reprocessing, Conferences 612w
Nuclear non proliferation, Conferences 283w, 383–4w
Nuclear Non Proliferation Treaty, Conferences 282w
Nuclear power, Nuclear review 306
Nuclear weapons, Arms trade 386w
Prime Minister, Departmental correspondence 39w
Security, EC countries 499w
Shells, Uranium 132–3w
United Kingdom Atomic Energy Authority, Radioactive waste disposal 612w
Water pollution, EC action 375w
Wind power, Planning permission 264w
Workfare 502w

Smith, Mr Llew—continued
World Trade Organisation, Environment protection 527–8w
Youth training, Income support 210w

Smith, Mr Tim, Parliamentary Under-Secretary of State, Northern Ireland Office
Questions
Comber bypass 126w
Environment Agency, Northern Ireland 44w
Fires, Castlereagh 48w
Industrial health and safety, Legislation 237–8w
Job training programme, Northern Ireland 44–6w
Killinchy School, Rates and rating 174–5w
Mount Oriel Clinic Belfast, Parking 565w
Planning permission, Killinchy 174w
Radioactivity, Pollution monitoring 266w
Road works, Castlereagh 126w
Road works, Northern Ireland 177–8w
Roads, EC action 175w
Social security abuse, Northern Ireland 471w
Stormont, Property development 238w
Street lighting, Killinchy 126w
Tree planting, Northern Ireland 43w

Smoking
Death 421w

Smyth, Rev Martin
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 450
Questions
Regional airports 4

Snape, Mr Peter
Questions
Standard spending assessments 800

Soames, Mr Nicholas, Parliamentary Secretary for Agriculture
Questions
Beef, Import controls 442w
Bovine spongiform encephalopathy, Compensation 146–7w
Business, EC law 289w
Export of live animals, Sheep 444–5w
Export of live animals, Veterinary services 462w
Food labelling, Genetic engineering 294–5w
Food standards, Genetic engineering 295w
Foot and mouth disease, Disease control 289–90w
Import of live animals, Disease control 289w
Legislation, EC law 441w
Mineral waters, EC law 262w
Primates 462w
Rabbits, Pest control 441w
Scrapie 443–4w
Sheep, Poland 146w
Sheep, Transport of animals 42w
Spongiform Encephalopathy Advisory Committee 444w
Transport of animals, Animal welfare 295–6w
Veterinary medicine, Horses 150w
Veterinary services, Harmonisation of standards 444w

Social Fund
544–5

Social security abuse
Northern Ireland 471w

Social security appeal tribunals
Disability living allowance 537w

Social security appeals
Severe disability premium 135w

Social security benefits
521–2w, 537–8
Expenditure 353w
Identity cards 439w
Students 535–6
Telephone services 535

Social security benefits reductions
Income support 24–6w

Social security benefits rules
Incapacity benefit 357w
Myalgic encephalomyelitis 135w

Social security benefits uprating
352w

Social security claims
580w

Social Security Regulations (Chronic Bronchitis and Emphysema) Amendment (No 2) Bill 1993/94
Debates etc.
2R order read (13.05.94) 515

Social services
Army 384w

Social workers
Crimes of violence 556w

Soft loans
29w
Indonesia 190w

Soley, Mr Clive
Questions
Crime prevention 950
Employment 446w
Public sector housing, Government buildings 796
Social workers, Crimes of violence 556w

Somalia
Armed conflict 281w
Cholera 305w
International aid from international bodies 27–8w
Overseas aid 27–8w, 80w
Repatriation 26–7w

South Africa
Arms trade 432w, 573w
British residents abroad 285w
Economic policy 956
Overseas trade 315
Sanctions 432w

South America
Arms trade 16–8w

South Down
Income support 125w

South Korea
Science and technology 189w

South Wales Constabulary
951

South West region
Departmental coordination 168–9w
Unemployment 666

South Yorkshire
Post offices 386w
Prison population 267w, 339–41w, 402w
Remand in custody 339–40w
Teacher training 483w

Southampton City Council
Contracts for services 168w

Southport
Local government reform 805

Spain
Common fisheries policy 145–6w
Ferries 548w
Fishery agreements 40w

Speaker
Leave of absence (19.05.94) 983, (20.05.94) 1033

Speaker and deputies, For rulings & statements see separate heading
Speaker's rulings & statements
Debates etc.
Amendments and new clauses (09.05.94) 100, (10.05.94) 161, 163, 201, 224, 240, 261, (11.05.94) 332, (13.05.94) 445–7, 458, 478–9, (17.05.94) 691–700, 742–3, (18.05.94) 819, 832, 841–2, 853–5, 875, 878, 884, (20.05.94) 1036, 1054, 1077–8
Business questions (19.05.94) 960–1

Speaker and deputies—continued
Calling of Members (10.05.94) 252, (13.05.94) 488, (20.05.94) 1083
Calls to order (09.05.94) 105, (10.05.94) 147, 252, (11.05.94) 380, (13.05.94) 452, 457, 460, 463, 474, 489, (17.05.94) 784, (18.05.94) 829–30, (20.05.94) 1092, 1097
Members' deaths, Smith, John (12.05.94) 429, 438
Members' interventions (11.05.94) 336, 345, (13.05.94) 449, 454, 458, 486, 495, (17.05.94) 722, 753, (18.05.94) 832, 915, (20.05.94) 1080, 1082, 1098
Members' speeches (09.05.94) 110, (11.05.94) 344, (13.05.94) 460, 465, (16.05.94) 556
Ministerial statements (13.05.94) 493, 519, 521, (17.05.94) 680–1, 683, (19.05.94) 971, 981
Orders and regulations motions (09.05.94) 53, (10.05.94) 158
Points of order (09.05.94) 21–3, 25, 74, 126, (10.05.94) 156–8, (11.05.94) 327–8, 339, 352, (13.05.94) 439–44, 453, 455, 457–8, 464–5, 477–8, 488–9, 491–6, 511–2, 516, (16.05.94) 554–5, 561–2, 611, 648, (17.05.94) 747, 754, 784, (18.05.94) 811–4, 916, (19.05.94) 981–3, (20.05.94) 1033–5, 1044, 1053, 1066–7, 1077, 1081–2, 1091–3, 1099–100, 1102
Private Members' bills, 2R order read (13.05.94) 515, (20.05.94) 1101
Scope of debate (11.05.94) 351, 396, (13.05.94) 447, 450–1, 454, 456–8, 460–1, 465, 487, 489–93, 495, 497–501, 506, (19.05.94) 1018, (20.05.94) 1039–40, 1043, 1083–4, 1086–9, 1091, 1097
Supplementary questions (09.05.94) 6, (11.05.94) 314, 317, (17.05.94) 657, 665, 673

Speaker's rulings and statements
Amendments and new clauses (09.05.94) 21–3
Ministerial statements (09.05.94) 21, 126
Oral questions (19.05.94) 957–8
Parliamentary privilege (10.05.94) 156–8, (11.05.94) 321–6
Unparliamentary expressions (13.05.94) 498–9, (20.05.94) 1067, 1100

Spearing, Mr Nigel
Debates etc.
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1084–5, 1094
Deregulation initiative, Orders and regulations (11.05.94) 380, 382, 388, 396–400, 410, 413
EC enlargement, Points of order (16.05.94) 648
Inshore Fishing (Scotland) Bill (HL), Rep (20.05.94) 1036
Post Office, Privatisation (19.05.94) 980
Questions
Business questions 961
Councillors 509–10w
Crossrail 596w
EC immigration, Treaties 193w

Special constables
Peterlee 73–4w

Special education
584w
Educational assessment (09.05.94) 24–52
Grant maintained schools 495w
Physical education 544–5w
School population 34w
Wales 100–2w

"Special Grant Report (Metropolitan Railway Grant)"
(10.05.94) 292
Special protection areas
373–4w

Special schools
Teachers 545w

Speech therapists
Wandsworth Health Authority 316w

Spellar, Mr John
Questions
Armed forces recruitment, Costs 602w
Belize, Guatemala 5w
Botnar, Octav, Tax evasion 554w
Building industry, Fraud 398w
Child Support Agency 540–1
Civil servants, Disabled workers 63w
Community charge register 514w
Community charge register, Scotland 561w
Counselling 417–8w
Debts 397w
Drift nets, EC action 40w, 291–2w
Eland House 63w
Electricity interconnectors 75w
Electricity interconnectors, France 15w
Health service staff, West Midlands 153w
Hong Kong, Civil servants 430w
Identity cards 397w, 570w, 940
Identity cards, EC countries 336w
NHS Executive, Scotland 52–3w
NHS finance, Counselling 84w
Rent assessment panels 510w
Sewers 530w
Social security benefits, Identity cards 439w
Sports, Identity cards 538w
Taxation, Fuels 124w
Telecommunications industry, USA 192w
Wave power 181w

Spencer, Sir Derek, Solicitor-General
Questions
Health Promotion Authority for Wales, Catford, John 584w

Spicer, Mr Michael
Questions
Members' facilities, Office furniture 210w

Spink, Dr Robert
Debates etc.
Equal opportunities, EC action (09.05.94) 102
European Communities (16.05.94) 597, 604
Iron and steel industry, Italy (09.05.94) 84, 90–1
Questions
Apprentices 664
Breast cancer 671
Government research establishments 18
Maintenance, Children 543
Public expenditure 230w
Serious Fraud Office, Annual reports 173–4w
Standard spending assessments, Education 800

Spirits
Measurement 76–7w, 541w

Spongiform Encephalopathy Advisory Committee
444w

Sponsorship
Dept of Trade and Industry 16w

Sports
Identity cards 538w
National vocational qualifications 343w

Sports Council
Outdoor education 309w, 345w, 462w
Physical education 342w

Sports sponsorship
Cardiff Bay Development Corporation 608–9w
Tobacco industry 91–3w

Spring, Mr Richard
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 185
Questions
Economic policy, South Africa 956

Sproat, Mr Iain, Parliamentary Under-Secretary of State, Dept of National Heritage
Debates etc.
Boxing, Injuries (10.05.94) 297–300

Sproat, Mr Iain—continued
Questions
Cellular phones, Dept of National Heritage 599–600w
Consultants, Dept of National Heritage 14w, 599w
Dept of National Heritage, Administrative costs 13w, 600w
Festivals and special occasions, Government departments 560w
Historic Royal Palaces Agency, Expenditure 344w
Holiday accommodation 12w
Holiday accommodation, Fire regulations 11–2w
Internet, Dept of National Heritage 14w
Libraries 538–9w
Museums and galleries, EC action 345w
Private detectives, Dept of National Heritage 14w
Public libraries, Local government reform 13w
Royal Parks Agency, Expenditure 538w
Royal residences, Expenditure 344–5w
Sports, National vocational qualifications 343w
Sports Council, Outdoor education 345w, 462w
Sports Council, Physical education 342w
Tourism 538w
Tourism, Research 12–3w
Tourist boards 171w
Tourist boards, Local government reform 12w
Tourist industry, Government assistance 12w
Tourists, EC action 12–3w

Squire, Ms Rachel
Debates etc.
Local Government Etc (Scotland) Bill, Rep (18.05.94) 862–3
Questions
Community care, Scotland 364w
Companies political contributions, Disclosure of information 179–80w
Local government social services, Scotland 364w
Residential care, Scotland 364w
Rosyth Dockyard 141

Squire, Mr Robin, Parliamentary Under-Secretary of State, Dept for Education
Questions
Curriculum, Educational assessment 411–2w
Dearing Review, Costs 207w
Funding Agency for Schools 207w, 309w
Funding Agency for Schools, Public meetings 495–6w
Grant maintained schools 109–12w, 484–7w
Grant maintained schools, Advertising 207w
Grant maintained schools, Finance 496–7w
Grant maintained schools, Government grants 31–2w
Grant maintained schools, Loans 259w
Grant maintained schools, Northern region 108–10w
Grant maintained schools, School population 143–4w
Grant maintained schools, Voluntary schools 144w
Grant maintained schools, Voting methods 487–96w
History education, Curriculum 34w
Physical education 207–8w
Private education, Inspections 113–4w
Pupil-teacher ratios, Harrogate 484w
School Curriculum and Assessment Authority, Government grants 34w
Special education 584w
Teacher training, South Yorkshire 483w
Teacher Training Agency 310w
Teachers 205–6w
Teachers, Early retirement 205–6w
Teachers, Manpower 207w, 545–6w
Teachers, Redundancy 206w

Squire, Mr Robin—continued
Teachers, Resignations 206w
Teachers, Take-up of employment 206w
Teaching as a Career Unit 309w

Staffordshire
Dementia 157w

Standard spending assessments
799–801
Education 800

Standards specifications
Water supply industry 391–2w

Standing Advisory Committee on Trunk Road Assessment
594w, 597w

Statistics
Employment 658

Statutory sick pay
Health authorities 106w
Wales 106w

Steel, Rt Hon Sir David
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 754
Questions
Prison visiting committees, Scotland 405–7w

Steen, Mr Anthony
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 243
Deregulation initiative, Orders and regulations (11.05.94) 383, 385, 394–6, 399
Questions
Administration of justice, Administrative delays 305–6w
Airlines, Competition 10
Alcoholic drinks duties, EC internal trade 226w
Beaches, Water pollution 69w
EC institutions, Civil service manpower 13–4
Export promotion 315
Fishery protection, Navy 440w
Government buildings, Repairs and maintenance 5w
Orders and regulations 75w

Steinberg, Mr Gerry
Questions
Special education, Physical education 544–5w
Special schools, Teachers 545w

Stephen, Mr Michael
Questions
Prisoners, Press 953–4
Railway transport, Privatisation 7

Stern, Mr Michael
Debates etc.
Security Industry (Licensing) Bill, 1R (10.05.94) 159–60

Steroid drugs
Drug side effects 214–5w

Stevenson, Mr George
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 229, 232
EC environmental policy (11.05.94) 346
Questions
Drug abuse 941–2

Stewart, Mr Allan, Parliamentary Under-Secretary of State, Scottish Office
Debates etc.
Inshore Fishing (Scotland) Bill (HL), Rep (20.05.94) 1049–53
Local Government Etc (Scotland) Bill, Rep (17.05.94) 692–4, 702, 722, 737–8, 744, 747–54, 765, 777–80, (18.05.94) 856–7, 876–7
Questions
Ambulance services, Scotland 98w

Stewart, Mr Allan—continued
Business premises, Edinburgh 408–9w
Child minding, Corporal punishment 364w
Civil servants' secondment, Early retirement 407–8w
Common Services Agency, Privatisation 99w
Community care, Scotland 364w
Community charge register, Scotland 561w
Computers in National Health Service, Scotland 98w
Foreign investment in UK, Scotland 370–1w
Glasgow Royal Infirmary NHS Trust, Employment protection 363w, 402w
Greater Glasgow Health Board, Mental health services 164–5w
Hospital consultants, Doctor-patient ratios 97–8w
Industrial development, Scotland 369–70w
Junior hospital doctors, Working hours 561w
Local enterprise companies, Disclosure of information 50w, 369w
Local enterprise companies, Industrial development 49–50w
Local government, Labour costs 366w
Local government finance, Scotland 52w
Local government reform, Employment protection 366w
Local government reform, Highlands of Scotland 366–7w
Local government reform, Redundancy 366w
Local government reform, Scotland 165w, 365w
Local Government (Scotland) Bill 1993/94 365w
Local government social services, Scotland 364w
Monklands District Council, Local government corruption 95w
Motor industry, Scotland 370w
NHS Executive, Scotland 52–3w
NHS trusts, Collective bargaining 367w
NHS trusts, Contracts for services 367–8w
NHS trusts, Official cars 367w
NHS trusts, Pay 367w
NHS trusts, Scotland 404w
Pre-school education, Scotland 368w
Quarrying, Scotland 53w
Residential care, Scotland 364w
Scottish Ambulance Service, NHS trusts 404–5w, 464w
Strathclyde Regional Council, Administrative costs 409w

Stormont
Property development 238w

Stott, Mr Roger
Questions
Further education, Northern Ireland 471–2w

Strang, Dr Gavin
Questions
Agricultural land, Inheritance tax 550w
Arable area payments scheme 40–2w
Arable area payments scheme, Northern Ireland 48w
Arable area payments scheme, Scotland 51w
Arable area payments scheme, Wales 23w
Arable farming, Wales 23w
Cereals, Agricultural land 40w, 42w
Cereals, Northern Ireland 48w
Cereals, Scotland 51w
Cereals, Wales 23–4w
Forestry 550–1w
NHS trusts, Collective bargaining 367w
NHS trusts, Contracts for services 367–8w
NHS trusts, Pay 367w
Thetford Forest Park 550–1w

Strategic development scheme
Wales 346–50w

Strathclyde Passenger Transport Authority
363w

Strathclyde Regional Council
Administrative costs 409w

Straw, Mr Jack
Debates etc.
Public finance, Points of order (18.05.94) 814
Questions
Local government 805–6
Standard spending assessments 800–1

Street lighting
Killinchy 126w

Streeter, Mr Gary
Questions
Bridges, River Tamar 464w
Coal mining, Subsidence 301–2
Devonport Dockyard, Operating costs 572w
Family doctors, Conditions of employment 555w
Income tax 223–4w
Right of silence 943
Small businesses 302
Trade unions 668
Water charges 533w

Strikes
448w
Yorkshire and Humberside 448w

Structural adjustment
Africa 26w

Student grants
Further education 32–4w
Postgraduate education 412w
Republic of Ireland 563–4w

Student numbers
Further education 32–4w, 107–8w

Students
Northern Ireland 564w
Social security benefits 535–6

Sub-Saharan Africa
Development aid 410–1w

Subsidence
Coal mining 301–2

Subsidiarity
Local government 507w

Subsistence allowances
Ministry of Defence 132w

Suckler cow premiums
(17.05.94) 785–92

Sudan
International aid from international bodies 79–80w
International Monetary Fund 253–4w
Overseas aid 251–2w

Sumberg, Mr David
Questions
Arms trade, Indonesia 308

Summertime
Road safety 596w

Sunderland
Hospital discharges 418w

Surgery
85w
Costs 593w
Heart diseases 557w

Surveillance
299w

Sustainable development
UK contributions 65w

Swainswick bypass
Costs 280w
Road construction 280w

Swan Hunter Shipbuilders
308

Sweeney, Mr Walter
Debates etc.
Tobacco Advertising Bill, Rep (13.05.94) 459–60, 465–6

Sykes, Mr John
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 203
Questions
A64, Road accidents 240–1w
A64, Road works 546–7w
Environment protection, EC law 793–4
Police cautions 947

"Tackling Homelessness (Scotland) Consultation Paper"
197–9w
Tagamet
Expenditure 519w

Take-up of employment
Harrogate 447w
Teachers 206w
Training 660–1

Taking and driving away
454–8w

Tanzania
Rwanda 80–1w

Tapsell, Sir Peter
Questions
Official engagements 78w, 221w, 401w, 565w

Tax allowances
Health insurance 528w
Maintenance 578w

Tax assessment
7w

Tax burden
223w, 225w

Tax evasion
Botnar, Octav 554w

Tax rates and bands
223w

Tax yields
226w
Health insurance 528w

Taxation
Fuels 124w
Local government finance 388w

Taxis
61w

Taylor, Mrs Ann
Questions
Dearing Review, Costs 207w
Funding Agency for Schools, Public meetings 495–6w
Further education teachers, Educational qualifications 206w
Grant maintained schools 109–10w
Grant maintained schools, Finance 496–7w
Grant maintained schools, Loans 259w
Teachers 205–6w
Teachers, Early retirement 205–6w
Teachers, Manpower 207w
Teachers, Redundancy 206w
Teachers, Resignations 206w
Teachers, Take-up of employment 206w

Taylor, Mr Ian
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 172
European Communities (16.05.94) 578, 637–8
Questions
Business questions 959
Economic growth 227w
Managers, Women 667
Teacher training, Civil service agencies 412w
Trade competitiveness 446w

Taylor, Rt Hon John David
Debates etc.
European Communities (16.05.94) 621–5
Questions
Cereals, Agricultural production 551w
Cereals, Northern Ireland 582–3w
Comber bypass 126w

Taylor, Rt Hon John David—continued
Fires, Castlereagh 48w
Fisheries, Republic of Ireland 150w
Independent Commission for Police Complaints for Northern Ireland, Annual reports 473w
Killinchy School, Rates and rating 174–5w
Milk Marketing Board for Northern Ireland 236w
Ministers' domestic visits, Northern Ireland 310–1w
Mount Oriel Clinic Belfast, Parking 565w
Planning compensation 208w
Planning permission 115w
Planning permission, Killinchy 174w
Primary education, Northern Ireland 175w
Primary education, School population 163w
Road works, Castlereagh 126w
Roads, EC action 175w
Schools, Rates and rating 175w
Street lighting, Killinchy 126w
Students, Northern Ireland 564w

Taylor, Mr John M, Parliamentary Secretary, Lord Chancellor's Dept
Questions
Administration of justice, Administrative delays 305–6w
Administration of justice, Race relations 244–5w
Affiliation, Blood tests 577w
Cellular phones, Lord Chancellor's Dept 139w
County courts, Complaints 548
Court Service 547–8
Crown courts, Child liaison officers 140w
Crown courts, Juries 245w
Divorce 548–9
Divorce, Family conciliation services 548–9
Evidence, Children 139–40w, 453w
Immigration appeals, Adjudication officers 244w
Immigration Appellate Authorities, Administrative delays 71w
Internet, Lord Chancellor's Dept 139w
Judges, Recruitment 306w
Judiciary, Public appointments 527w
Justices' clerks 452w
Justices' clerks, Conditions of employment 306w
Legal aid 577w
Magistrates, Political parties 140w
Magistrates' courts, Closures 451–2w
Magistrates' courts committees 243–4w, 451w
Parliamentary questions, Lord Chancellor's Dept 452w
Police and Magistrates' Courts Bill 1993/94 306w
Trials, Administrative delays 452–3w
Youth courts, Ethnic minorities 244w

Taylor, Mr Matthew
Questions
Advertising, Scottish Office 97w
Capital gains tax 396–7w
Corporation tax 394–6w
"Forward Look of Government-funded Science Engineering and Technology 1994" 133–4w
National insurance contributions 396w
Public appointments, Northern Ireland Office 43w
Schedule D income tax 395–6w

Taylor, Sir Teddy
Debates etc.
Equal opportunities, EC action (09.05.94) 105
European Communities (16.05.94) 558–9, 566, 594–600, 603
Questions
Armed forces discharges, Pregnant women 287–8w
Dental technicians 2w
Dentures 2w
Fenchurch Street-Southend railway line 56w
Immigration rules 569w

Teacher training
Civil service agencies 412w
Higher Education Funding Council for England 309–10w
South Yorkshire 483w

Teacher Training Agency
310w

Teachers
205–6w
Disciplinary proceedings 34–5w
Early retirement 205–6w
Manpower 207w, 545–6w
Redundancy 206w
Resignations 206w
Special schools 545w
Take-up of employment 206w

Teaching as a Career Unit
309w

Technical education
112–3w

Telecommunications industry
USA 192w

Telecommunications technology
Planning permission 66w

Teledata
Cherished number plates 281w
Driver and Vehicle Licensing Agency 278w, 281w

Telephone charges
Cellular phones 76w

Telephone services
Open government 474w
Social security benefits 535

Television licences
537w
EC action 255w

Temazepam
Drug abuse 379w

Temporary employment
Health service staff 416w

Tenant management organisations
114–5w

Territorial Army
142, 149

Terrorism
567–8w

Thatcher, Margaret
Malaysia 401–2w

Theatres
Public houses 93w

Theft
Church buildings 549–50

Thetford Forest Park
550–1w

"This Common Inheritance Third Year Report"
117w

Thomason, Mr Roy
Question
Employment, West Midlands 447w
Juries 950–1
Occupational pensions, Pensioners 539

Thompson, Sir Donald
Questions
Post Office, Privatisation 305
Unemployment 658

Thompson, Mr Jack
Questions
Business questions 963
Grant maintained schools, Northern region 108–10w

Thompson, Mr Patrick
Questions
Crime prevention 950
Criminal Justice and Public Order Bill 1993/94 568w
Mass media, Codes of practice 468w

Thompson, Mr Patrick—continued
Prison Service Agency, Performance standards 142w
UN Register of Conventional Arms 5w

THORP
Nuclear safeguards 572–3w
Police 77w

Thurnham, Mr Peter
Debates etc.
Civil Rights (Disabled Persons) Bill, Rep (20.05.94) 1088–9, 1096
Deregulation and Contracting Out Bill, Rep (10.05.94) 254–5, 258–9
Landlord and Tenant (Covenants) Bill, 1R (16.05.94) 554
Planning permission, Ambleside (19.05.94) 1026
Special education, Codes of practice (09.05.94) 52
Questions
Church of England 546
Civil Rights (Disabled Persons) Bill 1993/94 358w
Exports 180w
Local government staff, Greater Manchester 170w
Unemployment 445w

Tickets
Railway transport 57w
Touting 141–2w

Tipping, Mr Paddy
Debates etc.
Coal Industry (Restructuring Grants) Order 1994 (19.05.94) 987–9
Questions
Benefits Agency district offices, Nottinghamshire 580–2w
British Coal Corporation, Redundancy pay 20w
Coal mining, Redundancy 180w
Coal mining, Redundancy pay 181–2w
Coal mining, Subsidies 182w
Council house sales, Nottinghamshire 65w
Grant maintained schools, School population 143–4w
Harlow Wood Orthopaedic Hospital, Hospital closures 556w
Libraries 538–9w
NHS trusts, Nottinghamshire 160w

Tobacco advertising
Advertising codes of practice (13.05.94) 517–25
Ministerial statements (13.05.94) 517–25

Tobacco Advertising Bill 1993/94
Debates etc.
Rep adjourned (13.05.94) 445–514
Questions
Amendments and new clauses 257w

Tobacco industry
Sports sponsorship 91–3w

Tortoises
Customs 479w

Tourism
538w
City of Westminster 371–3w
Environment protection 261w
Research 12–3w

Tourist boards
171w
Local government reform 12w

Tourist industry
Government assistance 12w

Tourists
EC action 12–3w

Touting
Tickets 141–2w

Tower Hamlets Borough Council
506w

Townend, Mr John
Questions
Ministry of Defence, Civil service manpower 146

Tracey, Mr Richard
Debates etc.
BC environmental policy (11.05.94) 334–5, 343–4
Questions
Water treatment, BC law 511–2w

Trade competitiveness
312, 446w
Manufacturing industries 178w

Trade Descriptions (Amendment) Bill 1993/94
Debates etc.
2R order read (20.05.94) 1102

Trade Marks Bill (HL) 1993/94
Questions
299w

Trade promotion
Expenditure 540w

Trade union membership
668–9
Government Communications Headquarters 667–8

Trade unions
668

Training
Building industry 607w
Expenditure 660
Family doctors 587–8w
Film industry 502–3w
Health visitors 270w
Take-up of employment 660–1

Training and enterprise councils
361w
Building industry 607w
Civil servants' secondment 263w, 360–2w, 503w
Finance 447–8w

Training for work
662–3

Trans-European networks
M4 280w

Transgenic animals
Transplant surgery 420w

Transplant surgery
Transgenic animals 420w

Transport of animals
Animal welfare 295–6w
Sheep 42w

Transport of radioactive materials
Channel tunnel 241w
Nuclear fuels 602–3w

Transport Research Laboratory
Privatisation 58w, 548–9w
Research finance 324w

Transsexuals
Marriage 379–80w
Prisoners 460w

Travelling expenses
Health authorities 590w
NHS trusts 590w

Treasure Bill (HL) 1993/94
Debates etc.
2R order read (20.05.94) 1101

Treasury
Arms to Iraq Inquiry 481–2w
Cellular phones 578w
Consultants 7–8w, 400w, 528w
Internet 6–7w
Parliamentary questions 253w
Press releases 294w
Public expenditure 578–9w

Treasury Solicitors Dept
Arms to Iraq Inquiry 251w

Treaties
EC immigration 193w
Frigg gas field 542w

Tree planting
Northern Ireland 43w

Trespass
Blood sports 333w

Trials
Administrative delays 452–3w
League of Arab States 247w

Trident submarines
Defence expenditure 127w

Trimble, Mr David
Questions
Business questions 964
Northern Ireland (Emergency Provisions) Act 1991 312w
Right of silence, Northern Ireland 944

Trotter, Mr Neville
Questions
Economic situation 150–1

Tuberculosis
213–4w, 592w
Nurses 590–1w
Research finance 592w
Vaccination 591–2w
Wales 535w

Tunisia
Human rights 284w

Turner, Mr Dennis
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 181

Twinn, Dr Ian
Questions
Business, Compliance cost assessments 387w

Tyler, Mr Paul
Debates etc.
Suckler cow premiums (17.05.94) 787, 792

Tyne and Wear
Enterprise zones 394w

Tyrrell Committee
see Spongiform Encephalopathy Advisory Committee

UK contributions to EC budget
578–9w

UK Ecolabelling Board
510–1w

UK membership of EC
468w

UK Polar Medal Assessment Committee
Public appointments 500w

Ulcers
Medical treatments 519w
Patients 518–9w

UN
see United Nations

UN Commission on Human Rights
Rwanda 600w

UN Military Staff Committee
574w

UN Protection Force
Bosnia-Herzegovina 161w
Sarajevo 574–5w

UN Register of Conventional Arms
5w, 246w

UN resolutions
Iraq 314w

UN Security Council
221w, 554w
Rwanda 600w

Unemployment
119w, 445w, 658–9, 665–6, 954–5
Bradford 447w
Buckinghamshire 447w
Costs 227w
Dartford 446w
South West region 666
Wales 186w, 663

Unemployment benefits
503w, 520–2w

United Airlines
Industrial disputes 362w

United Kingdom Atomic Energy Authority
180–1w
Manpower 76w
Radioactive waste disposal 612w
Relocation of employees 611w

United Kingdom Atomic Energy Authority Constabulary
77w
Manpower 76w
Ministry of Defence Police Committee of Inquiry 77w

United Kingdom NIREX
Police 77w

United Nations
Defence equipment 553w
Defence procurement 553w
Information services 574w
Peace keeping operations 553w
Rwanda 4w
Satellite communications 554w

Universities
Higher education admission 113w

Unparliamentary expressions
Speaker's rulings and statements (13.05.94) 498–9, (20.05.94) 1067, 1100

Uranium
Shells 132–3w

Urban areas
Family doctors 157w
Public transport 54w

Uruguay round
World Trade Organisation 461w

USA
Air routes 54w
Food prices 151w
Telecommunications industry 192w

Vacancies
Hospital consultants 2w

Vaccination
Children 589w
Tuberculosis 591–2w

Vale of Glamorgan
Local government reform 429–30w

Valuation
Council tax 70w, 480–1w, 529w
NHS 419w

Value Added Tax (Education) Order 1994
Debates etc.
(19.05.94) 1002–16
Questions
528–9w

VAT
225w, 672
Company cars 124–5w
Energy prices 229w
Foreign tourists 294w

VAT exemptions
Education (19.05.94) 1002–16

Vaz, Mr Keith
Debates etc.
Ethnic minorities, Public petitions (11.05.94) 420
Goodwood House, Public petitions (11.05.94) 420
Immigration (European Economic Area) Order 1994 (09.05.94) 69
Questions
Cellular phones, Attorney General 173w
Cellular phones, Chancellor of the Duchy of Lancaster 134w
Cellular phones, Dept for Education 584w
Cellular phones, Dept of Employment 263w
Cellular phones, Dept of Health 590w
Cellular phones, Dept of National Heritage 599–600w
Cellular phones, Dept of Social Security 353w

Vaz, Mr Keith—continued
Cellular phones, Dept of Trade and Industry 15w, 613w
Cellular phones, Dept of Transport 119–20w
Cellular phones, Home Office 9w
Cellular phones, Lord Chancellor's Dept 139w
Cellular phones, Lord President of the Council 308w
Cellular phones, Ministry of Agriculture Fisheries and Food 199w
Cellular phones, Ministry of Defence 133w
Cellular phones, Northern Ireland Office 126w
Cellular phones, Scottish Office 368–9w
Cellular phones, Treasury 578w
Cellular phones, Welsh Office 101w
BC Committee of the Regions, Local government reform 170w
Housing (Right to Manage) Regulations 1994, Ethnic minorities 114–5w
Immigration appeals, Adjudication officers 244w
Local government revenue 504–5w
Local government revenue, Council house sales 169–70w
Single regeneration budget 803

Vehicle Inspectorate
57–8w
Consultants 276w
Operating costs 325–32w

Veterinary medicine
Horses 150w

Veterinary services
Export of live animals 462w
Harmonisation of standards 444w

Victim support schemes
71–2w

Victoria Hospital Accrington
Maternity services (20.05.94) 1103–10

Viggers, Mr Peter
Questions
Redundant churches 552
Widowers' benefits 538

Visiting Forces and International Headquarters (Application of Law) (Amendment) Order 1994
Debates etc.
(09.05.94) 53–60

Voluntary organisations
AIDS 515–6w

Voluntary schools
Grant maintained schools 144w

Voting methods
Grant maintained schools 487–96w

Voting rights
European Parliament elections 72w

Wages councils
448w

Waldegrave, Rt Hon William, Chancellor of the Duchy of Lancaster
Questions
Alzheimer's disease, Research finance 439w
Cellular phones, Chancellor of the Duchy of Lancaster 134w
Citizen's Charter 189w
Civil servants' business appointments, Chancellor of the Duchy of Lancaster 293w
Civil service recruitment, Candidates 272–4w
"Forward Look of Government-funded Science Engineering and Technology 1994" 133–4w
Government research establishments 17–8
Information technology, Press releases 475w
Internet, Chancellor of the Duchy of Lancaster 63w
Open government 16, 18–9, 61w

Waldegrave, Rt Hon William—continued
Open government, Telephone services 474w
Parliamentary questions, Chancellor of the Duchy of Lancaster 62w, 167w
Press releases, Information technology 474–5w
Public service, Cost effectiveness 14–5
Research councils, Finance 13
Science and technology, Degrees 189w
Science and technology policy 62w, 581w
Science and technology research, Wales 18
Science education 13

Walden, Mr George
Questions
Planning permission, Telecommunications technology 66w

Wales
Access funds 22–3w
Agricultural subsidies 429w
Agricultural workers 22w
Arable area payments scheme 23w
Arable farming 23w
Cereals 23–4w
Compulsory purchase 425–6w
Council housing 426w
Curriculum 536w
Dyslexia 422–3w
European Agricultural Guidance and Guarantee Fund 476–7w
European Regional Development Fund 21w
Further education 107–8w
General certificate of secondary education 607–8w
Grant maintained schools 107w, 477–8w, 609w
Health authorities 105w, 265w
Hospital admissions 104–5w
Housing acquisition initiative 476w
Housing associations 425–30w
Housing subsidies 102–4w
Iron and steel industry 607w
Jazz 105w
Junior hospital doctors 535–6w
Libraries 264w
Local government reform 264w, 608w
Low flying 303w
Meat 22w
National House Building Council 100w
Nature conservation 103w
NHS 266w, 536w
NHS trusts 265–6w
Non-departmental public bodies 264–5w
Planning permission 477–8w
Prescription charges exemptions 103w, 424w
Prescriptions 103w, 424w
Science and technology research 18
Sea fisheries committees 203w
Sheep 102w
Sheep scab 429w
Special education 100–2w
Statutory sick pay 106w
Strategic development scheme 346–50w
Tuberculosis 535w
Unemployment 186w, 663
Wind power 264w

Walker, Mr Bill
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 266–7, 269–70, 277, 281
Local Government Etc (Scotland) Bill, Rep (17.05.94) 726, 732
Smith, John, Members' deaths (12.05.94) 435
Questions
Arms trade, Indonesia 307
Front line initiative 143–4
Managers, Women 667

Wallace, Mr James
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 713, 717–21, 731, (18.05.94) 863–5, 875–9, 883
MV Braer Inquiry (17.05.94) 680
Questions
Employment schemes, Scotland 561w

Wallace, Mr James—continued
Local enterprise companies, Finance 561w
Scottish Office Education Dept, Departmental leaflets 562w
Sea Fish (Conservation) Act 1992, Computers 151–2w
Sea Fish (Conservation) Act 1992, Expenditure 151w
Sea Fish (Conservation) Act 1992, Manpower 151w
Wind power, Orkney 544w

Waller, Mr Gary
Questions
British Library, Construction 14w

Walley, Ms Joan
Debates etc.
Merchant Shipping (Ro-Ro Passenger Ship Survivability) (No 2) Regulations 1994 (09.05.94) 62
MV Braer Inquiry (17.05.94) 686
Questions
Birmingham relief road 433–4w
Dementia, Staffordshire 157w
Dementia, West Midlands 157w
Ethnic minorities, Government grants to local authorities 457w
European Parliament elections, Voting rights 72w
Hearing aids, NHS charges 419w
Mandatory student grants 258w
Pathology, North Staffordshire 154w
Pathology, Professional qualifications 212–3w
Road safety 6
Road traffic 240w
Road traffic, Exhaust emission controls 392w
Road traffic, M25 534w
Road transport, Air pollution 599w
Transport Research Laboratory, Privatisation 548–9w
Transport Research Laboratory, Research finance 324w
Westcliffe Hospital, Hospital beds 156w

Wandsworth Health Authority
Executives 517–8w
Speech therapists 316w

War pensions
Falkland Islands 259w
Iraq-Kuwait conflict 259w

War widows' pensions
672

Wardell, Mr Gareth
Questions
Prescriptions, Wales 103w

Wardle, Mr Charles, Parliamentary Under-Secretary of State, Home Office
Debates etc.
Immigration (European Economic Area) Order 1994 (09.05.94) 65–71, 74
Questions
British National Party, Public order policing 194w
Campsfield House Detention Centre, Security 257w
Crime prevention 568w, 950
Crime prevention, Science and technology 568w
Deportation, Restraint equipment 379w
Drug crimes, Confiscation orders 459–60w
EC immigration 337–8w
EC immigration, Treaties 193w
EU Justice and Home Affairs Council 459w
Firearms 141w
Firearms, Amnesties 194w
Fires, Death 334w
Gartree Prison 948–9
Identity cards 570w
Identity cards, Costs 335–6w
Identity cards, EC countries 336w
Identity cards, Netherlands 336w
Immigrant detainees, Costs 10w
Immigrant detainees, Prison population 570–2w

Wardle, Mr Charles—continued
Immigrant detainees, Prisoners' transfers 142w
Immigration applications 74w, 140w
Immigration applications, Cohabitation 10–1w
Immigration applications, Homosexuality 334–5w, 453–4w
Immigration controls 335w
Immigration rules 569w
Lake Windermere, Bye laws 8w
Mann, Ian, Departmental correspondence 585w
Metropolitan Police 339w, 569w
Metropolitan Police, Deportation 584w
National Criminal Intelligence Service, Computers 11w
Neighbourhood watch schemes 8w
Operation Elgar 570w
Police, Lost working days 338–40w
Police, Manpower 338w
Police, Peterlee 9w
Police Complaints Authority, Evidence 458–9w
Police custody 948
Police training 72w
Political refugees 569–70w
Political refugees, Immigration rules 335w
Political refugees, Poland 72w
Pornography 941
Prisons, Ships 949
Refugees 10w
Ruppert, Bryan 333–4w
South Wales Constabulary 951
Special constables, Peterlee 73–4w
Transsexuals, Marriage 379–80w

Wareing, Mr Robert N
Debates etc.
Oral question time point of order (18.05.94) 806
Questions
"Access to Local Authority and Housing Association Tenancies Consultation Paper" 210w
Bosnia-Herzegovina, Armed conflict 245–6w, 315w
Civil Rights (Disabled Persons) Bill 1993/94 358w
Elections 195w
Health service staff, Maladministration 219w
Inntrepreneur Estates 315–6
Local government 804
MV Playa 248w

Warnings
Civil defence 336–7w

Warren Spring Laboratory
Relocation of employees 611w

Warwickshire
Employment 657–8

Waste disposal
Greater London 512w

Waste management
375–6w

Water abstraction
Liability 393–4w
Montgomeryshire 202w

Water and sewerage companies
507w

Water charges
533w
West country 808

Water meters
Council housing 810

Water pollution
Beaches 69w, 794–5
Coal mine closures 179w
EC action 375w
Worcester (09.05.94) 127–36, 144w

Water storage
67–8w

Water supply
Health 589w
Iraq 221w

Water supply disconnections
798–9, 808
Severn Trent Water 810

Water supply industry
Capital investment 807–8
Privatisation 392w
Severn Trent Water 535w
Standards specifications 391–2w
Welsh Water 535w

Water treatment
EC law 511–2w
Scotland 463–4w

Waterson, Mr Nigel
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (20.05.94) 1035
Inshore Fishing (Scotland) Bill (HL), Rep (20.05.94) 1037, 1044–5, 1048
MV Braer Inquiry (17.05.94) 684
Sale and Supply of Goods Bill, Rep (20.05.94) 1055–6, 1062, 1066–8
Questions
Defence equipment, Exports 130w
GATT 542–3w
Maintenance, Children 542–3
Road construction 53w
Temazepam, Drug abuse 379w

Watson, Mr Mike
Questions
Office of Water Services, Consumer protection 261w

Watts, Mr John
Questions
Secure training centres, Young offenders 568w

Wave power
181w

Weapons
NATO 573w
Testing 573w

Welsh, Mr Andrew
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 709–11, 714, 750
MV Braer Inquiry (17.05.94) 684
Questions
Petroleum exploration licences 179w

Welsh Development Agency
Car leasing 203w
Publications 202w
Redundancy pay 203–4w

Welsh districts
EC grants and loans 105–6w

Welsh Health Promotion Authority
see Health Promotion Authority for Wales

Welsh language
Inland Revenue 123–4w

Welsh Office
Cellular phones 101w
Christmas cards 479w
Departmental reorganisation 202w, 204–5w
Disciplinary proceedings 204w
Parliamentary questions 476w
Repetitive strain injury 186w

Welsh Water
Water supply industry 535w

West coast railway line
55w, 277w

West country
Water charges 808

West Glamorgan Health Authority
Asthma 104w

West Lindsey NHS Trust
271w

West Midlands
Dementia 157w
Employment 447w
Health service staff 153w
Road construction 6–7

West Wales Training and Enterprise Council
Civil servants' secondment 579w

Westcliffe Hospital
Hospital beds 156w

Western European Union
127w

Westminster City Council
Local government finance 372w
Revenue support grant (18.05.94) 930–8

Whales
Nature conservation 150–1w

Wheeler, Rt Hon Sir John, Minister of State, Northern Ireland Office
Questions
Anglo-Irish Intergovernmental Conference, Civil service manpower 174w
Cellular phones, Northern Ireland Office 126w
Cross border cooperation in Ireland, Public bodies 176–7w
Detection rates, Northern Ireland 239w
District rates, Northern Ireland 472w
Internet, Northern Ireland Office 125–6w
Ministers' domestic visits, Northern Ireland 310–1w
Parliamentary questions, Northern Ireland Office 178w, 312–3w
Police, Lost working days 267–8w
Police, Northern Ireland 469w
Prison population, South Yorkshire 267w
Private detectives, Northern Ireland Office 43w, 266w
Public appointments, Northern Ireland Office 43w
Schools, Rates and rating 175w
Student grants, Republic of Ireland 563–4w

Whitehall
Road closures 78w

Whitney, Mr Ray
Debates etc.
European Communities (16.05.94) 612–4

Whittingdale, Mr John
Questions
A12, Road safety 5–6
Horseshoe Barracks Shoeburyness, Mines 201w

Wholesale trade
Newspaper press 77w

Wicks, Mr Malcolm
Questions
Armed forces deployment, Bosnia-Herzegovina 128w
Divorce, Family conciliation services 548
Local government elections, Croydon 151–2

Widdecombe, Miss Ann, Parliamentary Under-Secretary of State, Dept of Employment
Questions
Apprentices 363w
Banks, Redundancy 117–8w
Barnsley and Doncaster Training and Enterprise Council, Directors 358–60w
Barnsley and Doncaster Training and Enterprise Council, Expenditure 360w
Careers and Occupational Information Centre 362w
Careers and Occupational Information Centre, Disciplinary proceedings 362w
Civil Rights (Disabled Persons) Bill 1993/94, Amendments and new clauses 579w
Employees' contributions 36–8w
Employment 363w
Employment, Warwickshire 657–8
Employment Appeal Tribunal 362w, 446w
Film industry, Manpower 502w
Film industry, Training 502–3w
Hard core unemployed 263–4w
Hotel and catering industry, Manpower 567w

Widdecombe, Miss Ann—continued
JHP Training, National vocational qualifications 661
Labour market 38w
Managers, Women 667
North Yorkshire Training and Enterprise Council 360w
North Yorkshire Training and Enterprise Council, Finance 579w
Part-time employment 446w
Part-time employment, Employment protection 448w
"Rising Tide" 666–7
Self-employed 118–9w
Training, Take-up of employment 660–1
Training and enterprise councils 361w
Training and enterprise councils, Civil servants' secondment 263w, 360–2w, 503w
Training and enterprise councils, Finance 447–8w
Unemployment 119w
Unemployment benefits 503w
West Wales Training and Enterprise Council, Civil servants' secondment 579w
Women's employment, Average earnings 667
Working mothers, Lone parents 445w
Youth training, Derbyshire 661
Youth training, Greater London 118w
Youth training, Income support 210w

Widdrington
RECHAR 210w

Widowers' benefits
538

Widows' benefits
538–9

Wiggin, Sir Jerry
Debates etc.
Private Members' bills, Points of order (13.05.94) 442–3
Tobacco Advertising Bill, Rep (13.05.94) 465, 490

Wigley, Mr Dafydd
Debates etc.
European Communities (16.05.94) 602, 630–4
Questions
EC law, Equal opportunities 565w
European Regional Development Fund, Wales 21w
RAF Valley, Rescue services 130w
Railway transport, North Wales 549w
Retirement age 536
Welsh Development Agency, Publications 202w

Wilkinson, Mr John
Questions
Rosyth Dockyard 140

Willetts, Mr David
Questions
Economic situation 223w
Personal pensions 540

Williams, Rt Hon Alan
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 325
Questions
Parliamentary Counsel, Private Members' bills 308w
Prescriptions, Wales 424w
Soft loans 29w

Williams, Mr Alan W
Questions
Lloyd's Bank, Cheltenham and Gloucester Building Society 180w

Wilson, Mr Brian
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 273, 287–9
European Communities (16.05.94) 596
House of Commons staff, Points of order (17.05.94) 784

Wilson, Mr Brian—continued
Local Government Etc (Scotland) Bill, Rep (18.05.94) 879, 882
MV Braer Inquiry (17.05.94) 685
Special education, Codes of practice (09.05.94) 27, 48–52
Questions
Railway network, Dorchester 59w
Railway safety 2–3

Wind power
Orkney 544w
Planning permission 264w
Wales 264w

Winget houses
375–6w

Winnick, Mr David
Debates etc.
Civil Rights (Disabled Persons) Bill, Points of order (11.05.94) 323, (18.05.94) 811–2
Deregulation initiative, Orders and regulations (11.05.94) 381–3, 392
European Communities (16.05.94) 561–2, 569
Questions
British National Party, Public order policing 194w
Business questions 963
Council housing, Housing construction 68w
Crime 11w
Hard core unemployed 263–4w
Italy, Foreign relations 601w
Italy, Government 601w
Manufactured goods, Balance of trade 20w
Members' correspondence 439w
Prescription charges 3w
Public service, Cost effectiveness 14
Tax burden 223w
Unemployment 119w
Widows' benefits 538–9
World War II, Festivals and special occasions 605w

Winterton, Mrs Ann
Debates etc.
Post Office, Privatisation (19.05.94) 972
Questions
Apprentices 662
Building industry, Deregulation initiative 506–7w
Metropolitan Police 569w

Winterton, Mr Nicholas
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 250
Post Office, Privatisation (19.05.94) 979
Questions
Business questions 959–60
Film industry, Lighting 462w, 467w
Film industry, Manpower 502w
Film industry, Training 502–3w
Local government 804–5
Pornography 941
Small businesses 302–3
Teachers, Disciplinary proceedings 34–5w

Wolfson, Mr Mark
Debates etc.
Planning permission, Ambleside (19.05.94) 1024–6
Questions
Museums and galleries 171–2w

Women
Managers 445–6w, 666–7

Women clergy
Pay 306–7w

Women's employment
Average earnings 667

Wood, Mr Timothy, Lord Commissioner of the Treasury
Debates etc.
Deregulation initiative, Orders and regulations (11.05.94) 419

Woodspring
221w

Worcester
Water pollution (09.05.94) 127–36, 144w

Workfare
502w

Working hours
Industrial health and safety 167w
Junior hospital doctors 1w, 43–4w, 518w, 535–6w, 561w

Working mothers
Lone parents 445w

World Bank
Disclosure of information 304w

World Trade Organisation
Environment protection 527–8w
Uruguay round 461w

World War I
Capital punishment (18.05.94) 815

World War II
Festivals and special occasions 127w, 605w
Italy 605w

Worthington, Mr Tony
Debates etc.
Local Government Etc (Scotland) Bill, Rep (18.05.94) 823–4, 849, 868–9
Questions
African Development Bank 546w
Angola, Peace negotiations 5–6w
BBC External Services, Government grants 162w
Bosnia-Herzegovina, Armed conflict 245–6w, 283w, 314w
Bosnia-Herzegovina, Peace keeping operations 201w
Bosnia-Herzegovina, UN Protection Force 161w
Business premises, Edinburgh 408–9w
Chernobyl, Radiation hazards 300w
Debts, Developing countries 527w
Disability living allowance, Mentally handicapped 537w
Disability living allowance, Social security appeal tribunals 537w
East Timor, Human rights 315w
EC grants and loans, Fraud 480w
EC trade with developing countries, Beef 147–9w
Ethiopia, Droughts 79w
Flood control, City of Westminster 371–2w
Foreign investment in UK, Scotland 370–1w
Gifted children, Scotland 364w
Glasgow Royal Infirmary NHS Trust, Employment protection 363w, 402w
Indonesia, Soft loans 190w
Industrial development, Scotland 369–70w
International Monetary Fund, Sudan 253–4w
Iraq, Prisoners 431w
Iraq, Sanctions 162w
Iraq-Kuwait conflict, Prisoners of war 430–1w
Kosovo, Ethnic groups 284w
Kuwait, Environment protection 314w
Liberia, Children 497w
Local enterprise companies, Disclosure of information 50w, 369w
Local enterprise companies, Industrial development 49–50w
Local government, Labour costs 366w
Local government finance, Scotland 52w
Local government reform, Employment protection 366w
Local government reform, Redundancy 366w
Local government reform, Scotland 365w
Lockerbie, Bombings 247w
Macedonia, Armed forces deployment 246w
Narmada dam 28–9w
NHS trusts, Scotland 404w

Worthington, Mr Tony—continued
Nigeria, Cameroon 80w
Nuclear Non Proliferation Treaty 246w
Nuclear weapons, Arms trade 162w
Offshore fixed platforms, Overseas workers 388w, 566–7w
Offshore fixed platforms, Recruitment 566w
Overseas aid, Sudan 251w
Overseas trade, Kuwait 387w
Overseas trade, Malaysia 192–3w
Police 94w
Police, Performance related pay 365w
Police authorities, Local government reform 94w
Pre-school education, Scotland 163w, 368w
Prisoners, Scotland 95–7w
Refugees, Rwanda 252w
Russia, Foreign relations 313w
Rwanda, Aid workers 184w
Rwanda, Armed conflict 281w
Rwanda, Human rights 553w
Rwanda, International aid from international bodies 27–8w
Rwanda, Organisation of African Unity 4–5w
Rwanda, Peace keeping operations 161–2w
Rwanda, Tanzania 80–1w
Rwanda, UN Commission on Human Rights 600w
Rwanda, UN Security Council 600w
Rwanda, United Nations 4w
Scottish Office, Billing 94w
Sierra Leone, Family planning 497w
Somalia, Armed conflict 281w
Somalia, Cholera 305w
Somalia, Overseas aid 80w
Somalia, Repatriation 26–7w
Strathclyde Passenger Transport Authority 363w
Sudan, International aid from international bodies 79–80w
Sudan, Overseas aid 251–2w
Tourism, City of Westminster 371–3w
West coast railway line 277w
Westminster City Council, Local government finance 372w
Yemen, Armed conflict 282–3w, 314w

Wray, Mr Jimmy
Debates etc.
Local Government Etc (Scotland) Bill, Rep (17.05.94) 728–30

Wrexham
Local government reform 424w

Wright, Dr Tony
Debates etc.
Deregulation and Contracting Out Bill, Rep (10.05.94) 231–2
Deregulation initiative, Orders and regulations (11.05.94) 383, 395, 407–11
Questions
Business questions 964–5
Citizen's Charter 189w
Dept of the Environment, Deregulation initiative 505w
Non-departmental public bodies, Ministry of Agriculture Fisheries and Food 152w

Written questions
Electronic mail 6w

Yemen
Armed conflict 282–3w, 314w

Yeo, Mr Tim
Questions
Nuclear review 543–4w

Yorkhill NHS Trust
Employment protection 363w, 402w

Yorkshire and Humberside
Employment 447w
Prisons 196–8w
Strikes 448w

Yorkshire Electricity Board
East Midlands Electricity 298w

Yorkshire Rider
Badgerline Group 179w

Young, Mr David
Questions
Community care, Hospital discharges 320–1w
Gibraltar, Armed forces strength 83w
Gibraltar, European Parliament members 83w
Motor vehicle theft 382–3w

Young, Rt Hon Sir George, Minister for Housing and Planning
Questions
"Access to Local Authority and Housing Association Tenancies Consultation Paper" 66w, 210w
Assured tenancies, Housing benefits 510w
Commission for the New Towns, Property transfer 208w
Council house sales, Greater London 65w
Council house sales, Harrogate 510w
Council house sales, Local government revenue 508w
Council house sales, Nottinghamshire 65w
Council housing, Empty housing 796
Council housing, Housing construction 68w
Council housing management, Contracts for services 512–3w

Young, Rt Hon Sir George—continued
Domestic energy conservation 378w
Eland House 63w
Empty housing, Compulsory purchase 114w
Flats over shops initiative 510w
Homelessness 506w, 796–7
Housing, Rural areas 64w
Housing associations, Rents 529–30w
Housing finance 261–2w
Housing finance, Local authorities 262w
Housing revenue accounts 508–9w
Housing (Right to Manage) Regulations 1994, Ethnic minorities 114–5w
"Index of Local Conditions" 393w
Limehouse link, Repairs and maintenance 66w
London docklands, Recreation spaces 64w
Private rented housing 798
Private rented housing, Harborough 797
Property Services Agency, Contracts for services 508w
Public sector housing, Government buildings 796
Rent assessment panels 115–6w, 510w
Security Facilities Executive, Performance standards 534w
Single regeneration budget, East Midlands 504w
Winget houses 375–6w

Young offenders
951–3
Secure training centres 9w, 568w

Young people
Armed forces recruitment 127w
Drug abuse 555w, 569w
Housing 320w

"Your Pocket Guide to Sex"
160–1w

Youth courts
Ethnic minorities 244w
Greater London 244w

Youth training
Derbyshire 661
Greater London 118w
Income support 210w

Youth training programme
Northern Ireland 44–6w

Yugoslavia
Armed forces deployment 137

Zantac
Expenditure 519w

Zimbabwe
Overseas aid 497w